

CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
MONDAY, DECEMBER 21, 2020 – 6:45 PM  
117 DICK STREET, 1ST FLOOR, ROOM 118  
REGULAR MEETING MINUTES

PRESENT: Commissioner Charles Evans, Chairman  
Commissioner Glenn Adams, Vice Chairman  
Commissioner Michael Boose  
Commissioner Jeannette Council  
Commissioner Charles Evans  
Commissioner Jimmy Keefe  
Commissioner Toni Stewart  
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  
Ivonne Mendez, Accounting Supervisor  
Dr. Jennifer Green, Public Health Director  
Dee Taylor, Community Development Director  
Candice H. White, Clerk to the Board  
Kellie Beam, Deputy Clerk

ABSENT: Commissioner Larry Lancaster

Chairman Evans called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENT PERIOD

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

Chilleko Hurst – Mr. Hurst stated no one is addressing the issue of the pandemic and prisoners being incarcerated in jailhouses and prisons. Mr. Hurst stated staff at these facilities have also been contaminated by COVID-19 and there has been under-reporting of infections in the prisons and jails. Mr. Hurst stated if this issue is not stamped out by returning prisoners to free society, there will be a revolving door of illness that will subject the non-suspecting public to the conditions present in the prisons and jail.

1. APPROVAL OF AGENDA

Commissioner Boose asked to remove Item 7.A. Appointment to the Board of Adjustment because he was notified the nominee is unable to serve. Commissioner Boose asked that the vacancy be brought back to the next Board meeting for nominations. Amy Cannon, County Manager, asked to change Item 4.A. Case P20-43 to a contested rezoning case.

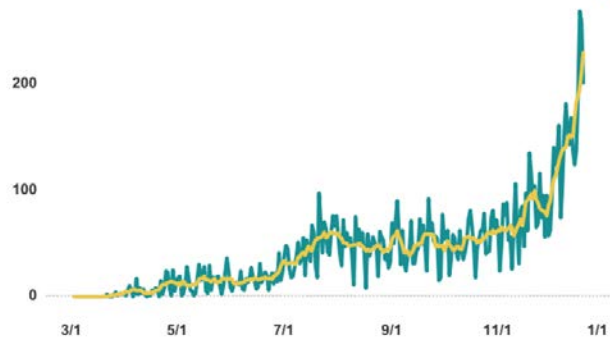
MOTION: Commissioner Keefe moved to approve the agenda to include removing Item 7.A. and changing Item 4.B. Case P20-43 to a contested rezoning case.  
SECOND: Commissioner Boose  
VOTE: UNANIMOUS (6-0)

2. PRESENTATIONS

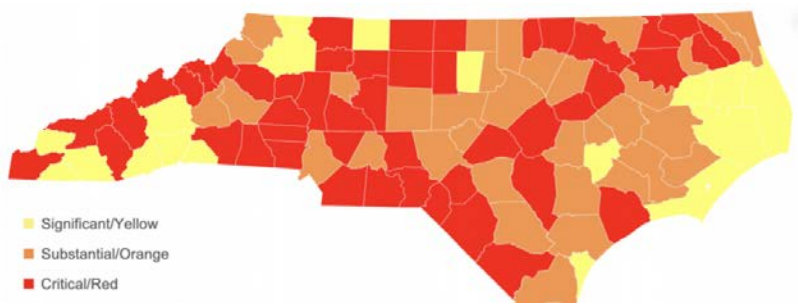
A. COVID-19 Update by Dr. Jennifer Green, Cumberland County Public Health Director

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page  
<http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>

Ms. Cannon called on Dr. Jennifer Green, Cumberland County Public Health Director, who provided an update on COVID-19 aided by a PowerPoint presentation. Dr. Green stated data is current as of December 20, 2020. For cases in Cumberland County, Dr. Green stated there are 12,509 total cases, 2,067 Molecular (PCR) Positive Cases and 442 Antigen Positive cases and numbers continue to increase over time. Dr. Green reviewed the graph below stating the yellow line represents the trend line and the green line represents the number of cases on a daily basis.

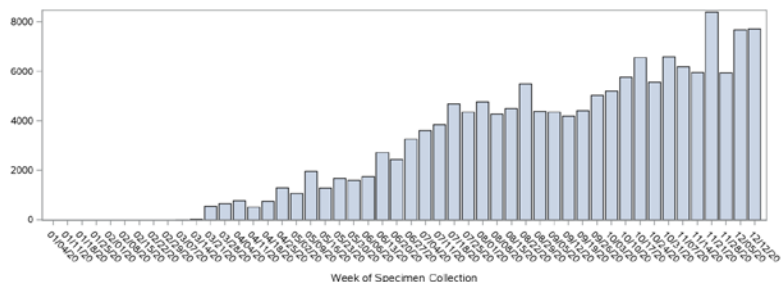


Dr. Green displayed a map of N. C. counties by tier using data from November 21 through December 4, 2020 and stated the COVID-19 County Alert system uses a combination of metrics to determine whether a county meets criteria to be in the red or orange tier; these metrics provide information about the amount of viral spread and hospital impact in the county. Dr. Green stated the alert system is updated every two weeks and although Cumberland County is currently in the orange tier, it may move to the red tier because the county’s case positivity rate is above 10%.



Dr. Green presented the following COVID-19 cases in Cumberland County followed by a graph depicting the estimated number of total tests for January 4, 2020 through December 12, 2020.:

- Last 7 Days: 1,316
- Last 14 Days: 2,292
- Daily Average of Cases\*: 166.9 (outstripping ability to contract-trace on regular basis)
- Daily Cases Per 100,000\*: 49.7
- Case positivity rate: 13.2% (move to red tier when two-week average is above 10%)
- \*7 day moving average
- Target is to test at least 5% of the population every week which equates to 4,200 tests every week



Dr. Green presented the following Recovery Data:

- 134 Deaths
  - 80% Age 65+
  - 69% Male
  - 52% African-American
  - 2% Hispanic
  - 75% Hospitalized
  - 85% Co-morbidity
  - 43% were in congregate living

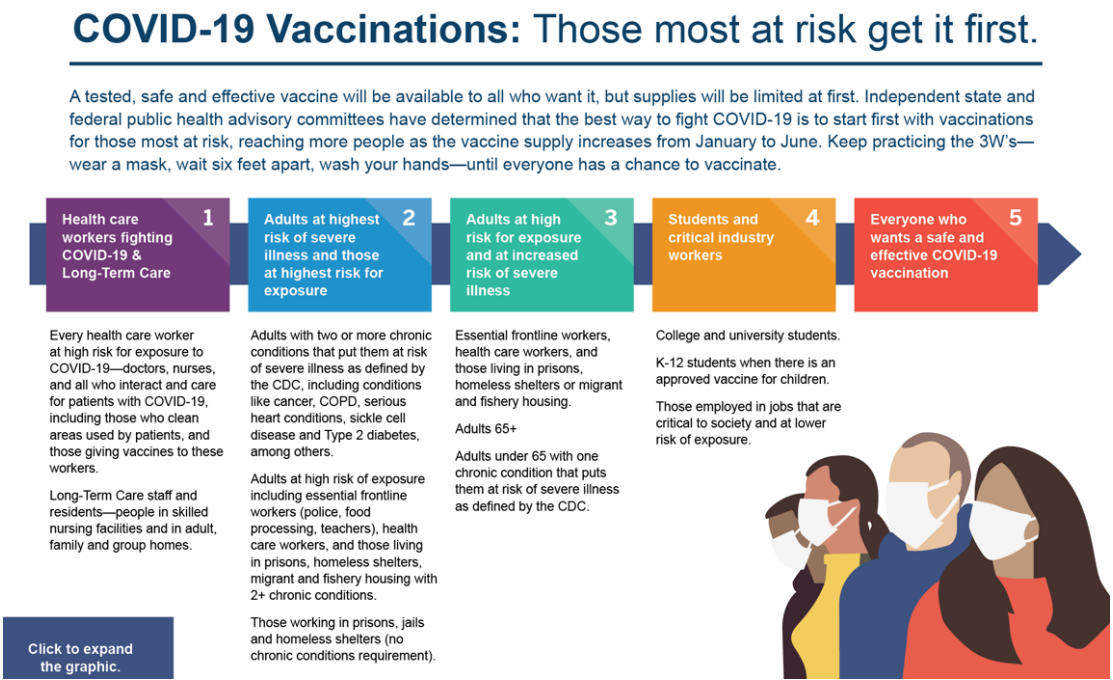
All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>

Dr. Green presented COVID-19 vaccine updates as follows and reviewed the slide below that provides an overview of the vaccine.

	Pfizer Vaccine	Moderna Vaccine
Preliminary Efficacy Data	95% effective in preventing infections, no serious safety concerns	94.5% effectiveness in preventing illness
Temperature/Storage	Requires ultra-cold storage (-75 degrees Celsius). Lasts up to 5 days at refrigerated temperatures	Requires storage at -20 degrees Celsius. Lasts up to 30 days at refrigerated temperatures.
Dosing	2-dose schedule, administered 21 days apart	2-dose schedule, administered 28 days apart.
Type of Vaccine	mRNA technology from the coronavirus's own genes to trigger people's immune system to produce antibodies against the COVID virus. mRNA vaccines can be made faster than older vaccines and require frozen storage to remain stable	
Safety	Neither vaccine has had any serious safety concerns in the clinical trials	
EUA Review (FDA/CDC)	December 10-13, 2020	December 17-20
Shipment to NC	Week of December 14, 2020	Week of December 21, 2020

- **Scientists had a head start.** Although the vaccines were developed quickly, they were built upon years of work in developing vaccines for similar viruses.
- **Testing was thorough and successful.** More than 70,000 people participated in clinical trials for two vaccines to see if they are safe and effective. To date, the vaccines are nearly 95% effective in preventing COVID-19 with no safety concerns.
- **There is no COVID-19 virus in the vaccine.** The vaccine imitates the infection so that our bodies think a germ like the virus is attacking. This creates the antibody defenses we need to fight off COVID-19 if and when the real germ attacks.
- **No major side effects.** Some people may have temporary reactions after being vaccinated, such as swelling from the injection, tiredness or feeling off for a day or two.

Dr. Green reviewed the following slide and stated allocations are on a week-to-week basis and the County Health Department may only have a couple of days’ notice of what it will receive.



Dr. Green presented the following slide about preparing for the COVID-19 vaccination and stated vaccinations will be rolled out for 1A individuals/agencies over the first several weeks through closed Point of Defensive Sites (PODS) which will not be open to the general public.

- LHDs and hospitals enrolled as providers first, other local health care providers and pharmacies will come later
- CVS/Walgreens/federal partnership to vaccinate long term care
- Week 1 (12/14) Allocations went to hospitals (Pfizer)
  - Cape Fear Valley System is included
- Week 2 (12/21) Allocations hospitals/LHDs (Pfizer and Moderna)
  - Doses coming to Cumberland County Health Department (Moderna)

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>

- Week 3 and beyond
  - Weekly allocations to LHD and hospitals
  - Will get prime (1st) and booster (2<sup>nd</sup>) doses at the appropriate time
- Outpatient providers who have an increased risk of exposure **beyond that of a typical general outpatient setting** could be included in the first phase (1A). This could include outpatient providers who are focused on COVID patient evaluation, respiratory care such as respiratory diagnostic testing centers, members of a dedicated respiratory care team, or frequently involved in COVID testing sites.
- Health care employers (e.g., health systems, medical practices, hospice providers, EMS) should:
  - Determine who meets the criteria of being high risk for exposure to COVID-19 as defined above because they interact and care for patients with COVID-19.
  - Work with local hospitals or local health departments to coordinate access to vaccination.

Dr. Green concluded her update by reviewing the following slide:

Executive Order Complaint Follow-Up (November/December 2020)	
43 unduplicated follow up correspondence in response to Executive Order complaints	
Location	
Retail /Salons	4
Restaurants/Bars	17
Gyms	3
Schools/Daycares	7
Grocery/Convenient Stores	4
Other	8
Location	
Fayetteville	38
Hope Mills	3
Stedman	2
Notes: Some locations have received multiple complaints, not reflected here. Follow-up includes phone calls, email, letter Other- Manufacturing, event venues, healthcare, etc. 90% complaints are for mask mandate violations	

Commissioner Boose asked who developed the vaccination list for Cumberland County. Dr. Green the State Health Department provided a list of all medical, veterinarian and funeral homes in Cumberland County, the County Health Department confirmed the list and returned it to the State Health Department, and the County Health Department was then provided individual names to register the individuals in the CVMS to ensure they receive the vaccination. Commissioner Keefe asked whether citizens would be required to show a negative test results before receiving the vaccine. Dr. Green stated if citizens are under isolation or quarantine orders, they will be required to finish out that period of time before coming to the test site. Commissioner Keefe asked whether an appointment would be necessary for a vaccination. Dr. Green stated it is anticipated that citizens will be able to enroll on their own as part of a public process as the different phases are rolled out and there will be a questionnaire to be completed. Additional questions followed.

3. CONSENT AGENDA

A. Approval of December 7, 2020 Special Meeting Minutes

MOTION: Commissioner moved to approve the December 7, 2020 special meeting minutes  
SECOND: Commissioner  
VOTE: UNANIMOUS (6-0)

B. Approval of Proclamation Recognizing Kiwanis Club of Fayetteville's 100th Year

BACKGROUND

Request was received for a proclamation recognizing the Kiwanis Club of Fayetteville's 100th year and honoring its members for their contributions to the betterment of life in our Cumberland County Community.

RECOMMENDATION / PROPOSED ACTION

Respectfully request approval of the proclamation.

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>



COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

Recognizing Kiwanis Club of Fayetteville's 100th Year

WHEREAS, the Kiwanis Club of Fayetteville has a rich and storied 100 Year Tradition of providing for the children of Cumberland County. Kiwanis is a global organization of volunteers dedicated to changing the world, one child and one community at the time; and

WHEREAS, in addition to improving lives, Kiwanis Club members promote the development of community leaders, positive role models, intercultural understanding and cooperation, opportunities for fellowship, personal growth, professional development and community service; and

WHEREAS, the Kiwanis Club of Fayetteville has a unique partnership with the Cumberland County Schools with the Reading is Fun Committee reading and supplying books to the Kindergarten and Head Start children multiple times a year, sponsors Key Clubs in six Cumberland County high schools, sponsors Builders Clubs in two Cumberland County middle schools as well as the Aktion Club for adults living with disabilities. Each of these clubs continues the Kiwanis tradition of service projects and community service activities; and

WHEREAS, the Kiwanis Club of Fayetteville has the world's largest Terrific Kids Program that promotes self-esteem by encouraging and then rewarding good behavior. The Kiwanians work closely with teachers who select a Terrific Kid twice a month; and

WHEREAS, the service provided by the Kiwanis Club of Fayetteville will continue to have a positive impact on our community and citizens; and

WHEREAS, the Kiwanis Club of Fayetteville is acting as a partner with Fayetteville-Cumberland County Parks and Recreation to make significant improvements to Honeycutt Park located at the Kiwanis Recreation Center; and

WHEREAS, the Kiwanis Club of Fayetteville was chartered on December 1, 1920 and 100 years later is one of 7,700 clubs in 80 countries celebrating 100 years in Cumberland County.

NOW, THEREFORE, We, the Cumberland County Board of Commissioners, do hereby recognize the Kiwanis Club of Fayetteville's 100 years of meaningful and invaluable service and honor its members for their contributions to the betterment of life in our Cumberland County Community.

Adopted this 21st day of December 2020.

C. Approval of Destruction of Tax Administration Records

BACKGROUND

Pursuant to a resolution adopted by the Board of Commissioners on February 4, 1985, authorization is requested to destroy the following records from the Tax Administration Departments:

2010 Personal Abstracts

2014-2017 Daily Cashier Tax receipt work 2008-2009 Business Personal Property Deletes

2016-2017 Motor Vehicle and Property Tax Monthly Reports for Municipalities 2015-2017 Motor Vehicle Adjustments

2009-2010 Motor Vehicle Scrolls 2010 Pet Listings

2009 Property record cards

The destruction of these records is in accordance with the current Records Retention and Disposition Schedule and all approved Amendments as issued by the North Carolina Division of Archives and History, and adopted by the Board of Commissioners.

RECOMMENDATION / PROPOSED ACTION

Approval of destruction of the records per the records retention schedule.

D. Approval to Pay Prior Year Invoices

BACKGROUND

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. The following Departmental invoices meet that criteria:

Workforce Development

Vendor: Fayetteville Technical Community College  
Services rendered or goods received: May 2019- May 2020  
Total Amount: \$57,978.26

Workforce Development

Vendor: Castle Uniform Company  
Goods received: June 2019-March 2020  
Total Amount: \$655.57

Workforce Development

Vendor: Cumberland County Health Department  
Services rendered: February 2020  
Total Amount: \$309.00

Workforce Development

Vendor: Nextcare Urgent Care  
Services rendered: February 2020-March 2020  
Total Amount: \$345.00

Workforce Development

Vendor: Red Wing Shoes  
Goods received: February 2020-April 2020  
Total Amount: \$1,241.57

Workforce Development

Vendor: Sandhills Community College  
Services rendered: January 2020-May 2020  
Total Amount: \$843.00

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

RECOMMENDATION / PROPOSED ACTION

Management is requesting the approval to pay prior year invoices for Workforce Development totaling \$61,372.40.

E. Approval of Sole Source Exception for Purchase of WatchGuard Video, Inc. Cameras

BACKGROUND

Funds of \$661,050 were approved in the Sheriff's Office fiscal year 2021 budget for the purchase of nine new vehicles and required up-fit. The up-fit includes the camera system. Currently WatchGuard Video Inc. cameras are installed in all Sheriff's Office vehicles.

Applications to access and download the recordings from the cameras were created specifically for the WatchGuard Video, Inc. camera system. Using the same system for all vehicles is necessary to ensure compatibility and standardization. The vendor has provided a quote in the amount of \$49,139.48.

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.

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>

F. Approval of Declaration of Surplus Equipment for Wilkes Road Treatment and Processing Facility

BACKGROUND

The Solid Waste Department operates the Wilkes Road Treatment and Processing Facility at 771 Wilkes Road. The facility processes yard waste, land clearing debris, and clean wood into boiler fuel and compost. There are several pieces of equipment that have been replaced with newer pieces of equipment or that are no longer needed. We request that this equipment be declared as surplus equipment. These items will be sold on GovDeals. The equipment includes the following:

Equipment No.	Description	Estimated Value
65	US Army Truck, 6X6, 5 ton	\$5,000
127	D7G Bulldozer	\$5,000
324	McCloskey Trommel Screen	Scrap value
25	International Dump Truck	\$10,000
137A	CAT D7F Bulldozer	\$25,000
130	CAT D300 Haul Truck	\$10,000
129	CAT 322B Excavator	\$20,000
107	Motor Grader	\$10,000
119	CAT 963C Tracked Loader	\$25,000
S-3	Extec Screen	\$40,000
125	Morbark 1400 Tub Grinder	\$50,000
215	Lowboy, Gooseneck Trailer	\$15,000
123	Powerscreen Trommel Screen	Scrap value

RECOMMENDATION / PROPOSED ACTION

The Solid Waste Director and County Management recommend that the the equipment listed above be declared as surplus property and approved by the Board of Commissioners' at their December 21, 2020 meeting.

G. Approval of Budget Ordinance Amendments for the December 21, 2020 Board of Commissioner's Agenda

BACKGROUND

General Fund 101

1) Emergency Services Grants – Budget Ordinance Amendment B210912 to recognize grant funds in the amount of \$5,000 from the Hartford Junior Fire Marshall Grant Program

The Board is requested to approve Budget Ordinance Amendment B210912 to recognize the Hartford Junior Fire Marshall Grant funds in the amount of \$5,000. These funds will be used to purchase smoke detector alarms as part of the department’s Fire Prevention Outreach Program.

Please note this amendment requires no additional county funds.

2) Emergency Services Grants – Budget Ordinance Amendment B210143 to recognize federal 2020 Hazardous Material Emergency Preparedness Grant Program (HMEP) funds in the amount of \$8,000

The Board is requested to approve Budget Ordinance Amendment B210143 to recognize 2020 Hazardous Material Emergency Preparedness Grant Program (HMEP) funds in the amount of \$8,000. Cumberland County Emergency Services will use these funds to conduct a full-scale hazardous materials transportation exercise in partnership with the Local Emergency Planning Committee (LEPC).

Please note this amendment requires no additional county funds.

3) Health Department – Budget Ordinance Amendment B210608 to recognize North Carolina

Division of Public Health funds in the amount of \$103,345

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>

The Board is requested to approve Budget Ordinance Amendment B210608 to recognize North Carolina Division of Public Health funds in the amount of \$103,345. The Health Department received additional state funds to continue providing on-site infection prevention and control training and consultation to all Long-term Care Facilities in Public Health Region 6.

Please note this amendment requires no additional county funds.

4) Facilities Management and Public Buildings Janitorial – Budget Ordinance Amendment B210200 to appropriate fund balance to increase the overtime budget in Facilities Management and Public Buildings Janitorial in the amount of \$24,900.

The Board is requested to approve Budget Ordinance Amendment B210200 to increase the overtime budget in Facilities Management and Public Buildings Janitorial in the amount of \$24,900. The Facilities Management overtime budget is requested to be increased by \$21,400 due to COVID-19 related overtime and staffing shortages. The Public Buildings Janitorial overtime budget is requested to be increased by \$3,500 due to COVID-19 related overtime.

Please note this amendment requires appropriation of general fund balance.

**REGARDING THE FOLLOWING ITEM #5 PLEASE NOTE:**

Each fiscal year County departments may have projects that are not complete by the fiscal year end (6/30/19) or items ordered that have not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2019 budget; however, the money was not spent by June 30, 2019.

The following amendment seeks to bring those funds forward from FY 2019 into the current fiscal year, allowing departments to complete and pay for these items. This revision is not using ‘new’ funds but is recognizing the use of FY19 funds in FY20.

**Community Development Home Fund 267**

5) Support Housing Program Grants – Budget Ordinance Amendment B210540 to re-appropriate remaining Continuum of Care grant funds in the amount of \$11,120

The Board is requested to approve Budget Ordinance Amendment B210540 to re-appropriate Continuum of Care grant funds in the amount of \$11,120. This is a new program grant that started in November of 2019. These funds are used for salaries to support Continuum of Care planning activities.

**RECOMMENDATION / PROPOSED ACTION**

Approve Budget Ordinance Amendments

**H. Approval of Cumberland County Board of Commissioners Agenda Session Items**

**1. Options for Renovating the Board of Commissioners' Meeting Room Due to COVID-19**

**BACKGROUND**

At the December 10, 2020 Board of Commissioners' Agenda Session Meeting, Staff presented information to the Board concerning potential renovation options to the current meeting room of the Board due to social distancing requirements associated with COVID-19. By consensus, the Board directed staff to engage an architectural firm and bring back potential concepts to the Board in March of 2021.

**RECOMMENDATION / PROPOSED ACTION**

Staff requests, and the Board agreed, to move this item forward to the December 21, 2020 Board of Commissioners' Consent Agenda with approval to engage an architectural firm to research and develop renovation concepts and cost estimates for the Board of Commissioners no later than March 2021.

**2. Broadcasting All Board of County Commissioner Meetings**

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>



## BACKGROUND

As the Board of County Commissioners, one of the ways we have made a commitment to being open and transparent is by streaming our regular meetings live through the county's website and broadcasting them live on Fayetteville/Cumberland Educational TV (FCETV) Spectrum Channel 5. We also approved converting Spectrum Channel 5 from an Educational Channel to a County Government Channel.

Transparency in county government not only means that we act openly with citizens' knowledge of the decisions we make, it also means that those affected by our decisions have knowledge of the process that resulted in those decisions. The Board believes our citizens want more information. One way we can provide more information and promote improved transparency of the process leading to our decisions is to broadcast all of our Board of County Commissioner meetings.

## RECOMMENDATION / PROPOSED ACTION

Following discussion at the December 10, 2020 Agenda Session, there was unanimous support to forward this item to the December 21, 2020 regular meeting as a consent agenda item with a recommendation for approval.

### 3. Supplemental Pay for Board of Election Members

## BACKGROUND

Commissioner Glenn Adams asked that the Board of Commissioners consider supplemental pay for the Board of Election members.

## RECOMMENDATION / PROPOSED ACTION

Following discussion at the December 10, 2020 Agenda Session, recommendation was to provide a one-time stipend in the amount of \$1,000 to Board of Election members and forward to the December 21, 2020 regular meeting as a consent agenda item.

### 4. Emergency Watershed Protection (EWP) Program Application for Federal Assistance SF-424 Revision to Increase Grant Award and Associated Budget Ordinance Amendment #B210057

## BACKGROUND

The Cumberland County Soil & Water Conservation District was notified that it would be receiving additional grant funding for Round 1 of the Emergency Watershed Protection (EWP) Program. When originally approved by the Board of Commissioners' on August 17, 2020, the amounts for the Round 1 award were as follows:

BR# 210058

Total \$1,118,111.00

Federal \$868,583.50

Non-Federal \$249,527.50

The requested amendment, has been approved by the Cumberland County Soil & Water Conservation Board of Supervisors and is requested as follows for the Round 1 Amendment (Increase):

BR#210057

Total \$1,228,625.89

Federal Increased to \$954,434.64

Non-Federal Increased to \$274,191.25

(An increase of \$110,515.00)

The additional funds will be used to add other stream debris clearance projects to the existing project list.

## RECOMMENDATION / PROPOSED ACTION

This item was heard at the December 10, 2020 Agenda Session Meeting and was forwarded for consideration to the December 21, 2020 Board of Commissioners' Regular Meeting as a Consent Agenda item. Staff requests approval of the Notice of Grant and Agreement Award submission for

Round 1, Amendment 1 of the Emergency Watershed Protection (EWP) Program and Associated Budget Ordinance Amendment #B210057.

5. Fiscal Year 2020-2021 CARES Act Funding for the Cumberland County Community Transportation Program and the Associated Budget Ordinance Amendment # B211066

#### BACKGROUND

The Community Transportation Program (CTP) has been notified by NCDOT that payment of ROAP (Rural Operating Assistance Program) funds have been placed on hold for the FY21 fiscal year. Due to funding uncertainties and the current situation with COVID-19 throughout the State, NCDOT is instead encouraging all transit systems to secure funds through the FY20 Coronavirus Aid, Relief and Economic Security (CARES ACT) to supplant or “fill in” these monies to cover ROAP program expenses for the remainder of this fiscal year.

Cumberland County CTP has been informed that there is a total of \$498,031 in CARES Act funding available for our transit system with no local match required. The CARES funding will be allocated in two disbursements from NCDOT. Round 1 disbursement is for a total of \$183,803. The round 2 disbursement would total \$314,228. The CARES funding period will run from July 1, 2020 to June 30, 2021. CTP will need \$358,313 to cover the ROAP expenses for this fiscal year. Community Transportation will directly apply these CARES funds to fully cover the ROAP expenditures under the EDTAP (Elderly and Disabled Transportation Assistance Program), Employment (EMPL) and Rural General Public (RGP) Programs for the FY21 fiscal year. Staff proposes to cover current administrative and operating expenses with the remaining funds.

#### RECOMMENDATION / PROPOSED ACTION

Staff recommends approval of the agreement for FY20 Coronavirus Aid, Relief and Economic Security (CARES ACT) Program between Cumberland County Community Transportation Program and the NCDOT – Integrated Mobility Division and the associated Budget Ordinance Amendment # B211066 in the amount of \$498,031.

6. Statement of Work and Communications Equipment and Services Agreement for Eleven Motorola MCC7500 Dispatch Consoles for 500 Executive Place

#### BACKGROUND

The proposal for the purchase of the Communications Equipment and Services Agreement for Eleven (11) Motorola MCC7500 Dispatch Consoles for 500 Executive Place was presented at the December 10, 2020 Board of Commissioners' Agenda Session. In order to avoid mark-up costs, certain fixtures, furnishings, and technology for the new Cumberland County Emergency Services Center will be purchased directly by the County. To ensure compatibility and standardization with existing radio infrastructure, this equipment must be purchased from Motorola. Staff was made aware that Motorola would extend a substantial discount on the eleven consoles through December 28, 2020.

The discounted price for the communications equipment presented at the December 10, 2020 Board of Commissioners' Agenda Session was \$1,150,000. After that meeting, Motorola provided a further reduction in total cost of the communications equipment to \$1,093,500, if purchased prior to December 28, 2020. Funds are available and budgeted for this purchase under the 500 Executive Place Project and the Sole Source documentation approved by the Finance Department is provided as an attachment.

The complete Proposal, Statement of Work and Communications Equipment and Services Agreement from Motorola Solutions which details the specifications and types of equipment to be provided with the consoles is attached for your review.

Construction bids for the Emergency Services Center are due back to the County on December 17, 2020, however, staff is requesting approval to purchase the communications equipment to be able to take advantage of the vendor discount.

#### RECOMMENDATION / PROPOSED ACTION

This item was presented at the December 10, 2020 Agenda Session Meeting and was approved to move forward as a Consent Agenda Item to the December 21, 2020 Board of Commissioner's

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>

Meeting. Staff requests approval of the Statement of Work, the Communications and Equipment Services Agreement, and approval to make the sole source purchase for communications equipment from Motorola in the amount of \$1,093,500 by December 28, 2020.

7. Additional Qualification-Based Selection Lists for Professional Engineering and Design Services

**BACKGROUND**

The attached rankings were compiled separately from the prior Qualification Based Selection List due to the specialty areas involved and are being presented for consideration at this time. North Carolina General Statute 143-64.31 requires local governments to select firms to provide architectural, engineering and surveying services on the basis of demonstrated competence and qualifications for the type of professional services required without regard to fee other than unit price information. Based on the number of Capital Improvement Plan (CIP) projects Engineering & Infrastructure undertake each year that necessitate professional services, the most efficient way to obtain professional services is to establish a list of qualified firms that can provide specialized consulting based upon the discipline needed to successfully initiate and complete any given project. The primary benefit of this approach is that it can reduce the amount of time required to issue a Request for Qualifications (RFQ) and review multiple vendor submissions for each project. The County can still reserve the right to issue a separate RFQ for a specific project when it is determined to be in the County's best interest.

The Engineering & Infrastructure Department issued a RFQ for Professional Services and reviewed/scored the responses. The RFQ was for architectural services and various disciplines of engineering and surveying. Attached you will find a list of qualified firms sorted into areas of expertise and competency. The list shall be effective for a period of three years with an option to extend for two additional one-year periods not to exceed five total years.

**RECOMMENDATION / PROPOSED ACTION**

This item was heard at the December 10, 2020 Agenda Session Meeting, and it was forwarded for consideration by the full Board of Commissioners' as a Consent Agenda item at their December 21, 2020 Regular Meeting. Staff requests approval of the addition of the attached firms, under the specified categories, to the Qualification Based Selection List for use by the Engineering and Infrastructure Department.

8. Community Development Funding Agreement with the Cumberland County Department of Public Health for Health Services in Response to the COVID-19 Pandemic

**BACKGROUND**

Through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Cumberland County was awarded additional Community Development Block Grant (CDBG) funding totaling an amount of \$944,404 from the U.S. Department of Housing and Urban Development (HUD). In response to addressing local community needs related to the COVID-19 pandemic, Cumberland County Community Development (CCCD) made available its additional CDBG funds to eligible agencies to provide public services (human services) activities.

Cumberland County Department of Public Health submitted an application for CDBG funding that will allow the agency to increase its capacity and availability of health services to address the COVID-19 pandemic. The selected program will meet the CDBG eligibility requirements by addressing an urgent need in the community affected by the pandemic. Community Development desires to enter into a contract with the agency for a funding amount not to exceed \$226,000. CDBG funds are currently available for this project.

**RECOMMENDATION / PROPOSED ACTION**

At the December 10, 2020 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action below as a Consent Item on the December 21, 2020 Board of Commissioners' Meeting:

Approve the Community Development contract with Cumberland County Department of Public Health in the amount not to exceed \$226,000 for the provision of health services in response to the COVID-19 pandemic.

9. Community Development Funding Agreement with Fayetteville Urban Ministry, Inc. for Housing Stabilization Assistance Services

**BACKGROUND**

A Request for Proposal (RFP) was released between March 2, 2020 – April 27, 2020 seeking applications from eligible agencies to provide public services (human services), public facilities / infrastructure, and affordable housing developments. Proposals for various project types were received by Community Development. The selection committee reviewed all proposals and Fayetteville Urban Ministry, Incorporated was one of the agencies selected to provide housing stabilization assistance which includes providing case management, rental assistance and utility assistance to low to moderate income households. The selected program meets the eligibility requirements for the public services activity and Community Development desires to enter into a contract with the agency in an amount not to exceed \$145,000. This program will continue to meet the high demand for housing stabilization assistance during the COVID-19 pandemic crisis. Community Development Block Grant funds are currently available for this project.

**RECOMMENDATION / PROPOSED ACTION**

At the December 10, 2020 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action below as a Consent Item on the December 21, 2020 Board of Commissioners' Meeting:

Approve the Community Development contract with Fayetteville Urban Ministry, Incorporated in the amount not to exceed \$145,000 to provide housing stabilization assistance services.

10. Community Development Funding Agreement with Family Endeavors, Inc. for Housing Stabilization Assistance Services

**BACKGROUND**

A Request for Proposal (RFP) was released between March 2, 2020 – April 27, 2020 seeking applications from eligible agencies to provide public services (human services), public facilities / infrastructure, and affordable housing developments. Proposals for various project types were received by Community Development. The selection committee reviewed all proposals and Family Endeavors, Incorporated (d/b/a Endeavors) was one of the agencies selected to provide housing stabilization assistance which includes providing case management, rental assistance and utility assistance to low to moderate income households. The selected program meets the eligibility requirements for the public services activity and Community Development desires to enter into a contract with the agency for an amount not to exceed \$200,000. This program will continue to meet the high demand for housing stabilization assistance during the COVID-19 pandemic crisis. Community Development Block Grant funds are currently available for this project.

**RECOMMENDATION / PROPOSED ACTION**

At the December 10, 2020 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action below as a Consent Item on the December 21, 2020 Board of Commissioners' Meeting:

Approve the Community Development contract with Family Endeavors, Inc. (d/b/a Endeavors) in the amount not to exceed \$200,000.

11. Community Development Funding Agreement with Hillside - FMHA, LLC for Installation of New HVAC Units

**BACKGROUND**

A Request for Proposal (RFP) was released between March 2, 2020 – April 27, 2020 seeking applications from eligible agencies to provide public services (human services), public facilities / infrastructure, and affordable housing developments. Proposals for various project types were received by Community Development. The selection committee reviewed all proposals and Hillside – FMHA LLC was one of the agencies selected to receive funding for the installation of new heating, ventilation, and cooling systems in thirty-two (32) units at the property located at 1920 Rosehill Road, Fayetteville, North Carolina. The selected program meets the eligibility requirements for providing affordable housing to low- and moderate- income elderly households and Community Development desires to enter into a contract with the agency for a funding amount



not to exceed \$187,400. Community Development Block Grant funds are currently available for this project.

#### RECOMMENDATION / PROPOSED ACTION

At the December 10, 2020 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action below as a Consent Item on the December 21, 2020 Board of Commissioners' Meeting:

Approve the Community Development contract with Hillside-FMHA LLC in the amount not to exceed \$187,400 for the installation of 32 new HVAC units.

#### 12. Alliance Health Update on Provision of Behavioral Health Services

##### BACKGROUND

Each year Cumberland County provides \$4,800,000 to Alliance Health for the provision of behavioral health services delivered to residents of this County. During fiscal year 2020, \$2,966,038 of that allocation was unspent at the end of the fiscal year and remains in a "restricted for Cumberland" account on the books of Alliance Health. During the December 10, 2020 Agenda Session meeting, staff of Alliance Health explained what led to under-spending last fiscal year and provided an update on overall service delivery in Cumberland County.

A request to utilize \$1,000,000 of that fund balance was presented for use on: (1) child focused services including a six-bed crisis home to address DSS group alternative placement needs, a six-bed long term assessment and transitional home, child mobile crisis team, and high fidelity wrap around services; (2) adult focused services for bridge housing onsite behavioral health and peer support; and (3) medication support to include sponsoring an over the counter event, crisis facility medication support, and overdose prevention efforts. The detailed presentation is attached.

#### RECOMMENDATION / PROPOSED ACTION

At the December 10, 2020 Agenda Session Meeting, the Board of Commissioners approved placing the proposed action below as a Consent Agenda Item on the December 21, 2020 Board of Commissioners' meeting:

Approve the use of \$1,000,000 of fund balance held on the books of Alliance Health for the child, adult, and medication support services as presented.

MOTION: Commissioner Keefe moved to approve consent agenda items 3.A. – 3.H.12.

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

#### 4. PUBLIC HEARINGS

Ms. Cannon noted a discrepancy between the paper agenda and the agenda available in Novus and stated the uncontested rezoning Case P20-52 should be Item 4.A. and the contested rezoning Case P20-43 should be Item 4.B. Ms. Cannon explained the Board of Commissioners' procedures for public hearings.

##### Uncontested Rezoning Case

A. Case P20-52: Rezoning of 5.00+/- acres from RR Rural Residential to M(P) Planned Industrial or to a more restrictive zoning district, located on the north side of NC Highway 24, west of SR 1941 (Angelia M Street), submitted by Jonathan Derrill Edwards Jr. on behalf of ND4200, LLC (owner).

\*\*\*\*\*

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 Planning staff recommended approval of the rezoning request and it received a unanimous vote by the Planning Board.

Chairman Evans opened the public hearing for Case P20-52.



The clerk to the board stated there were no speakers for Case P20-52.

Chairman Evans closed the public hearing for Case P20-52.

**MOTION:** Commissioner Keefe moved in Case P20-52 to approve the rezoning request from RR Rural Residential to M(P) Planned Industrial and find the request consistent with the Eastover Land Use Plan (2018) designation of “Industrial” as it allows a wide variety of industrial operations involving manufacturing, processing, fabrication and distribution which are permitted uses in the M(P) district. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses and zoning.

**SECOND:** Commissioner Stewart

**VOTE:** UNANIMOUS (6-0) (Commissioner Council was not present for the vote.)

### Contested Rezoning Case

B. Case P20-43: Rezoning of 20.61+/- acres from A1 Agricultural to R40 Residential or to a more restrictive zoning district, located at 7149 Butler Nursery Road, submitted by Kyle A. Dixon (owner) & Tim Evans (agent). (Applicant has revised request to R40 Residential/CZ Conditional Zoning for a 20-lot subdivision)

\*\*\*\*\*

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. Mr. Howard stated the site is currently served by private well and septic and although located in the Gray’s Creek Water and Sewer District, public water and sewer are not available. Mr. Howard also stated the Gray’s Creek Airport is located across Butler Nursery Road. Mr. Howard stated Planning staff recommended approval and found the request to be compliant with the South-Central Land Use Plan’s designation of “Farmland” as it allows a density of one unit per acre on tracts greater than 10 acres that have favorable soil conditions and desire stick built homes. Mr. Howard stated although the request is not compliant with public water and sewer, staff looked at the general intent of policies for the area and still recommended approval. Mr. Howard reviewed the site plan and called attention to the runway area. Mr. Howard stated there were comments by individuals associated with the Grays Creek Airport at the meeting of the Planning Board about how the panhandle area of the subject property could be impacted in the event of an emergency landing. Mr. Howard stated the applicant met with Planning staff and revised the request to R40 Residential/CZ Conditional Zoning. Mr. Howard described other site plan revisions made by the applicant. Mr. Howard stated the R40 Residential/CZ Conditional Zoning request received a 7 to 2 favorable vote by the Planning Board.

Commissioner Boose asked what could be located in the upper righthand corner of the subject property. Mr. Howard responded basically anything that could go with a single-family home under the zoning ordinance, such as a detached garage. Commissioner Adams asked how this case initially came forward to the Board of Commissioners as an uncontested rezoning case when there was opposition at the meeting of the Planning Board and stated he would have visited the subject property had he known it was going to be contested. Commissioner Adams also stated the subject property is in the Grays Creek area, but he did not see any of the issues involving Chemours and contaminated water addressed by staff or the Planning Board. Commissioner Adams further stated he had concerns about locating a new development in that area and asked whether any of the issues were even brought up. Mr. Howard stated there were discussions by staff but because there is only a nebulous concept of where the contamination is or is not and no defined map, he instructed staff to stick with the land use policies in the absence of anything concrete to fall back on. Commissioner Adams stated that information should have been brought to the Board of Commissioners because he feels it is an important consideration. Mr. Howard stated he can include such information in future staff reports.

Chairman Evans opened the public hearing for Case P20-43.

The clerk to the board called the following speakers for Case P20-43.

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>

Tim Evans – Mr. Evans appeared in favor and stated when he started the rezoning, there was opposition. Mr. Evans stated Scott Smith, who is involved with the Grays Creek Airport, had concerns about an adjacent piece of property to the right of the subject property and tall trees being in the line of the runway. Mr. Evans stated the tall trees are not on the subject property. Mr. Evans stated there were also concerns about the field in the back of the subject property which cannot be built on due to the 100-foot setback. Mr. Evans stated Mr. Pate, who is not present at this meeting, was also in opposition and he met with him after the Planning Board meeting to ensure him a wooded 100-foot buffer would be left on the backside of the subject property. Mr. Evans stated as a developer/broker, he must disclose to anyone purchasing property in the subdivision that there is an airport and because of his concerns regarding the airport, he invited Kenneth Ray, a pilot from Delta who flies internationally, to assess the situation and provide an honest professional opinion. Mr. Evans stated Kenneth Ray said he would purchase a home in the subdivision without a doubt. Mr. Evans stated although he can put 10 houses in the subdivision, he is requesting 20 houses when considering the current cost of development to make it work. Mr. Evans stated deeper wells will be dug.

Kenneth Ray – Mr. Ray appeared in favor and stated he has a home 1 mile west of the subject property, is a retired Delta pilot and he looked at the property and observed flight operations at the Grays Creek Airport. Mr. Ray stated he understands concerns were expressed about properties built off the departure runway, potential accidents that could happen and liabilities. Mr. Ray stated the biggest concern he saw were the tall trees directly off the departure runway that are not on the subject property. Mr. Ray stated the concern is if power were to be lost after takeoff, the options would become limited and the aircraft would have to be landed in a spot that would limit damage to the aircraft and other property. Mr. Ray stated the tall trees would tend to force the aircraft to go right, the subject property, or left, the A1 farmland south of Butler Nursery Road. Mr. Ray stated the better option is the A1 farmland to the left.

Jack Cain – Mr. Cain appeared in opposition and stated he was born and raised on property to the back of the subject property. Mr. Cain stated his main concern is erosion because he used to have a bad problem with erosion on his property until controls were put in by the county. Mr. Cain stated he does not know what will happen with water on streets in the subdivision or whether there is a plan to handle the water. Mr. Cain stated he also has concerns related to the airport and contaminated water.

Ray Cain – Mr. Cain appeared in opposition and stated he is an adjacent landowner and nobody in the area wants a subdivision developed on the farmland. Mr. Cain stated landowners who pay taxes every year have no say when someone from outside the community buys farmland in their community, sells the lots and then leaves. Mr. Cain stated the location of the subject property is the heart of the GenX contamination because his water tested well above the state limit. Mr. Cain also expressed concern about the lack of sewer and airplanes flying over the subject property.

Scott Smith – Mr. Smith appeared in opposition and stated he is the owner of the Grays Creek Airport flight school that was started by his father in 1984 as a privately-owned public use area where essentially any one can come and go whenever they wish without approval or anything else. Mr. Smith stated the proposed subdivision scares him as it relates to the critical phases of flying that wrap around the proposed subdivision. Mr. Smith stated the Federal Aviation Administration (FAA) sets aside a cone-shaped runway protective zone on which to land and 90% of that area is encompassed by the trees; what is left are two choices, the area to the left or the area to the right. Mr. Smith stated safety is his main concern and this proposed subdivision is a bad location for houses.

Carla Giles – Ms. Giles appeared in opposition and stated she has lived in Grays Creek for 25 years and it has always been quiet and peaceful. Ms. Giles stated she cannot imagine 20 houses being jammed up on such a small piece of property and 20 additional wells and septic tanks. Ms. Giles stated because of development in the area, a lot of animals natural to the area have come to the subject property. Ms. Giles stated during heavy rains, the area becomes an ocean. Ms. Giles stated 20 houses it is all about money and piling houses on top of each other is just greedy.

Chairman Evans closed the public hearing for Case P20-43.

Commissioner Adams asked if this was a zero-lot line subdivision with 20 houses and no water and no sewer. Mr. Howard responded in the affirmative and stated zero-lot line allows flexibility in design/configuration of lots and is allowed under R40 with the same density. Commissioner Boose asked who owned the land with the full-grown trees. Mr. Evans stated the trees are on property owned by the Cains. Commissioner Boose asked about the junior trees. Mr. Evans stated they are not on the subject property. Commissioner Boose asked whether there had been discussion about not putting anything on the panhandle piece as opposed to one unit. Mr. Howard stated one unit in on the site plan which serves as the agreement as to what gets built on the subject property.

Commissioner Keefe inquired about parcels around the subject property that do not show a zoning designation. Mr. Howard responded they are zoned A1 Agricultural. Commissioner Keefe stated 20 units seems like a lot for the area when considering current concerns and it seems to be more rural in nature which is how most people would like to keep it.

**MOTION:** Commissioner Keefe moved in Case P20-43 to deny the rezoning request from A1 Agricultural to R40 Residential/CZ Conditional Zoning for a 20-lot subdivision and find the request is not consistent with the South-Central Land Use Plan 2015 designation of “Farmland”; denial of the request for this reasons is reasonable and in the public interest.

**SECOND:** Commissioner Boose

**VOTE:** UNANIMOUS (6-0)

Ms. Cannon noted another discrepancy between the paper agenda and the agenda available in Novus. Ms. Cannon stated in Novus, Item 4.C. is the Public Hearing and Consideration of Renaming Fourmarren Road to Copperhead Road – Case No. SN-0472 and Item 4.D. is to Hold a Public Hearing and Adopt the Resolution Authorizing the Filing of an Application for Approval of an Installment Financing Contract Authorized by NCGS §160A-20, Making Certain Findings Required by NCGS §159-151.

#### Other Public Hearings

C. Public Hearing and Consideration of Renaming Fourmarren Road to Copperhead Road – Case No. SN-0472

#### BACKGROUND

Staff received a request from property owner Robbie Misplay to change the name of his “Class C” private road. This road was created by plat by Dale Marren (Case 2005-193) and recorded on 1/18/2006. Including Mr. Misplay's property, there are three property owners affected by this request. Mr. Misplay's property is the only property currently having an existing residence. The other two parcels are vacant. Mr. Misplay requested the name “Copperhead Rd.” because the owners routinely have observed copperhead snakes in the area.

The requestor of the petition would have to do a revision of the previous plat to reflect the street name change. All three property owners that abut the road have been notified of the request with all three property owners in agreement on the name change.

CURRENT NAMES	PROPOSED
FOURMARREN RD	COPPERHEAD RD

#### RECOMMENDATION / PROPOSED ACTION

Staff recommends approval of the street name change.

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <http://co.cumberland.nc.us/departments/commissioners-group/commissioners/meeting-documents>

\*\*\*\*\*

Rawls Howard, Planning and Inspections Director, presented the background information and recommendation/proposed action recorded above.

Chairman Evans opened the public hearing.

The clerk to the board stated there were no speakers.

Chairman Evans closed the public hearing.

Commissioner Adams asked whether the renaming of the road had been advertised because it is not reflected in any of the documents provided to the Board. Mr. Howard stated it was advertised and he will speak with Planning staff about providing that information in the future. Rick Moorefield, County Attorney, stated every public hearing before the Board of Commissioners has to be advertised.

MOTION: Commissioner Keefe moved to approve the street name change from Fourmarren Road to Copperhead Road.  
SECOND: Commissioner Boose  
VOTE: UNANIMOUS (6-0)

D. Hold a Public Hearing and Adopt the Resolution Authorizing the Filing of an Application for Approval of an Installment Financing Contract Authorized by NCGS §160A-20, Making Certain Findings Required by NCGS §159-151

#### BACKGROUND

An update regarding the proposed financing of Limited Obligation Bonds in an amount not expected to exceed \$25,000,000 for the County's Emergency Operations Center (EOC) project and the Fayetteville Technical Community College (FTCC) Fire Training Center project was last provided during the November 16, 2020 Board of Commissioner's meeting when a call for public hearing was approved. As a reminder, the last cost estimate on the EOC project totaled \$17,521,703 with \$15,000,000 to be financed and the remaining funding to be provided through grants or fund balance allocation. The most recent cost estimate on the FTCC's Fire Training Center project was \$20,349,180. That total will be funded by a maximum County financed contribution of \$10,000,000 in addition to other FTCC Connect NC Bond funds, state equipment funds, and FTCC institutional funds.

In order to proceed with the \$25,000,000 financing, a resolution authorizing the filing of an application as well as making certain findings and holding a public hearing is required.

#### RECOMMENDATION / PROPOSED ACTION

Hold the public hearing and approve the resolution authorizing the filing of an application for approval of an installment financing contract authorized by North Carolina General Statutes §160A-20, making certain findings required by North Carolina General Statutes §159-151.

#### RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF AN INSTALLMENT FINANCING CONTRACT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTES §160A-20, MAKING CERTAIN FINDINGS REQUIRED BY NORTH CAROLINA GENERAL STATUTES §159-151

WHEREAS, the County of Cumberland, North Carolina (the "County") proposes to finance the acquisition, construction and equipping of a building for use as an emergency operations center and other County functions (the "Emergency Operations Center") and a fire training facility to be operated by Fayetteville Technical Community College (the "FTCC Fire Training Center," and, together with the Emergency Operations Center, the "Project");

WHEREAS, it is anticipated that the cost of financing the Project will be not more than \$25,000,000, which may include issuance expenses in connection therewith; and



WHEREAS, the County expects to finance the Project through an installment financing and limited obligation bonds, which will be secured by a deed of trust on the Emergency Operations Center; and

WHEREAS, financing the Project pursuant to N.C.G.S. §160A-20 must be approved by the North Carolina Local Government Commission (the “LGC”) and will only be approved if the findings of N.C.G.S. §159-151(b) have been made; and

WHEREAS, Board of Commissioners has this day held a public hearing with respect to the financing of the Project pursuant to N.C.G.S. §160A-20, as evidenced by the Certificate and Summary of Public Hearing attached hereto as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County (the “Board”), as follows:

1. After consideration, the Board has determined that the most advantageous manner of financing the Project is by an installment financing contract pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended. In support thereof, the Board hereby makes the following findings of fact:

(a) The proposed financing is necessary or expedient because of the need to construct the Project for the health and safety of the County and to support the educational mission of the FTCC.

(b) The proposed financing is preferable to a general obligation bond financing for the same purposes because the cost to issue general obligation bonds would be greater and both components of the Project are ready to begin construction.

(c) The cost of the proposed undertaking exceeds the amount of funds that can be prudently raised from currently available appropriations, unappropriated fund balances, and non-voted general obligation bonds that could be issued by the County pursuant to Article V, Section 4, of the North Carolina Constitution. The Projects are non-revenue producing, so revenue bonds are not an option.

(d) The cost of financing under the proposed financing will not be materially greater than the cost of issuing general obligation bonds.

(e) The sums proposed to be provided under the financing are adequate and not excessive for the stated purpose of financing the Project.

(f) The County’s debt management procedures and policies are good and have been carried out in strict compliance with law and will henceforth be so carried out.

(g) There will be no increase in taxes necessary to meet the sums to fall due under the proposed financing.

(h) The County is not in default in any of its debt service obligations.

2. Pursuant to N.C.G.S. § 160A-20, the County, through its staff, is hereby authorized to finance the Project by entering into an installment financing contract that will be secured by a deed of trust on that portion of the Project consisting of the site of the Emergency Operations Center, together with any improvements or fixtures located or to be located thereon, subject to permitted encumbrances, or other security instruments that create a security interest in some or all of the property being financed to secure repayment of such financing.

3. The attorney for the County will render an opinion that the financing of the Project is authorized by law and constitutes a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

4. Each of the County Manager, the County Finance Director and other appropriate officers of the County is hereby authorized and directed to file an application with the LGC for its approval



of the financing described above in an amount not to exceed \$25,000,000, and the actions of any of the County Manager, the County Finance Director, and other officers of the County in connection therewith are hereby approved and confirmed.

5. All other acts of the Board and the officers of the County which are in conformity with the purposes and intent of this resolution and in furtherance of the financing of the Project are hereby ratified, approved and confirmed.

6. This resolution shall take effect immediately.

#### Exhibit A

The undersigned Clerk to the Board of Commissioners for the County of Cumberland, North Carolina hereby certifies:

1. Attached hereto as Exhibit A is an affidavit of publication with respect to a notice of a public hearing (the "Hearing") that was held on December 21, 2020, with respect to an installment financing contract in the principal amount currently expected not to exceed \$25,000,000, the proceeds of which will be used to finance construction of a new emergency operations center for the County and a fire training center to be operated by Fayetteville Technical Community College, to be secured by a deed of trust on the emergency operations center.

2. The presiding officer of the Hearing was Chairman Evans.

3. The following is a list of the names and addresses of all persons who spoke at the Hearing:

4. The following is a summary of the oral comments made at the Hearing:

\*\*\*\*\*

Vicki Evans, Finance Director, presented the background information and recommendation/proposed action recorded above. Mr. Evans stated this item was initially presented at the December 10 Agenda Session meeting and the public hearing was advertised.

Chairman Evans opened the public hearing.

The clerk to the board stated there were no speakers.

Chairman Evans closed the public hearing.

MOTION: Commissioner Adams moved to approve the resolution authorizing the filing of an application for approval of an installment financing contract authorized by North Carolina General Statutes §160A-20, making certain findings required by North Carolina General Statutes §159-151.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (6-0)

#### 5. ITEMS OF BUSINESS

A. Consideration of Designation of Voting Delegate and Alternate Voting Delegate for the NCACC's 2021 Legislative Goals Virtual Conference

#### BACKGROUND

The NCACC's 2021 Legislative Goals Conference will be held via virtual format Thursday and Friday, January 14-15, 2021. The Board of Commissioners is hereby requested to designate a commissioner or other official as a voting delegate and as an alternate voting delegate for the conference. The voting delegate designation form is to be returned to the NCACC no later than Monday, January 11, 2021.

## RECOMMENDATION / PROPOSED ACTION

Appoint a voting delegate and alternate voting delegate for the NCACC's 2021 Legislative Goals Conference to be held via virtual format.

MOTION: Commissioner Council moved to appoint Chairman Evans as the voting delegate and Commissioner Adams as the alternate voting delegate for the NCACC's 2021 Legislative Goals Conference to be held via virtual format.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (6-0)

## 6. NOMINATIONS

### A. Civic Center Commission (1 Vacancy)

Commissioner Adams nominated Alexandra "Lexi" Hasapis.

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

Commissioner Adams nominated Wilbert "Jim" Stitt.

### C. Cumberland County Home and Community Care Block Grant Committee (8 Vacancies)

Commissioner Adams nominated Helen Godwin, Frances Collier, Joanne Yokely, Rebecca Campbell, Edna Cogdell, Willie McKoy, Judy Dawkins and Terri Thomas.

## 7. APPOINTMENTS

### A. REMOVED FROM AGENDA

### B. Transportation Advisory Board (7 Vacancies)

MOTION: Commissioner Adams moved to appoint to the Transportation Advisory Board, Terrasine Gardner in the Mental Health Representative category, Mike Rutan, Dorothy Harris, Alinda Bailey, and Veronica Pierce in the At-Large Representative category, Katrina Evans in the MPO Representative category and Nkechi Kamalu in the Dialysis Center Representative category.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (6-0)

### C. Cumberland County Juvenile Crime Prevention Council (3 Vacancies)

MOTION: Commissioner Adams moved to appoint to the Cumberland County Juvenile Crime Prevention Council, Amy Nabejas in the United Way or Non-Profit Representative category, Dwight E. Palmer, Jr., in the Member of Business Community category and Gregory L. Davis in the Member of Faith Community category.

SECOND: Commissioner Council

VOTE: UNANIMOUS (6-0)

## 8. CLOSED SESSION:

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

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

SECOND: Chairman Evans

VOTE: UNANIMOUS (6-0)

MOTION: Chairman Evans moved to reconvene in open session.  
SECOND: Commissioner Boose  
VOTE: UNANIMOUS (6-0)

MOTION: Commissioner Keefe moved to adjourn.  
SECOND: Commissioner Boose  
VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 9:20 p.m.

Approved with/without revision:

Respectfully submitted,

---

Candice H. White  
Clerk to the Board