

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 15, 2021 – 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 Jimmy Keefe
Commissioner Larry Lancaster
Commissioner Toni Stewart
Amy Cannon, County Manager
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Angel Wright-Lanier, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Andrew Jakubiak, Budget and Management Analyst
Dee Taylor, Community Development Director
Rawls Howard, Planning and Inspections Director
Robert Van Geons, Fayetteville Cumberland Economic Development
Corporation President/CEO
Candice H. White, Clerk to the Board

ABSENT: Commissioner Jeannette Council

Chairman Evans called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Boose 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 speakers:

Kate Smith – Ms. Smith did not appear when her name was called.

Kathy Greggs – Ms. Greggs did not appear when her name was called.

Rev. Floyd Wicker – Rev. Wicker asked the Board of Commissioners if they had a plan or vision to address racial injustice which is the root cause of recent events in our country. Rev. Wicker asked the Board to make Juneteenth a paid holiday.

1. APPROVAL OF AGENDA

MOTION: Commissioner Keefe moved to approve the agenda.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (6-0)

Amy Cannon, County Manager, introduced Jermaine Walker as the new Engineering and Infrastructure Director and provided highlights of his background and experience.

2. PRESENTATIONS

A. Community-Based Virtual Learning Centers Update

BACKGROUND

At the March 11, 2021 Agenda Session meeting, there was consensus of the Board of

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Commissioners to place the update on the community-based Virtual Learning Centers on the agenda for the March 15, 2021 Board of Commissioners' meeting.

Andrew Jakubiak, Budget and Management Analyst, presented the following information to include the participation breakdown.

- 11 responses to RFP
- 9 organizations selected to receive funding
- 130 students currently being served
- Funding will continue until June 30, 2021 while there is a virtual learning option in Cumberland County Schools

Participation Breakdown			
Names of Agency/Organization	Requested Participants	Approved Funding Amount	Current Participants Funded
Town of Hope Mills	15	\$22,596	18
YMCA of the Sandhills	18	53,338	18
First Baptist Church – Moore Street	50	10,000	12
Changing our Lives Today (COLT)	23	43,750	20
Crosskids Afterschool (U-Turn)	55	53,339	40
Marvin United Methodist Church	20	5,000	0
New Testament Learning Center	22	35,000	11
Soul Harvest Church	10	18,977	8
Town of Godwin		8,000	3
Totals	210	\$250,000	130

Mr. Jakubiak concluded his presentation and responded to questions that followed.

B. Economic Development Update by Robert Van Geons, FCEDC President & CEO

BACKGROUND

Mr. Robert VanGeons, FCEDC President & CEO, will be providing an economic development update at the March 15, 2021 Board of Commissioners' meeting.

RECOMMENDATION / PROPOSED ACTION

For information purposes only.

Robert Van Geons, Fayetteville Cumberland Economic Development Corporation President/CEO, provided a video presentation as an economic development update, provided information on COVID continued impacts and stated as our regional economy emerges from the Coronavirus shutdown, Cumberland County’s diversified industry base is poised for growth. Mr. Van Geons stated the FCEDC has prepared a 10-Point Action Plan designed to address the reopening and recovery needs of community institutions. Mr. Van Geons provided highlights of the Airport Economic Development Strategy, Global SOF Communities of Excellence, the public launch of the “Can Do Carolina” branding and the new Fayedc.com website.

Mr. Van Geons stated incentive based projects are all performance based, paid only if terms are met, follow well after job creation and investment, and require continuous performance. Mr. Van Geons presented overviews of the following incentive/non-incentive-based projects:

Cargill, Inc.

- \$25.3M Capital Investment
- 70 Jobs Retained
- \$70,000 Average Wage
- First Incentive Payment 2023

Dansons

- \$27M Capital Investment
- 118 Full-time Jobs Announced
- 40+/- Current Employment
- \$38,600 Average Wage
- \$175K Job Creation Grant
- First Payment FY21-22

E-N-G Mobile Systems, LLC

- \$2.3M Capital Investment
- 60 Jobs Announced
- 19 Current Employment \$43,560 Average Salary
- First Payment FY21-22

Booz/Allen/Hamilton

- \$5M Capital Investment
- 208 Jobs Announced
- 250 Current Employment
- \$64,000 Average Wage
- Construction Project on Hold
- No Incentive Payment Pending

Campbell Soup & DHL

- \$44.6M Capital Investment
- 140 Jobs Announced
- 215 Jobs Created
- \$33,000 Average Salary
- First Incentive Payment Pending
- Incentives off set by land sale, property tax and local wages

Cambridge-Lee Industries, LLC

- \$500,00 Capital Investment
- 19 Jobs Announced
- 26 Jobs Created
- Fulfilled the terms of a \$30,000 Building Reuse Grant

Kinlaws Supermarket

- \$515,000 Capital Investment
- 11 Full-time Jobs Created
- Successfully completed a \$100,000 Building Reuse Grant

ACLC

- \$612,810 Capital Investment
- 75 Jobs Announced
- 69 Current Employment
- Building Reuse and OneNC Grants-no funds disbursed

eClerx Delivery Center & Expansion

- \$500,000 Capital Investment
- 250+ Jobs Created
- Customized Training Grant from NC Community College System

Metronet

- \$70M Capital Investment
- 50 Jobs Announced
- 200 Construction Jobs
- Expedited permitting and staffing support from the City and PWC
- No direct cash payments

We Pack Logistics

- \$2M Capital Investment
- 208,000 SF Lease
- 25 +/- Jobs Created
- Serving Campbells Soup
- No Incentives

Other Supported Projects:

Horne Brothers Construction, Inc./KEECO/LeBleu Ultra Pure Water

- Approximately 200,000 SF
- 450+ Jobs

Mr. Van Geons concluded his update by providing a brief description of the project development building site and responded to questions that followed.

- \$2.4M Sewer Line Grant
- Met with PWC, municipalities and utility providers to identify feasible growth corridors
- More than 2M SF of new buildings planned
- Over 400+ acres under option or contract
- \$10M worth of sales

3. CONSENT AGENDA

- A. Approval of February 16, 2021 Special Meeting and March 1, 2021 Regular Meeting Minutes
- B. Approval of Proclamation Recognizing and Commending COVID-19 Workers and Volunteers

BACKGROUND

Chairman Evans requested a proclamation recognizing and commending COVID-19 workers and volunteers.

RECOMMENDATION / PROPOSED ACTION

Respectfully request approval of the proclamation.

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, individuals, both career and volunteer, including those providing health care services and first responders such as law enforcement personnel, firefighters, paramedics, and many others, have served the Cumberland County community diligently during the course of the COVID-19 pandemic; and

WHEREAS, throughout the COVID-19 pandemic, these individuals have been on the front lines in the ongoing effort to keep our community safe from the wide-ranging and devastating effects of the virus; they have worked overtime, been away from their families, and in some cases, have put their own health and lives in jeopardy; and

WHEREAS, the families of these individuals have also made significant sacrifices to support the service of their loved ones and have lived with the reality that their family members have risked their personal health to execute their respective duties and serve as volunteers during the COVID-19 pandemic; and

WHEREAS, while going the extra mile and giving their all, these individuals have been critical to our community's response to the COVID-19 pandemic and protected so many from the devastating effects of this virus.

NOW THEREFORE, We, the Board of Commissioners of Cumberland County, do hereby recognize and commend these individuals for their significant work and sacrifices and are

especially grateful for their service to the citizens of Cumberland County under these most difficult of circumstances.

Adopted this 15th day of March 2021.

C. Approval of a Proclamation Recognizing March 2021 as Women's History Month

BACKGROUND

Chairman Evans requested a proclamation recognizing March 2021 as Women's History Month in Cumberland County.

RECOMMENDATION / PROPOSED ACTION

Respectfully request approval of the proclamation.

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

WHEREAS, American women have played and continue to play critical economic, cultural, and social roles in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, as women take part in the world of work, they also continue to embrace and nurture the family as they have always done, and all Americans can be truly grateful for the role of women as the heart of the family and for their every accomplishment today and throughout our history; and

WHEREAS, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation and served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, countless American women have served our country courageously in the military; and

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, the peace movement, which created a more fair and just society for all; and

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history.

NOW THEREFORE, We, the Cumberland County Board of Commissioners, do hereby proclaim March 2021 as Women's History Month in Cumberland County and call upon all citizens to mark this month with appropriate observances to honor the achievements of women.

Adopted this 15th day of March 2021.

D. Approval of Proclamation Recognizing March 2021 as National Reading Month

BACKGROUND

A request was received from the Partnership of Children of Cumberland County for a proclamation recognizing March 2021 as National Reading Month.

RECOMMENDATION / PROPOSED ACTION

Respectfully request approval of the proclamation recognizing March 2021 as National Reading Month.

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COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, over 90% of language development occurs in the first few years of life, and language and literacy develop together as a baby grows from a newborn to a school-aged child; and

WHEREAS, children who enter school with language and reading skills have an advantage that carries them throughout their school years; and

WHEREAS, a stable and robust economy cannot be achieved without a literate workforce; and

WHEREAS, recognizing the role early literacy plays in workforce development, the United Way of Cumberland County and the Partnership for Children of Cumberland County are proud to be collaborating partners in our community's early literacy efforts by sponsoring Dolly Parton's Imagination Library, a book gifting program for children birth to 5-years-old; and

WHEREAS, March is National Reading Month, and our local United Way and the Partnership for Children serve an average of 8,735 children each month and delivered 104,822 books in the past 12 months through their collaboration with Dolly Parton's Imagination Library.

NOW THEREFORE, We, the Board of Commissioners of Cumberland County, hereby proclaim the month of March in the year of 2021 as National Reading Month.

Adopted this 15th day of March 2021.

E. Approval of Proclamation Designating April as N.C. 811 Safe Digging Month

BACKGROUND

A request was received from Howard Corey, Education Liaison with North Carolina 811 for a proclamation designating the month of April as "North Carolina 811 Safe Digging Month." The proclamation is needed prior to April 1, 2021.

The North Carolina One Call System (NC811), a utility notification and education center that celebrates its 43rd year of service to the citizens of North Carolina, is a vital part of preventing damages and injuries when excavating. This vital notification service started in 1978 reaching 2.1 million locate requests from excavators to homeowners in 2020. North Carolina law requires that anyone engaging in demolition or excavation activities contact NC811 at least three days prior to beginning the work by calling or clicking 811.

RECOMMENDATION / PROPOSED ACTION

Respectfully request approval of the proclamation designating the month of April as "North Carolina 811 Safe Digging Month."

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, as utility owners, excavators, designers, and homeowners work to keep pace with North Carolina's economic development, it is important to minimize damages to underground utility lines, danger to workers and the general public, environmental impact and loss of utility services to the citizens of North Carolina; and

WHEREAS, North Carolina 811, a utility service notification center and leader in education, celebrates its 43rd year of continuous service to the State and is key to preventing injuries and damages when excavating; and

WHEREAS, this unique service provides easy, one-call notification about construction and

excavation projects that may endanger workers and jeopardize utility lines while promoting workplace and public safety, reducing underground utility damage, minimizing utility service interruptions and protecting the environment; and

WHEREAS, this vital service, which began in 1978, serves the citizens of North Carolina from the mountains to the coast and educates stakeholders about the need for excavation safety whether the project is as small as planting a tree or designing and beginning construction on a new interstate; and

WHEREAS, in 2020, the North Carolina one call system received 2.1 million notification requests and transmitted over 12.2 million requests thereby providing protection to utility companies infrastructure, their employees, excavators, and customers.

NOW THEREFORE, BE IT RESOLVED, that the Cumberland County Board of Commissioners has designated the month of April 2021 as “North Carolina 811 Safe Digging Month” to encourage all excavators and homeowners of Cumberland County to contact 8-1-1 either by dialing 8-1-1 or contacting NC811 via the webpage of NC811.org at least three working days prior to digging in order to “Know What’s Below,” avoid injury, protect the environment, prevent millions of dollars in damages and to remind excavators that three working days’ notice is the law, safe digging is no accident, and more information may be obtained by visiting www.nc811.org.

Adopted this 15th day of March 2021.

- F. Approval of Sale of Surplus Real Properties Being Two Parcels Located at 4025 Limestone Street, Eastover

BACKGROUND

On February 15, 2021, the Board adopted a resolution of its intent to accept an offer to purchase the following two parcels to be advertised and sold pursuant to the upset bid process as follows:

- PIN 0469-45-6373, .35 Acres of McLaurin Ld., 4025 Limestone St., Eastover, tax value of \$9,500.00; zoned R6A; and
- PIN 0446-45-7228, .35 Acres of McLaurin Ld., 4025 Limestone St., Eastover, tax value of \$9,500.00; zoned R6A

Deldrick A. Gilbert made an offer to purchase the properties for \$11,029.97. Based on the County GIS Parcel View System and the tax records, there is not a structure on either of the lots.

Notice of the proposed sale, subject to the upset bid process required by G.S. § 160A-269, was advertised in the *Fayetteville Observer* on February 20, 2021. The publisher’s affidavit is attached. More than 10 days have elapsed since the notice was published. No upset bid was received.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board accept this offer and authorize the Chair or the County Manager to execute a deed for the property upon the County’s receipt of the balance of the purchase price.

- G. Approval of Sale of Surplus Real Property Located Off Hummingbird Place, Fayetteville

BACKGROUND

On February 15, 2021, the Board adopted a resolution of its intent to accept an offer to purchase property with PIN 0467-44-5967, being .41 Ac. Jacobs Land., located off Hummingbird Place, Fayetteville, and directed that it be advertised and sold pursuant to the upset bid process of G.S. § 160A-269. Dawn C. McKoy has made an offer to purchase the property for \$4,072.81. The parcel is zoned RR, with a tax value of \$5,653.00. Based on the County GIS Parcel View System and the tax records, there is no structure on the lot.

Notice of the proposed sale, subject to the upset bid process required by G.S. § 160A-269, was advertised in the *Fayetteville Observer* on February 20, 2021. The publisher’s affidavit is attached. More than 10 days have elapsed since the notice was published. No upset bid was received.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board accept this offer and authorize the Chair or the County Manager to execute a deed for the property upon the County's receipt of the balance of the purchase price.

H. Approval of Sale of Surplus Real Property Located at 6323 Canadian Ave., Fayetteville

BACKGROUND

On February 15, 2021, the Board adopted a resolution of its intent to accept an offer to purchase property with PIN 0442-66-9074, being Lot 107 Twin Oak Sec. 4, Part 20, Plat Book 86, Pg. 117, located at 6323 Canadian Avenue, Fayetteville, and directed that it be advertised and sold pursuant to the upset bid process of G.S. § 160A-269. Wayne D. Sparrow made an offer to purchase the property for \$1,899.22. The parcel is zoned RR, with a tax value of \$10,000.00. Based on the County GIS Parcel Viewer System and the tax records, there is no structure on the lot.

Notice of the proposed sale, subject to the upset bid process required by G. S. § 160A-269, was advertised in the *Fayetteville Observer* on February 20, 2021. The publisher's affidavit is attached. More than 10 days have elapsed since the notice was published. No upset bid was received.

RECOMMENDATION / PROPOSED ACTION

County Attorney recommends the Board accept this offer and authorize the Chair or the County Manager to execute a deed for the property upon the County's receipt of the balance of the purchase price.

I. Acceptance of Offer to Purchase Surplus Property Located at 1417 Church Street, Fayetteville

BACKGROUND

The County acquired the real property with PIN 0438-01-0959, being Lots 5 & 6 College Heights, Block L, Plat Book 7, Pg. 76, located at 1417 Church Street, Fayetteville, by a Sheriff's Deed in 2002 for a purchase price of \$7,597.18. The property is zoned MR5 with a tax value of \$5,000.00. Based on the GIS Mapping and the tax records, there is no structure on the lot. Maurice Elliott made an offer to purchase the property for \$7,597.18. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the recommendation below.

RECOMMENDATION / PROPOSED ACTION

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

CUMBERLAND COUNTY BOARD OF COMMISSIONERS ADVERTISEMENT OF PROPOSAL TO ACCEPT AN OFFER TO PURCHASE CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S. § 160A-269

Take notice that the Board of Commissioners finds the real property with PIN 0438-01-0959, being Lots 5 & 6 College Heights, Block L, Plat Book 7, Pg. 76, located at 1417 Church Street, Fayetteville, is not needed for governmental purposes and proposes to accept an offer to purchase the property for \$7,597.18. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

J. Approval of Budget Ordinance Amendments for the March 15, 2021 Board of Commissioners' Agenda

BACKGROUND

General Fund 101

1) Health Department – Budget Ordinance Amendment B210896 to recognize funds from the North Carolina Division of Public Health in the amount of \$332,717 for COVID-19 Pandemic response

The Board is requested to approve Budget Ordinance Amendment B210896 to recognize funds from the North Carolina Division of Public Health in the amount of \$332,717 for COVID-19 Pandemic response. These funds will be used to prevent, prepare for, and respond to COVID-19 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) Health Department – Budget Ordinance Amendment B211015 to recognize federal Community Development Block Grant (CDBG) funds for temporary nursing staff in the amount of \$226,000

The Board is requested to approve Budget Ordinance Amendment B211015 to recognize federal Community Development Block Grant (CDBG) funds for temporary nursing staff in the amount of \$226,000. These funds will be utilized to hire temporary nursing staff to conduct contract tracing for COVID-19 response.

Please note this amendment requires no additional county funds.

3) Emergency Services – Budget Ordinance Amendment B211046 to recognize North Carolina Department of Public Safety Emergency Management Performance Grant (EMPG) funds in the amount of \$2,360

The Board is requested to approve Budget Ordinance Amendment B211046 to recognize North Carolina Department of Public Safety Emergency Management Performance Grant (EMPG) funds in the amount of \$2,360. In the FY21 budget, \$78,000 was budgeted for this grant, but the total award amount will be \$80,360, an increase of \$2,360.

Please note this amendment requires no additional county funds.

Solid Waste Fund 625

4) Solid Waste – Budget Ordinance Amendment B210841 to recognize North Carolina Department of Environmental Quality funds in the amount of \$20,000 to aid recycling efforts during the COVID- 19 Pandemic

The Board is requested to approve Budget Ordinance Amendment B210841 to recognize North Carolina Department of Environmental Quality funds in the amount of \$20,000 to aid recycling efforts during the COVID-19 Pandemic. These funds will be used to purchase a cardboard recycling compactor for the Manchester Convenience Site. The total cost of the compactor is \$22,294, with \$10,000 being budgeted for electrical costs associated with the compactor. \$12,194 of Solid Waste contingency funds will be used to complete this purchase. This grant was approved at the January 4, 2021 Board of Commissioners meeting.

Please note this amendment requires the use of \$12,194 of Solid Waste contingency funds.

Contingency Funds Report – FY21

The County Manager approved the following use of contingency funds totaling \$ 43,467.

- \$29,000 was used to replace a cutting machine in the Print, Mail, and Design Services department that was recalled due to a safety hazard
- \$14,467 was used to repair the lighted sign at the Cedar Creek Business Park

RECOMMENDATION / PROPOSED ACTION

Approve budget ordinance amendments.

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

1. Health Insurance Plan Changes for Fiscal Year 2022

BACKGROUND

During the March 11, 2021 Agenda Session Meeting, Kevin Quinn of USI presented health insurance renewal options for the plan year beginning July 1, 2021. The slide presentation is attached. If approved, the recommended options will be incorporated into the fiscal year 2022 budget process.

RECOMMENDATION / PROPOSED ACTION

At the March 11, 2021 Agenda Session Meeting, there was unanimous consensus of the Board of Commissioners to approve placing the recommended action below as a Consent Agenda item on the March 15, 2021 Board of Commissioners' meeting:

Approval of the FY2022 health insurance plan changes as follows:

- Increase the individual stop loss amount from \$175,000 annually to \$200,000 annually which will provide an estimated cost savings of \$231,000. It would take nine members reaching over \$200,000 stop loss for this to not be cost effective.
- Discontinuation of participation in MDLive which has resulted in paying for claims at a FY2020 rate of \$296 per service as compared to \$100 when the member can see their own doctor with remote access being more widely available.

2. Request to Amend Rule 15 of the Board's Rules of Procedure

BACKGROUND

With respect to the debate on motions, the Board's Rules of Procedure provide as follows:

Rule 11 Action by the Board
The Board shall proceed by motion. A second to the motion is required in order for discussion to ensue. A motion shall be ruled dead by the Chairman if a second is not received within a reasonable period of time.

Rule 15 Debate

The Chairman shall state the motion and open the floor for discussion, following a second to the motion.

Chair Evans requests language be added to Rule 15 to read as follows:

Rule 15 Debate

The Chairman shall state the motion and open the floor for discussion, following a second to the motion. A member may speak only upon being recognized by the Chairman. The Chairman must recognize every member who requests to speak.

Chair Evans requests this change to clarify the powers of the Chairman to conduct the meeting. The Rules require a vote of two-thirds of the full board to amend the Rules.

RECOMMENDATION / PROPOSED ACTION

At its March 11, 2021, Agenda Session, the Board voted to move the requested amendment to Rule 15 of the Board's Rules of Procedure to the consent agenda of its next regular meeting.

3. Request to Local Delegation to Support House Bill 98 to Provide Funding to Complete Balsawood Village in the Town of Spring Lake

BACKGROUND

House Bill 98, Session 2021, was filed by primary sponsors Representatives Lucas and Richardson. It passed a first reading in the House on February 19, 2021, and was referred to the

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House Committee on Appropriations. It is a bill to provide \$1.5 million in state disaster funds as a grant to Kingdom Community Development Corporation to complete Balsawood Village for families affected by Hurricanes Matthew, Florence, and Michael. A copy of the bill is attached. Kingdom Community Development Corporation is the only non-profit community development entity in the county and has developed several affordable housing projects with HUD funding through the County's Community Development Department. Balsawood Village is in the Town of Spring Lake and is one of the affordable housing projects it has commenced with HUD funding. The developer has asked the County to request the local legislative delegation to support this bill.

RECOMMENDATION / PROPOSED ACTION

At its March 11, 2021, Agenda Session, the Board voted to move the following resolution requesting the County's legislative delegation to support this bill forward to the consent agenda of its next regular meeting:

Whereas, the Board of Commissioners finds that completion of the Balsawood Village affordable housing project in the Town of Spring Lake would be of great benefit to offset the housing losses in the Town of Spring Lake from the severe flooding and cumulative impact by Hurricanes Matthew, Florence, and Michael.

Be it resolved, the Cumberland County Board of Commissioners does request the Cumberland County delegation to the General Assembly to support House Bill 98, Session 2021, for the purposes set forth in the bill.

4. Bragg Estates Sewer Project Options

BACKGROUND

This item was presented to the Board of Commissioners at their March 11, 2021 Agenda Session Meeting. The Board agreed to not proceed with the planned extension of sewer to the Bragg Estates Subdivision on the advice of the County Attorney. This was due to the unfavorable easement conditions put forward by the Army Corps of Engineers which contained a thirty-day reversion clause. The Board directed staff to pursue other possible options including providing Community Development assistance to eligible property owners and renters in Bragg Estates that have septic systems that fail and cannot be repaired. Staff was also directed to approach the Garrison Commander at Fort Bragg to discuss the possibility of this area being taken into the military installation.

RECOMMENDATION / PROPOSED ACTION

This item was moved forward to the Consent Agenda for the March 15, 2021 Board of Commissioners Meeting. The actions to be pursued are:

- 1) Do not move forward with extending sewer to Bragg Estates.
- 2) Work with Community Development and Fort Bragg to determine viable options for the residents of Bragg Estates.

5. Workforce Development Memorandum of Understanding (MOU) with Mid- Carolina Council of Governments

BACKGROUND

As discussed previously, a MOU is necessary and required by NC Commerce - Division of Workforce Solutions (DWS) in order to initiate the transfer of the program and fiscal agent for the local Workforce Development program from Cumberland County to the Mid-Carolina Council of Governments.

The agreement specifies:

- Transfer of Workforce Board functions
- Responsibilities of the parties
- Funding and financial reporting
- Transfer of employees
- Transfer of equipment
- Assignment of leases and other contracts
- Workforce Board membership

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- Indemnification
- Costs of Transfer

The proposed transfer date is April 1, 2021, and Legal developed the agreement with information provided by DWS and County Staff.

RECOMMENDATION / PROPOSED ACTION

This item was presented at the March 11, 2021 Agenda Session Meeting and approved to move forward to the March 15, 2021 Board of Commissioners' Regular Meeting as a Consent Agenda item.

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

BACKGROUND

As a result of a recommendation from a formal Request for Proposals process, the Board of Commissioners awarded Southern Health Partners, Inc. (SHP) the contract to provide healthcare delivery services at the Cumberland County Detention Center beginning July 1, 2017. The County is currently in its fourth year of this contract. The contract language allows for extensions of additional one-year terms as follows:

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

For fiscal year 2022, SHP is requesting a two percent increase above the FY2021 base fee and per diem rate, consistent with the increases that have occurred each year of their contract.

The Cumberland County Public Health Director and the Sheriff have both communicated their satisfaction with the services being provided by SHP and would like to seek renewal with this company.

RECOMMENDATION / PROPOSED ACTION

At the March 11, 2021 Agenda Session Meeting, there was unanimous consensus of the Board of Commissioners to approve placing the action below as a Consent Agenda item on the March 15, 2021 Board of Commissioners' meeting:

Approve the FY2022 contract renewal with Southern Health Partners to provide healthcare services at the Detention Center. The annual renewal includes a two percent increase over the FY2021 base fee and per diem rate.

7. Bid Tab for Replacement of Cooling Units at the Spring Lake Family Resource Center

BACKGROUND

Stanford-White requested, distributed and received bids for the aforementioned project. This project includes the replacement of the two existing rooftop cooling units that provide cooling for the Spring Lake Family Resource Center. The existing units are approximately 21 years old and have not been able to keep up with the ongoing cooling demands of the building. The performance issues can be attributed to their age and the common degradation of unit efficiency that happens over time. This project will replace the units along with the associated condensate piping and unit power disconnects. Contract duration is anticipated to be 90 days.

Stanford-White recommends awarding the project to Boiler Masters, the lowest most responsible and responsive Bidder, in the amount of \$197,000. The bid is under budget, and funding is available to proceed with this work.

RECOMMENDATION / PROPOSED ACTION

This item was presented at the March 11, 2021 Agenda Session Meeting and approved to move forward to the March 15, 2021 Board of Commissioners' Meeting Consent Agenda with the following actions:

1. Approval of the Bid Tab for a total of \$197,000.

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>

2. Award the project to the lowest most responsible and responsive Bidder, Boiler Masters, Inc.
 3. Authorize the County Manager, upon recommendation of the County Engineer, to approve change orders for the project if needed.
8. Cumberland County Public Library and Information Center Parking Lot Update

BACKGROUND

Commissioner Adams requested an update on the Cumberland County Public Library and Information Center parking lot.

RECOMMENDATION / PROPOSED ACTION

At the March 11, 2021 Agenda Session meeting, there was unanimous consensus of the Board of Commissioners to approve placing the recommended action below as a Consent Agenda item on the March 15, 2021 Board of Commissioners' meeting:

Approval to negotiate with the City of Fayetteville on a joint repair of the Cumberland County Public Library and Information Center parking lot and if negotiations fail after 30 days, then the county is to repair the parking lot.

MOTION: Commissioner Adams moved to approve consent agenda items 3.A. – 3.K.8.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (6-0)

Chairman Evans read aloud the Proclamation Recognizing March 2021 as Women's History Month. Commissioner Stewart read aloud the Proclamation Recognizing and Commending COVID-19 Workers and Volunteers.

4. PUBLIC HEARINGS

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

Uncontested Rezoning Cases

A. Case P21-08: Rezoning of 2.75+/- acres from M(P) Planned Industrial to C2(P) Planned Service and Retail or to a more restrictive zoning district, located at 1030 & 1034 Tyson Marine Drive, submitted by John McConnell on behalf of MC5 Realty Group (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 the request is plan compliant and the Planning Board unanimously recommended approval.

Chairman Evans opened the public hearing for Case P21-08.

The clerk to the board stated there were no speakers for Case P21-08.

Chairman Evans closed the public hearing for Case P21-08.

MOTION: Commissioner Keefe moved in Case P21-08 to approve the rezoning request from M(P) Planned Industrial to C2(P) Planned Service and Retail and find the request consistent with the South Central Land Use Plan (2015) designation of "Airport Oriented Uses" and "Coliseum Development". The "Airport Oriented Uses" designation is meant to protect the Airport from unwanted encroachment, protect human life and allow for further expansion. The "Coliseum Development" designation is intended for area that is immediately around the Crown Coliseum Complex. Uses allowed in this area include any use that is compatible, compliant, and enhances the Crown Coliseum Complex. Approval of the request is reasonable

and in the public interest as the district requested is in harmony with surrounding existing land uses and the parcel has access to public water.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (6-0)

B. Case P21-10: Rezoning of 0.74+/- acres from C(P) Planned Commercial to A1 Agricultural or to a more restrictive zoning district, located at 8909 Clinton Road, submitted by Danny and Lorie Johnson (owners) and Terry C. Faircloth, PLS (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. Mr. Howard stated the owner submitted a subdivision review to reconfigure the property and the rezoning would ensure that the property is not split-zoned. Mr. Howard stated the request is plan compliant and the Planning Board unanimously recommended approval.

Chairman Evans opened the public hearing for Case P21-10.

The clerk to the board stated there were no speakers for Case P21-10.

Chairman Evans closed the public hearing for Case P21-10.

MOTION: Commissioner Keefe moved in Case P21-10 to approve the rezoning request from C(P) Planned Commercial to A1 Agricultural and find the request consistent with the Stedman Land Use Plan (2020) designation of “Suburban Density Residential” as it requires that any lot within this designation to be at least 20,000 square feet. Approval of the request is reasonable and in the public interest as the district requested is in harmony with surrounding existing land uses, zoning, and lot sizes.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (6-0)

C. Case P21-12: Revision and amendment to the Cumberland County Zoning Ordinance by amending Article IV Permitted, Conditional and Special Uses, Section 403. Use Matrix allowed recreation or amusement public/private (Sec. 920) not operated as a business for profit including playgrounds, neighborhood center buildings, parks, museums, swimming pools, etc., & not regulated by Sec. 924 as a permitted use within the CD Conservancy, A1 Agricultural, A1A Agricultural, R40 Residential, R40A Residential, R30 Residential, R30A Residential, RR Rural Residential, O&I(P) Planned Office & Institutional, C1(P) Planned Local Business, C2(P) Planned Service and Retail and C(P) Planned Commercial districts by inserting a “P” in the respective district’s column and updating the table of contents as appropriate.

Rawls Howard, Planning and Inspections Director, stated Planning Staff have reviewed a number of site plans involving additions of structures or splash pads to existing non-profit parks and recreation spaces, and often these are sites maintained by the City of Fayetteville Parks and Recreation department. Mr. Howard stated currently, a non-profit recreation/amusement space such as a neighborhood recreation building, park, museum or playground requires a special use permit in all districts. Mr. Howard stated in order to streamline the process for approval of these revisions or newly developed park spaces, staff is proposing that the use be made a permitted use in the districts indicated, thus only requiring the need for an administrative site plan approval. Mr. Howard stated Planning Staff felt it best to leave more highly dense residential and industrial districts as special use permits, as this use includes privately operated non-profit park spaces and these districts would require higher scrutiny from a board. Mr. Howard stated the Planning Board unanimously recommended approval.

Chairman Evans opened the public hearing for Case P21-12.

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The clerk to the board stated there were no speakers for Case P21-12.

Chairman Evans closed the public hearing for Case P21-12.

MOTION: Commissioner Lancaster moved in Case P21-12 approve the text amendment and find the request consistent with the 2030 Growth Vision Plan's goal of emphasizing park and recreation development and that the respective development be located and designed according to population density and needs of the people residing in the park service area. Approval of this text amendment is reasonable and in the public interest as it will provide for a more streamlined process for revisions to existing or newly developed park spaces in areas with larger lots sizes to encourage their development while keeping the needed higher scrutiny in more urban areas.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (6-0)

D. Case P21-13: Rezoning of 0.87+/- acres from M(P) Planned Industrial to O&I(P) Planned Office & Institutional or to a more restrictive zoning district, located at 3190 Natal Street, submitted by Purolator Filters NA LLC (owner) and Lori S. Epler on behalf of Larry King & Associates (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 stated the request is not plan compliant but is not unreasonable. Mr. Howard stated the Planning Board unanimously recommended approval.

Chairman Evans opened the public hearing for Case P21-13.

The clerk to the board stated there were no speakers for Case P21-13.

Chairman Evans closed the public hearing for Case P21-13.

MOTION: Chairman Evans moved in Case P21-13 approve the rezoning from M(P) Planned Industrial to O&I(P) Planned Office and Institutional and find: (a) The approval is an amendment to the adopted current Southwest Cumberland Land Use Plan (2013) 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 "Office and Institutional Development" as defined in the Land Use Policies Plan (2009) and rezoning the parcel to O&I(P) will make the existing land use conforming; (c) and this rezoning approval is reasonable and in the public interest because the district requested is in harmony with surrounding zoning on the Natal Street corridor and existing land uses.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (6-0)

Contested Rezoning Cases

E. Case P21-02

Ms. Cannon stated Case P21-02 was withdrawn by the applicant on February 26, 2021 after it had been publicly advertised.

5. ITEMS OF BUSINESS

A. Consideration of Federal Legislative Consulting Firm

BACKGROUND

At their February 15, 2021, regular meeting, the Board of Commissioners approved staff issuing a Request for Proposals for federal legislative consulting services. Management and staff prepared the RFP, which was issued on February 22 with a deadline of noon on March 10. Of the seven proposals submitted, six were responsive. Management presented the summary results to the board at the Agenda Session on March 11.

The County is seeking a company to provide strategic federal legislative services on its behalf for the 2021- 2022 Biennium. The County will evaluate the work of the firm and determine whether to extend the engagement into future sessions. The company shall work under the direction of the County Commissioners. The company will actively and continuously engage with the federal delegation to assist the County in several key priority areas outlined in the Scope of Work and set by the commissioners.

During the March 11 Agenda Session, the board voted 4-3 to place the recommendation of hiring the Hamm Consulting Group, LLC, on the agenda for the March 15 regular board meeting. HCG is a minority-owned Washington, D.C., based federal advocacy firm with more the 25 years of experience in lobbying for local governments.

HCG submitted the lowest bid at \$60,000 per year, payable in \$5,000 monthly installments. Travel and related business expenses, if approved, will not exceed \$5,000 annually.

The team leader is Ron Hamm, owner and president. The other two team members are Leslie Mzingo and Debra Bryant, who served as federal lobbyists for the City of Fayetteville, Cumberland County and the Chamber from 2005-2012 and helped the partnership collectively secure \$90 million in federal funding.

HCG has been under contract with the City of Fayetteville since 2019 and was the lead in securing Congressional and federal agency support for the 2020 HUD Choice Neighborhoods planning grant awarded for the transformation of the Murchison Road Corridor, one of only 11 awards in the nation.

Mzingo is also the federal consultant for the N.C. Association of County Commissioners and the N.C. Association of Regional Councils of Government.

Scope of Work

The company will actively and continuously lobby Congress and the Administration to assist the County in several key areas including:

- Economic development
- Environmental quality
- Health and human services – mental health, public health, social services, veterans' services, housing, community development
- Justice
- Public safety
- School funding/public education
- Tax and finance policies, including unfunded mandates
- Water and sewer
- Workforce Development
- Other County Commissioner priorities. The company shall also:
- Assist in developing and implementing the County's federal legislative agenda.
- Act as the representative on behalf of the County to the federal government.
- Facilitate relationships between federal officials and County representatives.
- Confer with the County Manager and County staff on planning and program activity that has a bearing on the County to make the best use of federal programs.

- Maintain liaison with the County's Congressional delegation and assist the delegation in any matter which the County determines to be in its best interest.
- Establish and maintain working relationships with the executive and legislative branches of the federal government that will enhance the County's position with respect to financial assistance applications, regulatory procedures, legislation, budget authorizations and appropriations, and other areas of interest to the County.
- Identify and notify the County in advance of opportunities for grants and funding for the key areas listed above.
- Contact federal agencies on the County's behalf when grant applications are under consideration by such agencies and take whatever steps are necessary to obtain favorable consideration of such applications.
- Review federal executive proposals, legislation under consideration, proposed and adopted administrative rules and regulations, federal credit assistance programs, and other federal developments for the purpose of advising the County of items that may have a bearing on the County's policies and programs.
- Represent the County at Washington, D.C., area conferences or meetings as requested.
- Counsel the County regarding appearances by local personnel before Congressional committees and administrative agencies and arrange for appointments and accommodations as necessary.
- Work with the County to plan legislative visits for the County's elected officials and staff members.
- Work with the County to plan visits with federal agencies for the County's elected officials and staff members.
- Secure and furnish detailed information as may be available on federal issues in which the County indicates an interest.
- Review and comment on proposals of the County, which are being prepared for submission to federal agencies, when requested to do so by the County Project Manager.

RECOMMENDATION / PROPOSED ACTION

Approve contracting with the Hamm Consulting Group, LLC, for federal legislative consulting services.

Sally Shutt, Assistant County Manager, stated this item was presented during the March 11 Agenda Session meeting and presented an overview of the background information recorded above. Commissioner Boose inquired about the length of the contract. Ms. Shutt responded the contract is for one-year and will then be reviewed.

MOTION: Commissioner Boose moved to approve contracting with the Hamm Consulting Group, LLC, for federal legislative consulting services.

SECOND: Commissioner Lancaster

DISCUSSION: Commissioner Keefe inquired about the typical length of time for contracts. Ms. Shutt stated per the RFP, the contract is for one-year followed by a review. Commissioner Keefe stated he initially had some concerns about this consulting group, but he conducted some research and now fully supports the Hamm Consulting Group, LLC. Commissioner Keefe stated one-year is not a long commitment. Commissioner Adams stated had a conversation with Assistant County Manager Angel Lanier-Wright who has a lot of experience with legislative consulting services and contracts are typically for one-year. Commissioner Adams stated he also had a conversation with Fayetteville Mayor Colvin who indicated he hoped the county would approve contracting with this group because of their military connection. Commissioner Adams stated the county can re-evaluate the group after one-year.

VOTE: UNANIMOUS (6-0)

6. NOMINATIONS

A. Fayetteville/Cumberland Economic Development Corporation (1 Vacancy)

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Commissioner Adams nominated Kevin Farmer. Chairman Evans nominated Harold Lassiter.

B. Fayetteville Cumberland Parks and Recreation Advisory Commission (1 Vacancy)

Commissioner Adams nominated Lee Spruill.

C. Joint Planning Board (1 Vacancy)

Commissioner Adams nominated James Baker. Commissioner Boose nominated Lori Epler.

D. Cumberland County Workforce Development Board (2 Vacancies)

Commissioner Adams nominated Kevin Brooks and Naynesh Mehta for the Representative of Business category.

Chairman Evans recessed the Board of Commissioners' meeting.

Chairman Evans called to order the meeting of the Bragg Estates Water and Sewer District Governing Board.

7. BRAGG ESTATES WATER AND SEWER DISTRICT CONSENT AGENDA

A. Approval of Minutes of the June 1, 2020 Bragg Estates Water & Sewer District Governing Board

B. Bragg Estates Sewer Options

BACKGROUND

This item was presented to the Board of Commissioners at their March 11, 2021 Agenda Session Meeting. The Board agreed to not proceed with the planned extension of sewer to the Bragg Estates Subdivision on the advice of the County Attorney. This was due to the unfavorable easement conditions put forward by the Army Corps of Engineers which contained a thirty-day reversion clause. The Board directed staff to pursue other possible options including providing Community Development assistance to eligible property owners and renters in Bragg Estates that have septic systems that fail and cannot be repaired. Staff was also directed to approach the Garrison Commander at Fort Bragg to discuss the possibility of this area being taken into the military installation.

RECOMMENDATION / PROPOSED ACTION

This item was moved forward to the Consent Agenda for the March 15, 2021 Board of Commissioners Meeting. The actions to be pursued are:

- 1) Do not move forward with extending sewer to Bragg Estates.
- 2) Work with Community Development and Fort Bragg to determine viable options for the residents of Bragg Estates.

MOTION: Commissioner Adams moved to approve the Bragg Estates Water and Sewer District consent agenda Item 7.A. and 7.B.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (6-0)

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

Chairman Evans reconvened the Board of Commissioners' meeting.

8. CLOSED SESSION

There was no closed session.

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

There being no further business, the meeting adjourned at 7:45 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board