

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
TUESDAY, SEPTEMBER 9, 2021 – 1:00 PM
117 DICK STREET, 5TH FLOOR, ROOM 564
AGENDA SESSION REGULAR MEETING MINUTES

PRESENT: Commissioner Charles Evans, Chairman
Commissioner Glenn Adams, Vice Chairman
Commissioner Michael Boose
Commissioner Jeannette Council
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Commissioner Toni Stewart
Amy Cannon, County Manager
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Brenda Jackson, Social Services Director
Jermaine Walker, County Engineer
Rawls Howard, Planning and Inspections Director
Dee Taylor, Community Development Director
Candice H. White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Chairman Evans called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

Amy Cannon, County Manager, asked to add to the agenda as Item 7.A. a closed session for Attorney Client Matters pursuant to 143-318.11(a)(3).

1. APPROVAL OF AGENDA

MOTION: Commissioner moved Council to approve the agenda with the addition of a closed session for an Attorney Client Matter Pursuant to 143-318.11(a)(3).

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0)

2. APPROVAL OF MINUTES

A. August 10, 2021, Regular Meeting

MOTION: Commissioner Lancaster moved to approve the August 10, 2021 regular meeting minutes.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0)

3. PRESENTATIONS

Ms. Cannon asked to reverse the order of Items 3.A. and 3.B. pending the arrival of Colonel Scott Pence.

B. Development Plans for the Martin Luther King, Jr. Park

BACKGROUND

The MLK Board of Directors members, Ronnie Mitchell and Wilson Lacy will be making a

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presentation on the development plans for the Martin Luther King, Jr. Park at the September 9, 2021, Board of Commissioners' Agenda Session meeting.

Dr. Wilson Lacy introduced members of the MLK Board of Directors and Architect Walter Vick who were in attendance. Ronnie Mitchell provided the following PowerPoint presentation that contained an embedded video of Martin Luther King, Jr.

FAYETTEVILLE/CUMBERLAND COUNTY
DR. MARTIN LUTHER KING, JR. (FCCMLK)
MEMORIAL PARK
FURTHER DEVELOPMENT

FCCMLK MEMORIAL PARK PHASE 1

- In 1996, a thirteen (13) acre tract of land was allocated to develop the FCCMLK Memorial Park
- Extensive planning, input from the community and hard work began

FCCMLK MEMORIAL PARK PHASE 2

- In 2007, a statue of Dr. Martin Luther King, Jr. was erected as the centerpiece on the 13

FCCMLK MEMORIAL PARK PHASE 3

- In 2019, a digital video was produced by a local business, Moonlight Communications, to raise awareness and to assist in raising funds for the FCCMLK Memorial Park.

FCCMLK MEMORIAL PARK PHASE 4

- In 2021, ARUP Group Limited, an architectural design and engineering firm, completed the structural concept and schematic design and continues to provide professional engineering services to erect a spire more than 120 feet tall at the FCCMLK Memorial Park site.

FCCMLK MEMORIAL PARK PHASE 5

- The construction phase ---
- is scheduled to commence March 2022, and
- has a budgeted range (noting surging construction cost in 2021) between 4.5 million to 6.5 million dollars.
- And the dream and the work continues....

At the conclusion of the presentation, Dr. Lacy stated the MLK Board of Directors is requesting funding assistance from Cumberland County. Mr. Vick spoke to the concept for the memorial to Martin Luther King, Jr. and the spire in the center of the memorial.

MOTION: Commissioner Adams moved to grant Capital Improvement Project funds in the amount of \$2.5M to the MLK Memorial Park and \$1M to the Orange Street School.

The motion died due to the lack of a second.

MOTION AMENDMENT: Chairman Evans moved to grant Capital Improvement Project funds in the amount of \$5M to the MLK Memorial Park and \$2M to the Orange Street School.

Commissioner Boose stated he would second only the \$5M to the MLK Memorial Park because he had not been included on any plans for the Orange Street School.

The motion died due to the lack of a second.

Commissioner Council asked whether these amounts would fit the budget. Ms. Cannon stated if she understood the motion by Chairman Evans, it was to look at the capital planning model and take the funds out of the Capital Investment Fund. Questions and discussion followed about the availability of funding in the CIF and the model for funding the North Carolina Civil War and Reconstruction History Center.

MOTION: Commissioner Adams moved to grant Capital Improvement Project funds in the amount of \$2.5M to the MLK Memorial Park and \$500,000 to the Orange Street School and forward to the September 20, 2021, Board of Commissioners' regular meeting as a consent agenda item.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

A. Renaming of Fort Bragg by Colonel Scott Pence, Fort Bragg Garrison Commander

BACKGROUND

The National Defense Authorization Act for 2021 calls for the renaming of nine Army posts named after Confederate officers, including Fort Bragg.

During his presentation to the Board of Commissioners, Fort Bragg Garrison Commander Colonel Scott Pence will describe the Naming Commission's role and the post's efforts to garner community feedback.

Colonel Scott Pence, Fort Bragg Garrison Commander, stated the 2021 National Defense Authorization Act, which was passed by Congress last year, requires that U.S. military installations named after Confederate soldiers be renamed, and Fort Bragg is one of those installations. Colonel Pence stated it is important when talking about the renaming of Fort Bragg to reach out to community partners who are supportive of the military and especially Fort Bragg and solicit their feedback on name recommendations. Colonel Pence stated the month of September is important because the Naming Commission that was stood up is going to brief the House and Senate Armed Services Committees on its progress by October 1 and the commission expressed to him and to the team that it is important to have some idea of names acceptable to the community.

Colonel Pence stated the City of Fayetteville agreed to host a virtual Town Hall on September 14 on the city's Facebook platform. Colonel Pence stated the Naming Commission set up a webpage so citizen could submit naming recommendations and Fort Bragg created its own website for feedback that will result in names acceptable to the broader community.

Colonel Pence stated a diverse panel made up of some of the community leaders was formed and he would like to invite a county commissioner to be on the panel and attend the September 23 meeting to deliberate and recommend names to the Fort Bragg commanding general. Colonel Pence stated the goal is to make sure the commission does not force a name that does not have a connection to the community. Colonel Pence stated the National Defense Authorization Act for 2021 gives up to 2024 for the base to be renamed. Colonel Pence responded to questions. Commissioner Adams recommended tagging to the county's website and Commissioner Boose recommended sharing the virtual Town Hall meeting on the county's platform.

C. Buncombe County Community Paramedic and Post Overdose Response Program

BACKGROUND

Commissioner Toni Stewart attended a presentation at the North Carolina Association of County Commissioners Annual Conference in August that included a presentation on Buncombe County's Community Paramedic and Post Overdose Response Program. Taylor Jones, Buncombe County's Emergency Services Director, will attend virtually and provide commissioners an overview of the program.

A link to a video is available here <https://www.buncombecounty.org/governing/depts/emergency-services/newsdetail.aspx?id=19092>

RECOMMENDATION / PROPOSED ACTION

For information purposes.

Ms. Cannon presented the background information recorded above and introduced Buncombe County Manager Avril Pinder and Buncombe County Emergency Services Director Taylor Jones

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who were attending the meeting virtually. Due to technical difficulties, the presentation was delayed until after Item 3.D.

D. Fayetteville-Cumberland Parks & Recreation Makers Space Conceptual Design

BACKGROUND

Fayetteville-Cumberland Parks & Recreation (FCPR) is looking to the County to collaborate in an art studio concept called “Makers-Space” in a former auto-body/repair shop formerly known as “Slow Joe’s.” The project is proposed to be an art-focused, multi-purpose event space located in the Bragg-Murchison corridor (539 Bragg Blvd.). Attached is a copy of the presentation for review.

This concept was presented to the Fayetteville City Council-members August 2, 2021. At that time, City Council directed City Staff to move forward with gathering more information about the project. FCPR wishes to provide the County Board of Commissioners with information about the project in the event the County is interested in supporting this project as it moves forward.

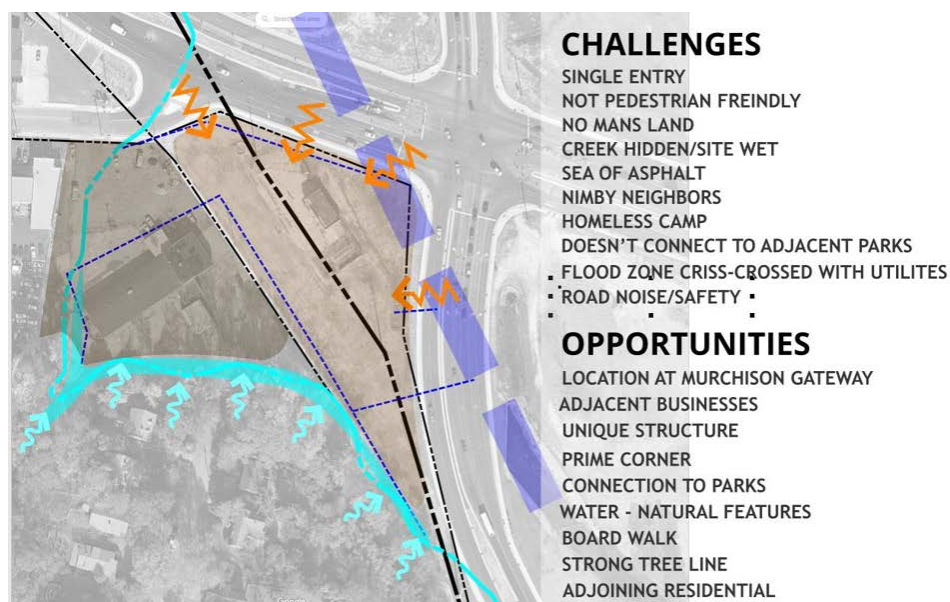
RECOMMENDATION / PROPOSED ACTION

This is for information only. No action is requested.

Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director, provided the following presentation on the City of Fayetteville’s art studio concept called “Makers-Space”.

Makers Space Study - How to maximize activity at primary gateway corner around the concept of a Makers Space

Site Challenges/Opportunities



Mr. Gibson displayed photos of the site as it exists today followed by renderings of the concept for the art-focused, multi-purpose event spaces. Mr. Gibson stated the report summarized the concept of a Makers Space as follows:

- Challenging site ideal for creative approach
- Critical mass of activity becomes destination
- Flexible open spaces in and outside of building
- Connects multiple amenities and facilities together
- Activates gateway corner
- Site and Space inspire creativity

Mr. Gibson then displayed the draft estimates below:

Fayetteville Makers Space				Phase 1	Phase 2	Phase 3	Totals
	Qty	\$ Unit	\$ Total				
A B Maker space workshop and gallery	12,560 sf	111.34	1,398,485	397,870	796,518	204,098	1,398,485
General requirements		1.64	20,655	0	10,328	10,328	20,655
Selective building and site demolition		18.84	236,580	51,450	185,130	0	236,580
Misc concrete		1.61	20,260	0	0	20,260	20,260
Misc masonry		1.10	13,760	13,760	0	0	13,760
Roof and building insulation		11.46	143,920	137,890	6,030	0	143,920
Exterior passage and overhead doors		15.51	194,770	194,770	0	0	194,770
Paint and interior finishes		15.34	192,710	0	19,200	173,510	192,710
Signage and restroom specialties		5.29	66,500	0	66,500	0	66,500
Fire protection		1.40	17,560	0	17,560	0	17,560
Plumbing distribution and fixtures		5.74	72,100	0	72,100	0	72,100
Heating, ventilating, and air conditioning systems		18.78	235,920	0	235,920	0	235,920
Electrical service and distribution		14.63	183,750	0	183,750	0	183,750
C Outside workshop (large scale kiln, hot shop, etc)	5,000 sf	5.00	25,000	0	25,000	0	25,000
D Shaded marketplace terrace	12,000 sf	9.58	115,000	0	0	115,000	115,000
E Marketplace container pop-ups	720 sf	76.67	55,200	0	0	55,200	55,200
F Outdoor gallery and mural screen wall	3,800 sf	10.26	39,000	0	39,000	0	39,000
G Parking, curb & gutter landscape islands, etc	20,000 sf	4.00	80,000	80,000	0	0	80,000
H Outdoor event area (creative gatherings, foodtrucks, music, etc)	6,500 sf	20.00	130,000	0	130,000	0	130,000
I Skateboard trail from upper Rowan Park	2,160 sf	12.00	25,920	0	0	25,920	25,920
J Art mural screen walls along West property line	2,000 sf	15.00	30,000	0	0	30,000	30,000
K Boardwalk and park trail tie-in	800 sf	75.00	60,000	0	0	60,000	60,000
L Walkways and Freedom trail tie-in	2,580 sf	22.87	59,000	0	0	59,000	59,000
M Restore streams and naturalize spring drainage	13,000 sf	5.00	65,000	0	0	65,000	65,000
N Overflow grass parking and event lawn	10,890 sf	5.00	54,450	54,450	0	0	54,450
O Landscape berm screen feature	43,560 sf	5.00	217,800	0	217,800	0	217,800
P Constructed amenity pond with fountains	17,000 sf	13.00	221,000	0	0	221,000	221,000
Cost of Work			2,575,855	532,320	1,208,318	835,218	2,575,855
				467,110	596,930	354,520	1,418,960
				65,210	611,388	480,298	1,156,895
General Conditions	12.00%	309,103	7,825	73,367	57,636	138,827	Applies only to General Contracting
General Contractor Overhead & Profit	5.00%	128,793	3,261	30,569	24,015	57,845	*
Insurance	1.00%	25,759	652	6,114	4,803	11,569	*
Scope Contingency	10.00%	257,586	6,521	61,139	48,030	115,690	*
Escalation	0.00%	0	0	0	0	0	
Cost of Work Plus Fee			3,297,094	550,579	1,379,506	969,701	2,899,786
							0
Professional Fees	12.00%	395,651	237,391	79,130	79,130	395,651	
Specialty Consultant Fees	4.00%	131,884	79,130	26,377	26,377	131,884	
Asbestos and Lead Paint Survey	0.50%	16,485	16,485	0	0	16,485	
Environmental & Underground Storage Tank Analysis	0.50%	16,485	0	0	16,485	16,485	
Furniture, Fixtures & Equipment Allowance	5.00%	164,855	0	0	164,855	164,855	
* Total Budget	0.00%	4,022,455	883,585	1,485,013	1,256,548	3,625,146	
						397,309	Savings from Direct Contracting

DRAFT - ESTIMATE

All-in: \$4,022,455

Owner can direct contract \$1,418,960

Direct contract savings \$397,309

Phase Options

Phase I \$833,585

Phase II \$1,485,013

Phase III \$1,256,584

* Final FFE cost will be dependent upon programming decisions & final design plan.

Mr. Gibson concluded his presentation and responded to questions. Commissioner Keefe recommended that the space include room for a food incubator/kitchen environment.

Item 3.C. Buncombe County Community Paramedic and Post Overdose Response Program Resumed

Buncombe County Emergency Services Director Taylor Jones provided an overview of the following presentation about the Buncombe County Community Paramedic Collaborative and Post Overdose Response Program:

Imagine Real Community CHANGE
One Buncombe: CHANGE Team
Community Helping Address Needs, Goals, and Ensuring Equity

Changes Happening Now

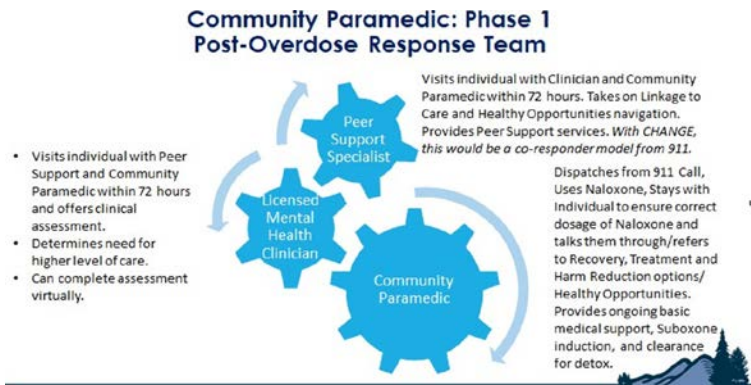
- Haywood St. Respite - Justin has successfully built trust with Yvette! She said she doesn't let "friends" leave the respite without Haywood St Staff, but would be comfortable if Justin was there.
- "Y'all literally saved my life. I was lying to myself & y'all just kept showing up until I was ready." - client that also reports 30 days abstinence.
- 439 Contacts have been made by CP team involve patients with suspected Opioid misuse, as of July 29th, 2021

Is there a "right time" to have a crisis?

- Numerous people struggling with behavioral health issues, substance use, or homelessness experience crises after hours and on weekends, when the 9-1-1 system is the only option.
- In collaboration with the Emergency Services Medical Director, we will expand the paramedic scope of practice to allow Buncombe County Paramedics to work in teams in tandem with trained behavioral health staff to offer unique and unprecedented care, including Mobile Medication Assisted Treatment and diversion from the ED at critical times. These services will be offered 24/7.

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Expansion: Community Paramedic Project

- With the resources to expand the Community Paramedic Program and accurately capture our Data, we could duplicate our efforts to meet the demand on PORT.
- Also add additional teams in partnership with the community to address other needs we have identified through our work and relationships thus far.

Team 2 (new)- Mobile MAT

- The MAT team acts as an extension of PORT.
- Works in tandem with the PORT team to go a step beyond initial overdose response and provide 24/7 mobile on-site suboxone administration
- Provides organized wrap around care in collaboration with Mahec and AMCHC in a "Buncombe Bridge to Care" Pilot.
- Paramedic and Community Health Worker/Peer Support can also follow- up in real time for diversion and re-entry services.

Team 3 (new)- Homeless Outreach

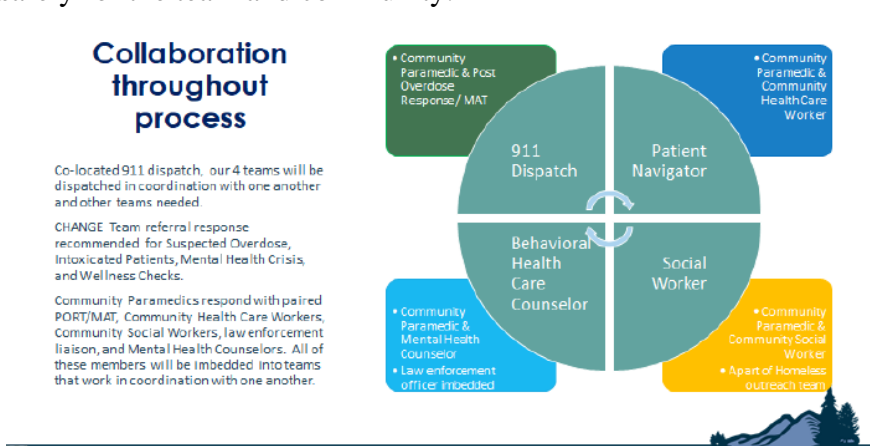
The Homeless Outreach and Shelter Team will be able to:

- do daily “rounds” in the community as a street team
- do welfare checks
- collaborate and cross train with grassroots and non-profits in de- escalation for after-hours response to local shelters.
- provide education and outreach at community events
- participate in community events on behalf of Community Paramedic

Team 4 (new)- Crisis Response

The Behavioral Health Crisis Response Team will be a

- Interdisciplinary team
- with one law enforcement member/liaison embedded
- This team will cross train with LE to develop a pilot for our area.
- This team responds to events that the homeless outreach team is not able to handle without Law Enforcement co-response.
- This team will work together to re-imagine public safety, determine what co-response protocol best fits our population and area, and how alternative transport or de- escalation can be accomplished safely for the team and community.



How are we going to achieve this?

With the help and coordination of our proposed City, County, and Community/Grassroots collaborations

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- Safer Together
- MAHEC
- Vaya health
- Justice Services
- Health and Human Services
- Sheriffs department
- Asheville Police Department
- Asheville Fire Department

* 911 Dispatch

- ANCHOR Collaborative
- * Umoja Health and Wellness Justice Collective
- Sunrise Community for Recovery and Wellness
 - Family Preservation Services
 - Homeward Bound
 - Jordan Peer Recovery
 - Consulta tu Compa
 - Eleanor Health Foundation
 - RHA Mobile Crisis
 - Haywood Street Congregational
 - BeLoved

Equity Impact: Community Focus

- Racial Equity Action Plan set out six categories of goals
- The Community Paramedic Programs helps work towards all six
- Community Focus:
- Create pathways to ensure engagement in racial equity strategies that improve quality of life
- Provide racial equity education and communication to the community
- Improve quality of life outcomes through racial equity initiatives

Equity Impact: Foundational Focus

- Racial Equity Action Plan set out six categories of goals
- The Community Paramedic Programs helps work towards all six
- Foundational Focus:
- Cultivate a thriving workforce within Buncombe County that ensures racial equity
- Institute organizational policies and processes to ensure equity and accountability
- Establish Buncombe County as an equity inclusion model

What could be to come!

- Other communities have seen cost savings through an expansion of the Community Paramedic Program.
- Examples: less community members in jail, less patients in hospitals, less people on the streets
- Decrease in equipment costs later if the community is impacted in the right way!
- Improved accessibility to mental health services
- Working together to make decisions as a community

Commissioner Stewart thanked Ms. Pinder and Mr. Jones for the presentation. Commissioner Adams stated as it relates to the community, it is not far from this program, but it needs people at the table. Commissioner Adams stated the community has the Roxie Center/RI International, but law enforcement needs to become a big part this program and Cape Fear Valley Health System needs to be encouraged to do more in the community as another component to running EMS. Commissioner Adams suggested the county's members on the Alliance Health Board of Directors tell Alliance Health that Cumberland County wants this program in the community.

Chairman Evans asked what the Board of Commissioners could do besides talking to Alliance Health. Ms. Cannon stated Alliance Health is doing this in other communities and they indicated they are interested in working with the county. Ms. Cannon stated the county's Alliance Health board members advocating for Cumberland County is a good first step and she will add this to her follow up. Discussion followed about additional funding for mental health services.

E. FAMPO Passenger Rail Feasibility Study

BACKGROUND

The Fayetteville-Raleigh Commuter Rail Feasibility Study was jointly supported by the Fayetteville and Capital Area Metropolitan Planning Organizations (MPOs) and local governments inside the study area. The MPOs are an ideal vehicle for undertaking this type of study, closely connected to both the local governments and state department of transportation, which would be the primary stakeholders in any new passenger rail venture. The private operators in these corridors were also invited to participate and did so to the extent that they wished to be involved.

The study’s objectives were to:

- (1) assess suitability of two active rail corridors for new or additional passenger rail services;
- (2) understand costs for reasonably implementing commuter rail service;
- (3) conduct a preliminary estimate of anticipated passenger boardings for scenario-driven train and frequency configurations; and
- (4) if no fatal flaws were discovered in either of the two routes, then determine if a Phase II exercise is viable to advance passenger rail service in one of these two corridors.

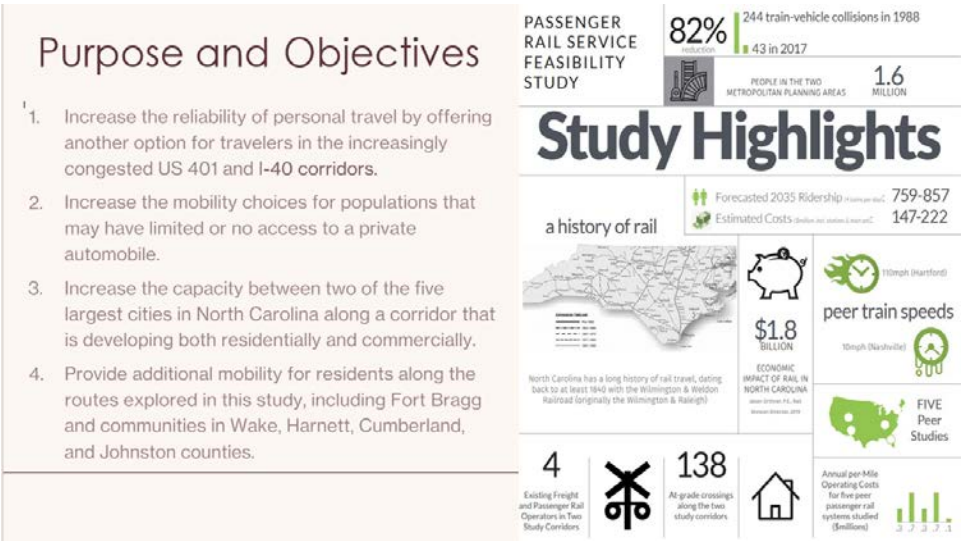
While both corridors were determined to have advantages and disadvantages, there is not a definitive choice for a preferred option. The attached power point presentation will explain the organization, process, key findings, and conclusions of the study. In the next few months FAMPO staff will need to obtain a preferred rail corridor recommendation from the Cumberland County Board of Commissioners before FAMPO approving funding for a selected corridor for detailed study.

Although this study began in 2019 and was completed in 2020, now is the perfect time to select a preferred rail corridor for detailed study and future commuter rail implementation. The costs of a future detailed study would more than likely be shared by CAMPO, FAMPO, NCDOT and possibly other local governments affected by the selected corridor. The estimated cost of a detailed commuter rail study is \$300,000.00 where funding allocations could be made for FY 2022/23 (beginning July 1, 2022).

RECOMMENDATION / PROPOSED ACTION

No action required. For information purposes only.

Hank Graham, FAMPO Director, referenced the background information recorded above and provided the following PowerPoint presentation.



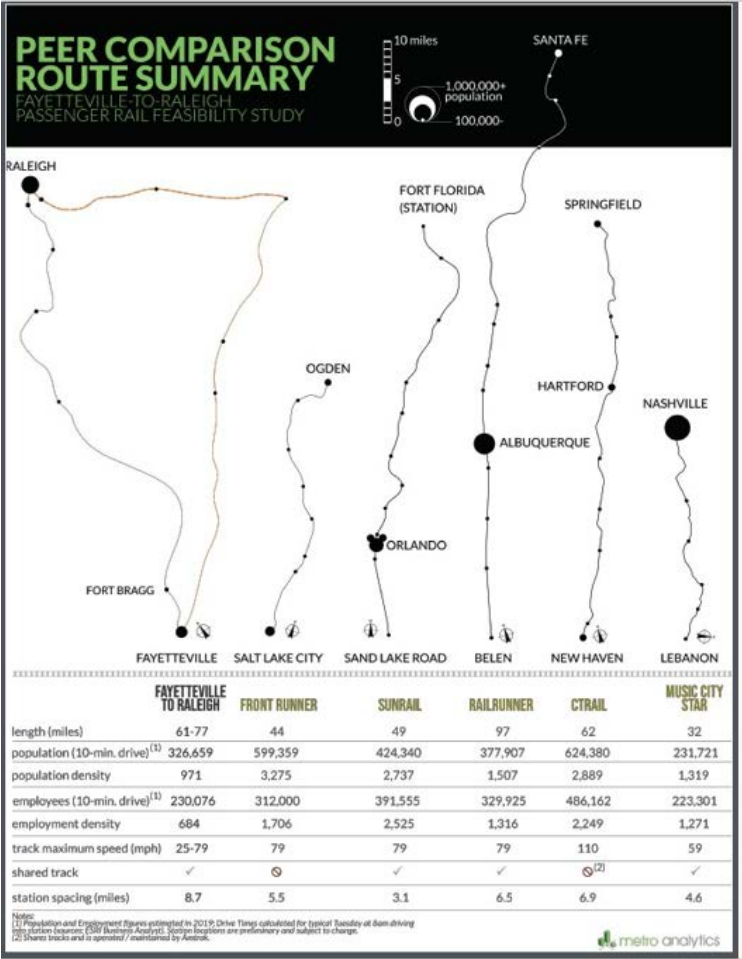
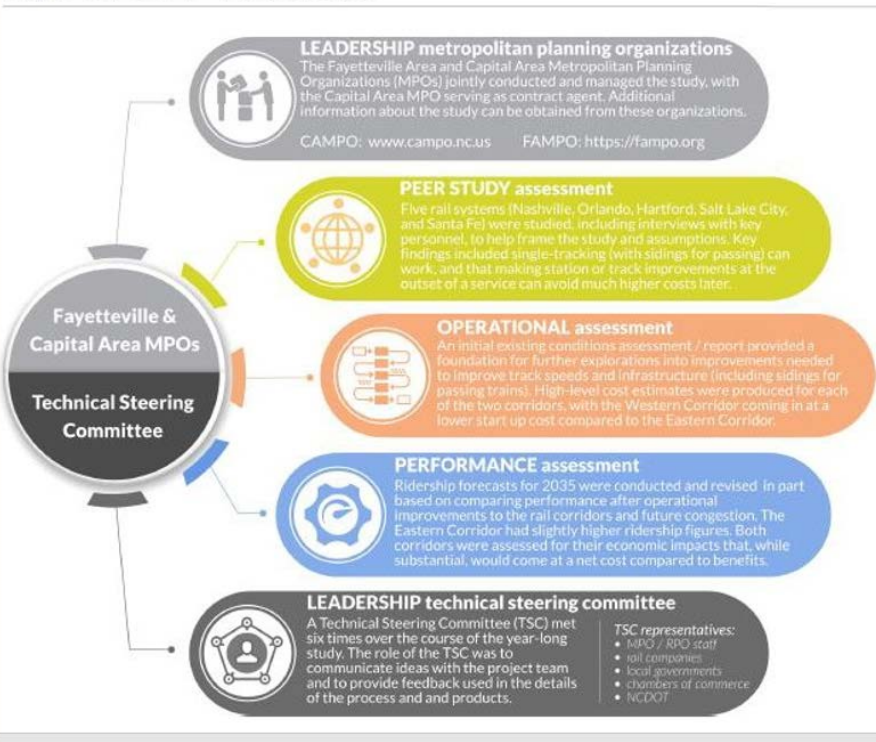
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Findings

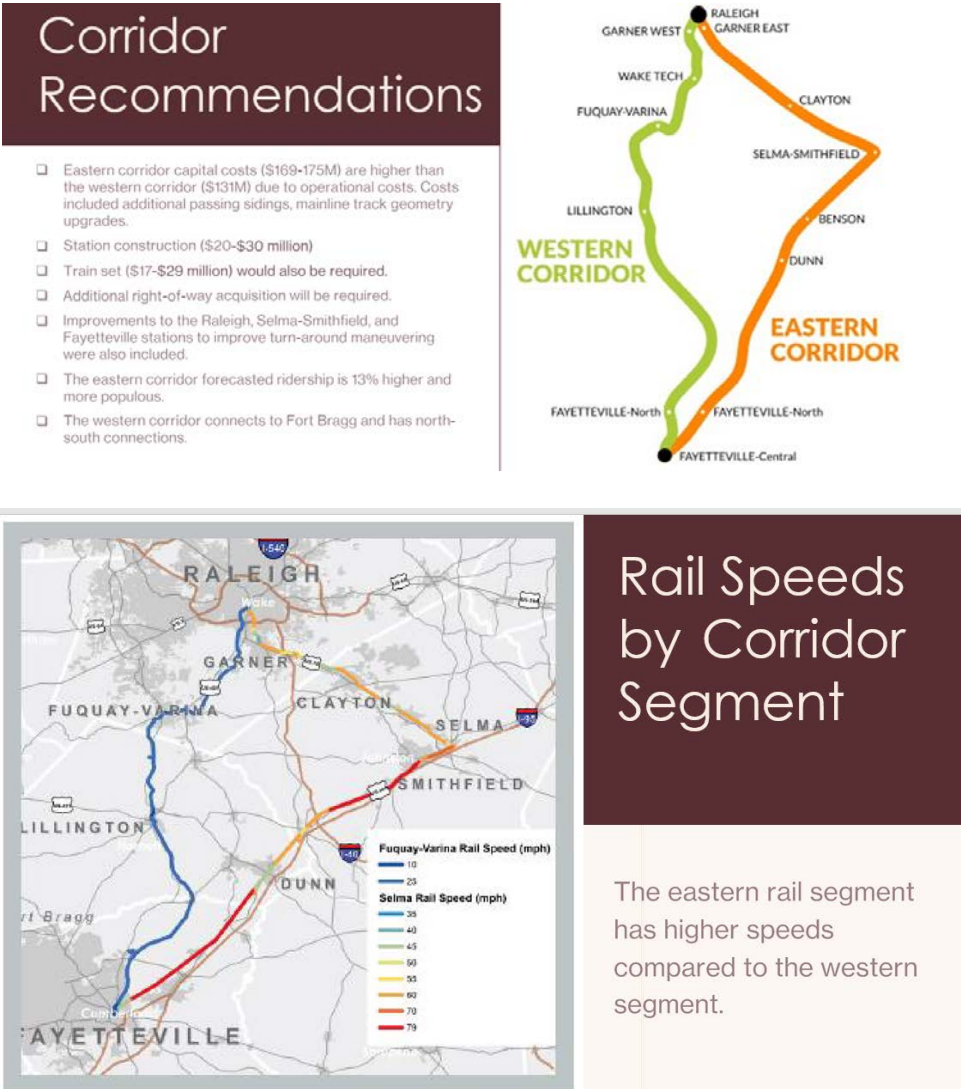
- 1. Assess suitability of two active rail corridors for new or additional passenger rail services.
- 2. Understand costs for reasonably implementing such a service.
- 3. Conduct a preliminary estimate of anticipated passenger boardings for scenario-driven train and frequency configurations.
- 4. If no fatal flaws were discovered with either of the two routes, then determine if a Phase II exercise is viable to advance passenger rail service with one of these two corridors.

There is not a definitive choice for a preferred corridor option.

THE STUDY PROCESS



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EASTERN CORRIDOR OPERATIONAL OVERVIEW

The Eastern Corridor consists of the CSX A-Line between Fayetteville and Selma and the NS H-Line between Selma and Raleigh. The corridor extends approximately 75.5 miles between the Fayetteville Amtrak Station and Raleigh Union Station.

Eastern Corridor Infrastructure
The A-Line segment consists of a single main track with five double-tracked segments along its length to allow same and opposite direction passing. The length of the siding range from 2.45 miles to 10.9 miles. Additionally, the sidings are spaced an average of 4.5 miles apart. The H-line is primarily single-tracked with four sidings between Raleigh and Selma, ranging from 0.7 to 3.4 miles in length. The corridor is constructed to Federal Railroad Administration (FRA) Class 4 track standards with a maximum authorized track speed of 79 mph for passenger trains (Amtrak timetable speed) along the A-Line and H-Line. The lowest authorized speeds are 45 mph in Clayton (along the H-Line) and Dunn (along the A-Line) and 35 mph through downtown Fayetteville.

Raleigh-area Operational Concerns
None – Raleigh Union Station is designed to support intercity and commuter rail operations along the H-Line.

Selma-area Operational Concerns
Lack of Direct Access between the A and H-Lines - There is not a direct connector between the A and H-Lines for trains traveling between Fayetteville and Raleigh. Access between the lines currently require a three-phase time consuming forward/backing maneuver that would require the engineer to walk between the locomotive and cab-control car on multiple occasions.

Fayetteville-area Operational Concerns
None – The Fayetteville Amtrak Station is designed to support intercity rail operations along the A-Line.

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WESTERN CORRIDOR OPERATIONAL OVERVIEW

The Western Corridor consists primarily of the NS VF-Line between Fayetteville and Fuquay-Varina and the Norfolk-Southern (NS) Line between Fuquay-Varina and Raleigh. Trains operating along this corridor will also use portions of the CSX AE and A-Lines to access the Fayetteville Amtrak Station and portions of the NS H-Line to access Raleigh Union Station.

Western Corridor Infrastructure
The corridor extends approximately 61.5 miles between the Fayetteville Amtrak Station and Raleigh Union Station. The Western Corridor is primarily single tracked with a total of five sidings ranging in length from approximately 1,127 feet to 3,200 feet. The sidings are spaced approximately 10 miles apart. The corridor is primarily FRA Class 2 track with a maximum authorized track speed of 25-miles per hour (mph) for freight and passenger trains. There are two, 10mph segments along the corridor: Cape Fear River Bridge in Lillington which is a non-moveable structure, and Hillsboro Street in Fayetteville where the railroad tracks run down the center of the street. There is no existing intercity passenger rail service along this corridor.

Raleigh-area Operational Concerns
Lack of Direct Access to Raleigh Union Station - There is not direct access to the station platform from the NS-Line. Currently, all access to the station platform is via the H-Line. Access to/from Raleigh Union Station would require a two-phase time-consuming forward/backing maneuver that would require the engineer to walk between the locomotive and cab-control car on multiple occasions.

Fayetteville-area Operational Concerns
Lack of Direct Access to the Fayetteville Amtrak Station - There is not direct access to the station platform via the VF-Line and AE-Line. The only access to the station platform is via the A-Line. Access to/from the Fayetteville Amtrak Station would require a three-phase, time consuming forward/backing maneuver that would require the engineer to walk between the locomotive and cab-control car on multiple occasions.
Limited Operating Speeds - The NS Timetable notes a maximum speed of 10mph along the VF-Line while trains are traveling down Hillsboro Street in downtown Fayetteville.

Next Steps



A follow-up study will consider support for one corridor by June 30th 2022.

- * Proceed to conceptual design,
- * Rail operations modeling,
- * Station layout
- * Identifying the location of maintenance and storage of trains.
- * 18-month detailed study will likely cost \$250,000 - \$300,000

Mr. Graham concluded his presentation. Commissioner Adams stated the corridor with the greatest speed will get people back and forth to work and the county needs to be forward thinking and support the eastern corridor to expand the community. Ms. Cannon stated this will be brought to the October Agenda Session meeting for budget planning purposes and for Mr. Graham to begin applying for grants, and the Board can select its preferred route at the October Agenda Session. Commissioner Adams stated October may be too late as other MPO members are interested in FAMPO monies.

- MOTION:

Commissioner Boose moved to do the higher speed eastern route.
- SECOND:

Commissioner Adams
- VOTE:

UNANIMOUS (7-0)

Chairman Evans called for a break following which the meeting reconvened.

4. CONSIDERATION OF AGENDA ITEMS

A. Implementation of the Three-Year Homelessness Strategic Plan

BACKGROUND

At the Board of Commissioners’ meeting held on January 19, 2021, the Board approved a Request

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for Proposal (RFP) to seek a firm to develop a Three-Year Homelessness Plan that would involve the following activities:

- Provide a model continuum of homeless services, resources and best practices for a community of similar size and demographics of our community;
- Assess the current continuum of homeless services and resources in our community;
- Identify needs and gaps in the continuum of homeless services and resources in our community; and
- Provide a recommended plan of implementation of identified deficits in homeless services and resources.

The RFP was released on January 19, 2021, and OrgCode Consulting, Inc. was selected to carryout the scope of services outlined in the RFP. OrgCode began performing the work in March 2021 and completed the project by the end of June 2021.

At the August 2, 2021, Board of Commissioners' meeting, Ms. Cindy Crain from OrgCode Consulting, Inc. presented the Homelessness Strategic Plan. The structure of the plan outlines the following:

- four major impact areas to address;
- objectives for addressing the impact areas;
- leading voices to advocate on behalf of the homeless; and
- recommended actions steps to be completed by the leaders and the community.

As part of the Homelessness Strategic Plan, OrgCode recommended the County carryout the next steps which include planning, organizing, and taking action to implement the plan. At the August 2, 2021 meeting County Management recommended engaging OrgCode in assisting the County with the development of an implementation plan based upon the study findings.

RECOMMENDATION / PROPOSED ACTION

County staff is seeking direction from the Board on engaging OrgCode in assisting the County with the development of an implementation plan.

Dee Taylor, Community Development Director, presented the background information recorded above as a follow up from the August 2, 2021, presentation of the Homelessness Strategic Plan by OrgCode. Ms. Taylor stated the county hired OrgCode to develop the three-year Homelessness Strategic Plan based off the gap analysis report they prepared and input from community stakeholders. Ms. Taylor stated after the August 2, 2021, presentation of the plan, the recommendation was for the county to take the next step and implement the plan. Ms. Taylor stated county staff are seeking direction from the Board on engaging OrgCode to help the county develop an implementation plan.

Chairman Evans stated his understanding is that there was discussion regarding homelessness by the ARP Committee. Ms. Cannon referenced the update by the ARP Committee under Item 5.A. and stated the ARP Committee is recommending that \$250,000 be set aside for further study as it relates to shelter space and because there are other recommendations/community deficits identified in the study related to homelessness, the recommendation is engage OrgCode to help the county develop an implementation plan.

Commissioner Keefe stated he is committed to the plan of this Board in having a homeless center, but he is not sure OrgCode can teach us what is best for our community because we have a different community and OrgCode took a boiler plate approach. Chairman Evans stated the county spent \$30,000 for the study, not to listen would be a travesty for the community, and he thinks the county should take OrgCode's recommendations.

MOTION: Chairman Evans moved to accept the recommendation of the ARP Committee for homelessness and move forward with it.

The motion died due to the lack of a second.

Commissioner Stewart stated her understanding is that the \$250,000 in ARP funds is to look for land rather than invest in a study because the county needs to invest in brick and mortar. Commissioner Adams stated the ARP Committee allocation is for land and/or shelter and is separate from OrgCode. Commissioner Adams stated what is being requested is for OrgCode to develop an implementation plan for the study and the money will come from Community Development. Discussion followed.

MOTION: Commissioner Adams moved to engage OrgCode in assisting the County with the development of an implementation plan and that the homeless shelter remain under the ARP Committee.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

B. Discussion of August 16, 2021, Action Regarding Historic Courthouse

BACKGROUND

Chairman Evans asked that the Board of Commissioners revisit and have further discussion about the action taken at the August 16, 2021, regular meeting regarding the Historic Courthouse.

Chairman Evans turned his item over to Commissioner Stewart. Commissioner Stewart stated she went to the Historic Courthouse and has never seen a county building in that condition. Commissioner Stewart stated the \$3M is to remodel the Historic Courthouse courtroom for commissioners' use three times a month while employees work five days a week in deplorable conditions. Commissioner Stewart displayed and described photographs of the interior of the Historic Courthouse and conditions under which employees are working. Commissioner Stewart stated the Historic Courthouse courtroom is beautiful and does not need any remodeling. Commissioner Stewart stated her issue is that the county needs to do better by its employees who work at the Historic Courthouse and Commissioners should not spend ARP rescue dollars to have a state-of-the-art courtroom when it is the Historic Courthouse employees who need rescuing.

Commissioner Council stated she concurred with Commissioner Stewart because she has seen the conditions every month for the last five to six years with her own eyes. Commissioner Council stated taking the handicap ramp down into the basement is even worse.

Commissioner Adams stated there is deferred maintenance in other county buildings that house employees, to include Child Support Services in the Bradford Avenue building and emergency operations in the basement of the LEC. Commissioner Adams stated part of the strategic plan was to review all buildings.

In response to a question posed by Chairman Evans about the cost associated with renovating the entire building, Ms. Cannon stated staff have never been asked to get a cost to renovate the entire building. Ms. Cannon directed the Board's attention to the building inventory feasibility study the Board approved 30 to 60 days ago and stated County Engineer Jermaine Walker is working on a contract with an architect and the Historic Courthouse will be included in the review; the review will determine how to better organize all services together for the ease of citizens and to look at a government services building. Ms. Cannon stated unless the Board makes it part of that feasibility study, the study will not include costs to renovate the Historic Courthouse. Mr. Walker explained the scope of the project and stated the scope only included alternative uses for the Historic Courthouse. Commissioner Keefe stated he has not heard anything that will provide the Board with a cost to renovate the entire Historic Courthouse. Ms. Cannon stated as of this meeting, the Board has not asked staff to do that and if it going to be part of the feasibility study, then staff need to know so it can be included in the scope of work.

In response to a question from Chairman Evans, County Attorney Rick Moorefield stated ARP funds cannot be used for the renovation of the Historic Courthouse or moving offices but can be used for commissioner meeting space to accommodate pandemic meeting protocols for public participation.

Chairman Evans stated he concurs with Commissioner Stewart and if employees are working at the Historic Courthouse, something should be done. Commissioner Boose suggested waiting on the assessment of facilities to include the entire Historic Courthouse and focus on getting a report or assessment on the modifications of workspaces and infrastructure of the building other than the commissioners meeting place that is eligible for ARP expenditures. For the record, Mr. Moorefield stated it is not a meeting place for commissioners, it is for the commissioners to have a meeting room to conduct the essential function of conducting government with public participation in a safe environment that follows pandemic protocol.

MOTION: Chairman Evans moved to suspend any work being done on the Historic Courthouse or any suggested work being done on the Historic Courthouse until the Board finds out the direction it is going in.

The motion died due to the lack of a second.

Commissioner Keefe asked whether that motion conflicted with the previous motion. Mr. Moorefield stated the previous motion passed by the Board of Commissioners was to proceed with the renovation of the meeting room facility to accommodate pandemic protocols not to exceed \$3M of ARP money. Chairman Evans asked what it would take to rescind that motion. Mr. Moorefield stated the Board's adopted Rules of Procedure allow any commissioner to place a matter on the agenda at any time and in order to do so after the gavel has sounded, a unanimous vote of all members present is required. Commissioner Adams stated to do that the commissioner had to be on the winning side and Chairman Evans was on the winning side. Mr. Moorefield stated Commissioner Adam's statement pertains to reconsideration of a vote, but the rules state a motion to reconsider must be made at the same meeting where the original vote was taken. Mr. Moorefield stated the other option available to the Board is to suspend its rules which would take five votes or two-thirds of the members present.

Commissioner Adams stated the dilemma is that ARP funds can only be used for the meeting space, but the Board has also been told the rest of the Historic Courthouse cannot be used due to issues involving use by the public. Commissioner Adams stated the rest appeared to be cost prohibitive and the committee did not want to do it. Ms. Cannon stated earlier discussions involving elevators and other items were over \$7M and that was not an exhaustive list.

MOTION: Chairman Evans moved to suspend the rules and suspend any action on the Historic Courthouse until the Board has clarity.

SECOND: Commissioner Council

DISCUSSION: Commissioner Boose asked for clarity as to why it takes a unanimous vote to add an item to the agenda but only requires a two-thirds vote to suspend the rules. Mr. Moorefield reviewed Rule 9 Agenda stating, "any commissioner may, by a timely request, have an item placed on the agenda" before the agenda is published; once the agenda is published, "the Board may, by unanimous vote of all the members present, add an item to the agenda". Commissioner Keefe stated this item is for discussion and not a vote. Mr. Moorefield stated Chairman Evans is asking to suspend the rules so there can be a vote. Commissioner Boose stated it would require a unanimous vote to allow him to do that. Mr. Moorefield stated this was an item on the agenda. Commissioner Boose stated there was not an agenda item for this because he was not notified that the Board was going to go back and undo Board action. Mr. Moorefield stated he was not aware of the intent of the discussion. Chairman Evans stated the intent for discussion of the Historic Courthouse had to do with confusion associated with using ARP funding to do any work and then if ARP funding is used for what was said it was intended for, it was not enough money. Chairman Evans stated on the other hand, there was concern expressed by Commissioner Stewart about how the employees are being treated at that facility while the Board is talking about spending money to re-create a whole floor for the Board of Commissioners. Chairman Evans stated he feels Commissioner Stewart is justified in bringing her concerns to the Board and the matter should be addressed, and to address it, the Board asked Mr. Walker what it would take to get the entire place done. Chairman Evans stated the Board has not received a complete figure for that yet. Ms. Cannon stated no figure has been

provided because the Board has not asked Mr. Walker to provide a figure to renovate the entire Historic Courthouse. Chairman Evans stated he is asking that the ARP funding of \$3M be taken back because it cannot be used for the entire facility, and that it be used for what it is supposed to be used for. Commissioner Boose stated he does not know what it is supposed to be used for. Chairman Evans asked the chair of the ARP Committee to respond. Commissioner Keefe stated the \$3M was voted on by the Board. Commissioner Boose stated the ARP Committee did not do anything as it relates to what is supposed to be used for. Commissioner Stewart stated the matter was not brought to the ARP Committee yet the chair of the ARP Committee made a motion to take \$3M from ARP funds for the Historic Courthouse courtroom. Commissioner Adams stated the Board voted for it even if it did not understand; he told Commissioner Keefe at the meeting that ARP funding should not be used. Commissioner Adams stated there was discussion at that meeting because he was adamant about not doing it. Chairman Evans asked where the matter stood at this point. Mr. Moorefield stated there was a motion on the floor to suspend the rules to consider Chairman Evans' motion to reconsider the former action. Commissioner Boose stated for the record that he objects because Robert's Rules of Order makes sense and if you must do something else by unanimous vote, you cannot get around a unanimous vote by saying just suspend that rule and vote on it by five.

MOTION: Commissioner Adams moved to table this to the October meeting to have conversation with the County Manager as to what the County Engineer is going to do and bring it back.

SECOND: Commissioner Boose

DISCUSSION: For clarification for the record, Mr. Moorefield asked whether this discussion or the courthouse action was being tabled. Commissioner Adams stated the \$3M is not going anywhere but his motion was to table this and bring back at the October meeting. Chairman Evans asked whether this was a friendly amendment. Commissioner Adams stated a motion to table trumps Chairman Evans motion. Mr. Moorefield stated the Board should vote on the motion to table first. Commissioner Keefe asked why the Board needed a motion to table. Commissioner Boose responded because Chairman Evans offered a motion to suspend the rules.

VOTE: UNANIMOUS (7-0)

Commissioner Boose asked if Commissioner Stewart's concerns could be addressed. Commissioner Adams stated that was not on the agenda and would need to be an agenda item.

C. Request for Approval of Purchase Price for 20.18 Acres on the South Side of Elliot Farm Road on Behalf of the Cumberland County Board of Education

BACKGROUND

The Board of Education (BOE) purchased 20.8 acres on Elliot Farm Road from Broadwell Land Company for a future elementary school site on September 28, 2015. The purchase price was \$600,000 with \$200,000 being paid at closing and the remaining balance secured with a promissory note. The balance of the purchase price is to be paid upon completion of extension of water and sewer by the Developer. Water and Sewer has been extended and the BOE is seeking to finalize the purchase of this land.

The BOE is seeking approval of the purchase price by the Board of Commissioners pursuant to N.C. General Statute 115C-426(f). A letter from Dr. Connelly requesting the approval is attached as well as an appraisal of the 20 acres.

RECOMMENDATION / PROPOSED ACTION

Consider the request from the Board of Education for approval of the \$600,000 purchase price for 20.18 acres on Elliot Farm Road.

Ms. Cannon presented the background information and recommendation/proposed action recorded above and introduced school staff in attendance. In response to a question posed by Commissioner Council, Ms. Cannon stated the contract was executed in 2015 and since all the funds have not been paid, the Board is being asked to approve the purchase price. Ms. Cannon stated this was communicated to the Board through a presentation of the five-year CIP plan by Mr. Kinlaw, but consideration of the purchase contract or the purchase price was not formally presented to the Board. Mr. Moorefield stated what the Board must approve about the contract is the purchase price and if approved, the defect will be cured. Commissioner Boose stated he does not believe he can approve what he perceives to be an illegal contract. Commissioner Council stated she is wondering how this happened, how many schools are in the area and whether the schools are overrun in the area. Board of Education Attorney Nick Sojka stated all that is being asked is approval of the purchase price to cure the procedural defect in order to pay the Broadwell's the balance of the total purchase price. Mr. Sojka stated there has been conversation for years about a new school but anything that would move a school forward on that site would require new action either by the current Board of Education or some future Board of Education.

Commissioner Adams stated his concern is that the appraisal according to the Tax Department is \$243,916 yet the purchase price is \$600,000. Mr. Sojka stated he has the appraisal by Tom Keith and Associates complete with comps that were served by water and sewer and had similar developmental characteristics. Commissioner Adams stated \$400,000 is a big difference in terms of value but he has to think about his district that has been paying taxes without water and sewer, yet PWC can run water and sewer to this 20.18 acres. Commissioner Lancaster stated this is an easy ask and if the Board thinks about school employees and school children, they may have a new school someday. Commissioner Lancaster stated the \$600,000 is not the county's money.

MOTION: Commissioner Lancaster moved to approve the \$600,000 purchase price for 20.18 acres on Elliot Farm Road.

SECOND: Chairman Evans

DISCUSSION: Commissioner Keefe asked what would happen if the purchase price was not approved. Mr. Moorefield stated it would be his opinion that it would be an invalid contract and not enforceable. Mr. Sojka stated without approval of the total purchase price, there is a question of starting all over again with an invalid contract on the front end. Mr. Sojka stated although he does not represent the developer, what is clear is that the developer has done what he said he would do and has held the property open all this time. Commissioner Adams stated the developer has acreage next to this property and intends to build a subdivision on it, so the developer benefits from running water and sewer to this property and did not do it just for the school system. Mr. Sojka confirmed that to be correct and stated he will be the first to say this is a step that was missed and because the developer is at the stage where he has completed the water and sewer, the request is to complete the existing transaction. Commissioner Keefe asked whether anyone wanted to put another vote on the table.

SUBSTITUTE MOTION: Commissioner Adams moved to not approve the purchase price but ratify what has been done.

There was no second to the substitute motion.

Mr. Moorefield stated commissioners can ratify what their Board has done but not another Board's, and the action is to either to approve or deny the purchase price. Mr. Sojka stated the price is the only thing commissioners have authority over.

VOTE: FAILED (4-3) (Commissioners Council, Keefe, Boose and Stewart voted in opposition; Commissioners Lancaster, Evans and Adams voted in favor)

Discussion of the vote followed. Mr. Moorefield stated a motion to reconsider must be made at the same meeting where the original vote was taken and by a commissioner who voted on the

prevailing side; it cannot interrupt deliberation on a pending matter but is in order at any time before adjournment.

MOTION: Commissioner Adams moved to reconsider and approve the \$600,000 purchase price for 20.18 acres on Elliot Farm Road.
SECOND: Commissioner Keefe
VOTE: PASSED (5-2) (Commissioners Lancaster, Council, Keefe, Evans and Adams voted in favor; Commissioners Boose and Stewart voted in opposition)

D. Contract With Good Source Solutions, Inc. for Food Products for Detention Center

BACKGROUND

The Cumberland County Detention Center wishes to renew the contract with Good Source Solutions, Inc. for food products. This is a renewal based on Bid 18-8-DC originally awarded on April 16, 2018. Good Source provides "correctional specific" meats and beverages that meet government regulations such as serving size, calorie, calcium, and protein content, etc. to ensure a healthy diet for detainees. The bid award allowed for an initial term ending June 30, 2020, with a two-year renewal option until June 30, 2023. This period is July 1, 2021, to June 30, 2022, totaling \$175,000.00.

RECOMMENDATION / PROPOSED ACTION

Approve the contract as a consent agenda item at the September 20, 2021, BOCC meeting.

Lisa Blauser, Sheriff's Office Accountant, presented the background information and recommendation/proposed action recorded above.

MOTION: Commissioner Boose moved to approve the contract with Good Source Solutions, Inc. as presented and forward to the Board of Commissioners' September 20, 2021, meeting as a consent agenda item.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0) (Commissioner Council was out of the room.)

E. Contract with Mobile Communication America for Emergency Responder Radio Cover Bi-Directional Amplifier Project

BACKGROUND

The Cumberland County Sheriff's Office wishes to contract with Mobile Communications America to purchase bi-directional amplifiers/repeaters for the Detention Center, Courthouse and Law Enforcement Center to accommodate the transition to a 925 NC State Viper Radio Network. This project will ensure radio communications continue without interruption. This contract is based on Bid Award 21-18-SO approved by the BOCC on April 19, 2021. The BOCC also approved re-appropriation of funding for this project on August 16, 2021. This contract totals \$485,577.09.

RECOMMENDATION / PROPOSED ACTION

Approve the contract as a consent agenda items at the September 20, 2021, BOCC meeting.

Commissioner Boose asked whether the contract was recommended by Ms. Cannon. Ms. Cannon responded in the affirmative.

MOTION: Commissioner Boose moved to approve the contract with Mobile Communication America as presented and forward to the Board of Commissioners' September 20, 2021, meeting as a consent agenda item.
SECOND: Commissioner Stewart
VOTE: UNANIMOUS (7-0)

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F. Amended Professional Services Agreement with Innovative Emergency Management to Administer the Emergency Rental Assistance Program

BACKGROUND

In January 2021, Cumberland County was awarded \$3,735,545.10 through the Emergency Rental Assistance Program established by the U.S. Department of Treasury. Cumberland County is required to obligate at least 65% of this amount by September 30, 2021. Otherwise, the Department of Treasury may recapture any funds that have not been obligated and reallocate those funds to jurisdictions that have met the obligation requirement. This first round of funding will expire on September 30, 2022.

At the regular Board of Commissioners meeting held on May 17, 2021, the Board approved a Professional Services Agreement between Cumberland County and Innovative Emergency Management (IEM) Inc. to administer the Emergency Rental Assistance Program for the County for a term beginning May 18, 2021, and ending December 31, 2021. Cumberland County and the City of Fayetteville are contracting with the same firm to administer the Emergency Rental Assistance Program.

In May 2021, a portion of the second allocation was awarded to the County in amount of \$1,182,304.80. Cumberland County is required to obligate at least 50% of the second allocation by March 30, 2021. This second round of funding will expire on September 30, 2025.

In order to maintain continuity, Cumberland County Community Development Department desires to amend the current agreement to include the second round of allocation and extend the term to June 30, 2022. IEM will administer the program for a fee not to exceed 8% of the total amount of the program funds. There is a possibility if the Department of Treasury recaptures any remaining funds that the County may be required to use local general funds to cover any administrative and housing stability costs exceeding the 10% and 15% caps of the first and second round of funding.

RECOMMENDATION / PROPOSED ACTION

Community Development Staff recommends and requests that the following item be placed on the September 20, 2021 Board of Commissioner's agenda as a consent item:

- Approve the amended Professional Services Agreement with IEM as per the attached agreement.

Ms. Taylor presented the background information recorded above and stated there is no clear guidance as it relates to the U.S. Treasury's terms on obligation and administration costs, but the county does not meet the 65% of expenditures obligation. Ms. Taylor stated any remaining funds will be recaptured and the county may be required to use local General Funds to cover any administrative or housing stability costs exceeding the caps. Ms. Taylor stated the request is to approve the amended agreement to move forward with the second round of funding.

Commissioner Adams stated the county is hiring IEM and IEM wants this contract and although the expenditure obligations have not been met, he believes people work harder when they have something involved. Commissioner Adams stated for IEM to get 8% to administer the program, regardless of whether the funds are obligated, he feels IEM should get 8% of the amount of funds obligated. Commissioner Adams stated this will make IEM work harder to get more distributed. Mr. Moorefield stated he wrote the existing contract, and it is 8% of the amount expended; the difference is that the amendment is to increase the 8% to the amount allocated. Commissioner Adams stated he is only speaking to the amendment which he feels should be 8% of the amount expended, not allocated. Mr. Moorefield stated his understanding is that IEM is going to pull off the job unless paid more. Commissioner Boose stated he can understand both sides but there should be something in between because if the amendment is approved, IEM will get 8% of the second allocation regardless of whether anything is expended. Ms. Cannon stated Commissioner Boose made a strong point and asked if staff could have further conversation with IEM about safeguards and bring this back to the Board.

MOTION: Commissioner Boose moved to table the amended Professional Services Agreement with IEM.
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0)

G. Amendment to Baker & Taylor Agreement for Library Books and Audiovisual Materials for FY 22

BACKGROUND

The Cumberland County Public Library entered into the Public Library Books and Audiovisual Materials Agreement with Baker & Taylor on July 1, 2020 (historical agreement provided for information) Baker & Taylor was awarded as the primary vendor in a formal bid award for books and audiovisual materials on June 15, 2020. Baker and Taylor was selected as the vendor due to their ability to offer the highest average discount for books and audiovisual materials. Baker and Taylor was also selected because they offered the largest collection of juvenile materials for purchase. In order to continue to purchase a greater amount of materials for the community at a discounted rate, and in order to provide the community with a large selection of juvenile materials, Cumberland County Public Library is seeking permission to renew this contract for FY22 and auto renew for FY23.

The attached amendment to the agreement with Baker and Taylor includes these renewals and also includes a new clause to limit the weight of boxes delivered.

RECOMMENDATION / PROPOSED ACTION

The Library Director and County Management recommend that the proposed action below be placed on the September 20, 2021 Board of Commissioners' agenda as a consent item:

- Approve the attached Agreement Amendment with Baker and Taylor for the purchase of library materials to renew for FY 22 and auto renew for FY23.

Ms. Cannon presented the background information recorded above. Ms. Cannon stated she does not have the authority to approve the amendment because of the new clause to limit the weight of boxes delivered. Commissioner Adams stated he felt the County Manager should have the authority to sign. Discussion followed. Ms. Cannon stated should the Board so choose, it can give her the authority. Commissioner Adams stated with that, he would offer the following motion.

MOTION: Commissioner Adams moved to approve the Agreement Amendment with Baker and Taylor for the purchase of library materials to renew for FY 22 and auto renew for FY23 and forward to the Board of Commissioners' September 20, 2021, meeting as a consent agenda item.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (7-0)

H. A Model Approach for Change in Child Welfare (AMAC-CW) for Department of Social Services

BACKGROUND

The purpose of these contract renewals with Southeastern Workforce Strategies, LLC in the amount of \$357,709 and Chapin Hall in the amount of \$232,219 is to allow for the continued development of a multidimensional and integrative service delivery model for aging out of foster care and older teens transition to adulthood in Cumberland County (CCDSS) custody to improve their outcomes.

Southeastern acts as the project manager to assist CCDSS to integrate all efforts including the collaboration with community partners to create a model for change in child welfare. AMAC-CW employs a modified approach to collective impact that will result in an effective, articulated, and documented approach to system changes that will improve outcomes for older youth in foster care and advance child welfare and family support programs in Cumberland County. The Duke

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Endowment has awarded CCDSS a multi-year grant for the implementation of the plan for AMAC-CW, in an effort to reform the child welfare system serving older youth.

RECOMMENDATION / PROPOSED ACTION

Staff requests the following items be placed on the September 20,2021 Board of Commissioner's agenda as a consent item:

- Renew contracts for Southeastern Workforce Strategies, LLC and Chapin Hall, in their continued support of A Model Approach for Change in Child Welfare.

Brenda Jackson, Social Services Director, presented the background information recorded above and provided information about a longitudinal study that tracks children and youth to see how they are impacted by the service delivery model.

MOTION: Commissioner Stewart moved to renew contracts for Southeastern Workforce Strategies, LLC and Chapin Hall in their continued support of A Model Approach for Change in Child Welfare and forward to the Board of Commissioners' September 20, 2021, meeting as a consent agenda item.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

I. FY 2023 Applications for Community Transportation Program Grant Funds and Resolutions

BACKGROUND

Staff requests that a public hearing be held to authorize the FY 2023 Community Transportation Program (5311) grant application submittal which is due to NCDOT by October 8, 2021. A public hearing is required for the application for these specific funds. Staff also requests approval for submission of grant applications for 5310 and 5307 funds in the amounts listed below. This is an annual request that funds the Cumberland County Community Transportation Program which coordinates existing transportation programs operating in Cumberland County using local transportation providers.

The funding period will run from July 1, 2022 to June 30, 2023. Funding will be used to provide trips to work, school, medical, and general errands. The administrative portion will be used for salaries and fringes of the Transportation Coordinator and the Transportation Assistants, office supplies, driver drug and alcohol testing, travel to meetings and conferences, program marketing for all services provided to County residents, legal advertising and North Carolina Public Transportation Association (NCPTA) membership.

The Community Transportation Program is requesting funding in the following amounts from the NC Department of Transportation (a local match is required as noted below and is typically funded in the local FY Budget):

Project:	Total Amt.:	Local Share:
Administrative (5311)	\$184,813	\$27,722 (15%)
Capital (5310)	250,000	50,000 (20%)
Capital (5307)	89,790	17,958 (20%)
Total Project:	\$524,603	\$95,680

RECOMMENDATION / PROPOSED ACTION

Staff requests the Board of Commissioners hold a Public Hearing to authorize the application submission for the 5311 funding at their September 20, 2021, Regular Meeting. Staff also requests the Board of Commissioners approve the submission of the FY 2023 Projects for Community Transportation Program (5310, 5307) grant applications to the NC Department of Transportation as part of the September 20, 2021.

Mr. Graham presented the background information and recommendation/proposed action recorded above.

MOTION: Commissioner Council moved to hold a Public Hearing to authorize the application submission for the 5311 funding at the Board of Commissioners September 20, 2021, meeting and approve the submission of the FY 2023 Projects for Community Transportation Program (5310, 5307) grant applications to the NC Department of Transportation.

SECOND: Commissioner Stewart)

VOTE: UNANIMOUS (7-0) (Commissioner Keefe was out of the room.)

J. Amendment to the Flood Damage Prevention Ordinance

BACKGROUND

The County participates in the National Flood Insurance Program (NFIP) to make the County eligible for disaster assistance from the Federal Emergency Management Agency (FEMA). As a participant, the County is required to adopt a Flood Damage Prevention Ordinance as modeled by the State.

The County's current Flood Damage Prevention Ordinance does not include an automatic adoption clause for updates, therefore any changes to the Flood Insurance Rate Maps (FIRMs) or ordinance requires the FIRMs be readopted, and that the ordinance be re-approved with the changes via public hearing.

The Engineering & Infrastructure Department has been notified by the Eastern Branch NFIP Planner, Eryn Futral, that changes are required to the County's Flood Damage Prevention Ordinance be effective by October 1, 2021. The changes include auto-adoption language and by adopting the language this allows the County to auto-adopt future flood map revisions and flood insurance studies by reference. This would eliminate the requirement to hold public hearings to formally adopt the maps and revise the ordinance.

Included with this memorandum is a mark-up version of the ordinance with the required changes.

RECOMMENDATION / PROPOSED ACTION

The Engineering & Infrastructure Department and County Management recommends the following item be placed on the September 20, 2021 Board of Commissioner's agenda as a consent item: Adopt the changes to the County Flood Damage Prevention Ordinance effective October 1, 2021 as required by the State.

ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.

SECTION A. STATUTORY AUTHORIZATION.

Municipal: The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare.

County: The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; ~~Parts 3 and 4 of Article 18 of Chapter 153A; and Part 121,~~ Article 6 of Chapter 153A; ~~Article 8 of Chapter 160A; and Article 7, 9, and 11 of Chapter 160D~~ of the North Carolina General Statutes, delegated to local governmental units the ~~responsibility authority~~ to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the Board of Commissioners of Cumberland County, North Carolina, does ordain as follows:

ARTICLE 3. GENERAL PROVISIONS.

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES.

This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction, including Extra-Territorial Jurisdictions (ETJs) if applicable, of County of Cumberland, North Carolina (unincorporated areas) and within the jurisdiction of any other community whose governing body agrees, by resolution, to such applicability.

SECTION B. BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) dated December 18, 2007 for Cumberland County and associated DFIRM panels, including any digital data developed as part of the FIS, and its accompanying Flood Insurance Rate Maps (FIRM), for Cumberland County, North Carolina (unincorporated areas) dated December 18, 2007, which are adopted by reference and declared to be a part of this ordinance, and all revisions thereto.

Mr. Walker referenced the background information and recommendation/proposed action recorded above.

MOTION: Commissioner Adams moved to adopt the changes to the County Flood Damage Prevention Ordinance effective October 1, 2021, as required by the State and forward to the Board of Commissioners' September 20, 2021 meeting as a consent agenda item.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

K. Request to Establish Contingency Funds and Associated Budget Ordinance Amendment # B220060 for the Judge E. Maurice Braswell Courthouse Switchgear Replacement Project

BACKGROUND

On June 10, 2021, the Board of Commissioners approved the Construction Bid Tab and Award for the Judge E. Maurice Braswell Courthouse Switchgear Replacement Project to JL Britt Electric Incorporated in the amount of \$454,000. The item was presented at the June 10, 2021, Board of Commissioners' Agenda Session and was moved forward to the June 21, 2021, Regular Meeting as a Consent Agenda item.

The project is set to start on the eve of the Thanksgiving holiday and conclude no later than the following Saturday, November 27, 2021.

Staff is requesting approval for a \$25,000 contingency with appropriate budget ordinance amendment to handle all change orders for unforeseen site conditions and possible user-requested changes that may arise during the project execution.

The contingency will be funded from cost savings from previously completed projects.

RECOMMENDATION / PROPOSED ACTION

Staff recommends the following actions be placed on the September 20, 2021 Board of Commissioner's agenda as a consent item:

- Approve Budget Ordinance Amendment # B220060 for an additional \$25K to establish contingency for Judge E. Maurice Braswell Switchgear Replacement project
- Authorize the County Manger to approve all change orders not to exceed \$25K.

Mr. Walker referenced the background information and recommendation/proposed action recorded above.

MOTION: Commissioner Boose moved to approve Budget Ordinance Amendment # B220060 for an additional \$25K to establish contingency for Judge E. Maurice Braswell Switchgear Replacement project, authorize the County Manger to approve all change orders not to exceed \$25K and forward to the Board of Commissioners' September 20, 2021 meeting as a consent agenda item.

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SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

L. Request for Approval of Signing MOA with the State of North Carolina Relating to the Settlement of Opioid Litigation

BACKGROUND

The county attorney is not the county's attorney in the opioid litigation. The Board engaged the McHugh Fuller Law Group, LLC, of Hattiesburg, MS, with Michael Jay Fuller, Jr., as Lead Counsel and authorized that firm to employ or associate additional counsel. By the contract with McHugh Fuller Law Group, the county consented to the participation of ten additional law firms identified in the contract, including The Richardson Firm, PLLC, and the Law Offices of Antonio F. Gerald, PLLC, in Fayetteville. The county attorney is providing information about the MOA with the State of North Carolina relating to the opioid litigation because the county and the City of Fayetteville both must sign on to the MOA before October 1, 2021, to be eligible for an interest in a share of a 5% incentive fund to be paid out over the term of the settlement.

A national settlement has been reached in the opioid litigation with three distributors and one manufacturer. These were not all the defendants. Those who have declared bankruptcy are still subject to the orders of the bankruptcy court and the national settlement agreement addresses the bankruptcy issue. The national settlement agreement contains 364 pages. It is not attached. A two-page executive summary provided by the national counsel group is attached as Attachment 1. The total settlement nationwide is \$26 billion paid over 18 years and use of the funds is restricted to approved abatement uses which are detailed in the national settlement and the MOA with the State.

The MOA with the State is an agreement among the State, all 100 counties, and 17 cities (including Fayetteville) as to the allocation of the settlement funds coming into North Carolina among the counties and those 17 cities. The MOA contains 15 pages and 24 pages of Exhibits and is attached as Attachment 2, with the signature page attached separately as Attachment 3. Key provisions in the agreement are highlighted for discussion as follows:

On page 6, the key provision is which local jurisdictions get funding and the proportion that is allocated to each. Those are shown in the list at the end of the document on Exhibit pages 22 – 24. Cumberland is allocated 2.637% of the amount allocated to North Carolina. Only six counties are receiving a higher percentage than Cumberland. Those are also highlighted and include Forsyth, Gaston, Guilford, Mecklenburg, New Hanover, and Wake.

On pages 7 and 8, the key provisions are the uses for which the money may be spent, which is set out in detail in Exhibits A and B on Exhibit pages 1-13. Exhibit 7 also has a provision requiring an annual public meeting of the county and all municipalities in the county to receive input on the uses of the funds and encourage collaboration.

On page 9, the key provisions are the description of the budgeting process and requirement for the creation of a coordination group as set out in detail in Exhibit D.

On page 10, the key provisions are the reporting requirements as to the use of the funds.

With the incentive bonus, the agreement allocates 85% of the settlement funds coming into North Carolina to the local governments. Cumberland County has the seventh highest allocation among all the counties. These aspects of the agreement are very good. The only downside to the agreement is that it does not explicitly permit settlement funds to be used to pay attorneys' fees other than through a national fee fund that has been carved out to be used for that purpose. There has been a difference of opinion between the NCACC, the Attorney General's Office, and the national counsel group as to how all counsel will be paid. The national counsel group maintains the fee fund is not sufficient to pay all the lawyers. That issue is still not resolved and until August 25, the national counsel group had advised clients not to sign the MOA at this time. The attached letter, identified as Attachment 4, dated August 25, 2021, signed by Paul D. Coates and Russell W. Budd advises that, "The safe harbor is for you to sign the MOA by October 1, 2021."

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RECOMMENDATION / PROPOSED ACTION

The county attorney concurs with the advice from two of the law firms representing the county that signing the MOA is the safe harbor approach. To approve the MOA, the Board must adopt the attached Resolution Approving the MOA Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation, identified as Attachment 5. The City of Fayetteville is one of the 17 cities which are parties to the MOA and must consider this matter for that reason. The NCACC also included the Towns of Hope Mills and Spring Lake as signatories. The county attorney will forward this packet to those towns and request that they also approve the MOA.

Mr. Moorefield stated a letter was received from counsel on August 25, 2021, advising that signing the MOA is the safe harbor approach. Mr. Moorefield stated it is a good deal for Cumberland County and he recommends signing the MOA.

MOTION: Commissioner Adams moved to approve the MOA and forward to the Board of Commissioners' September 20, 2021, meeting as a consent agenda item.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (7-0)

M. Purchase of Landfill Gas Pipeline and Assumption of Certain Contracts of Fayetteville Gas Producers, LLC, for the Sale Purchase of Landfill Gas Pipeline and Assumption of Certain Contracts of Fayetteville Gas Producers, LLC

BACKGROUND

Federal regulations require that the gas generated by the landfill must be captured and burned, either as a fuel source for a commercial or industrial use or by a flare at the landfill. Fayetteville Gas Producers, LLC, has purchased the landfill gas from the county for more than 20 years and sold it to Cargill as a boiler fuel source through a pipeline and delivery system owned and installed by Fayetteville Gas Producers. Fayetteville Gas Producers is ceasing its operation of this system and has negotiated with the County for the County to purchase the system for \$350,000 to continue selling the gas to Cargill. The County had Smith+Gardner Engineers do a financial analysis of the project and they reported there was sufficient gas being generated for enough years for the sale of gas to Cargill to generate cumulative net income. Having an industrial use for the gas is also an environmental benefit over simply flaring it.

This is a complex transaction with multiple parties involved. The county has negotiated a satisfactory agreement with Fayetteville Gas Producers, LLC, which is attached. Incident to that agreement, the county has obtained a subaqueous easement for the pipeline to cross the Cape Fear River from the Council of State and an agreement for a rail crossing with CSX. The County is still seeking CSX to waive an insurance requirement because the County is self-insured. The County is negotiating with Cargill, Inc., about particular issues related to the length of term, indemnities, and insurance requirements in the Gas Sales Agreement. The county attorney advises not to proceed with this transaction unless the gas sales agreement with Cargill has an initial term is at least five years, and the indemnities and insurance requirements are removed. The term requirement is important because the Board has approved an incentives agreement with Cargill in which they are obligated to maintain full employment at the site for at least five years. This has been put on this agenda without these final issues being resolved with the expectation that these issues will be resolved before the Board's September 20th regular meeting.

RECOMMENDATION / PROPOSED ACTION

County attorney recommends the Board:

- (1) approve the Bill of Sale and Assumption Agreement for the purchase of the landfill gas pipeline and assumption of certain contracts of Fayetteville Gas Producers, LLC, for the sale and delivery of landfill gas to Cargill, Incorporated, on the condition that the terms of the gas sales agreement to Cargill, Incorporated, include an initial term of not less than five years and the indemnities and insurance requirements are acceptable to the county attorney; and

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- (2) authorize the county manager to sign any documents necessary to complete this transaction.

Mr. Moorefield stated the economics of this transaction are positive for the county, and the environmental impact/green project looks good for the county. Mr. Moorefield stated the final issues have been resolved and he recommends approval of the contract with Fayetteville Gas Producers, LLC; all the other pieces of this transaction are now in order.

MOTION: Commissioner Keefe moved to accept the recommendation of the attorney and forward to the Board of Commissioners' September 20, 2021, meeting as a consent agenda item.
 SECOND: Commissioner Council
 VOTE: UNANIMOUS (7-0)

5. OTHER ITEMS

A. Update from the American Rescue Plan Committee

BACKGROUND

The ARP Committee will provide the Board of Commissioners with an update on recommendations for proposed uses for the Coronavirus Local Recovery Fiscal Funds.

ARP Committee Update to Board of Commissioners

Cumberland County has been allocated \$65.2 million in Coronavirus Local Fiscal Recovery Funds under the American Rescue Plan Act. The County's three-member ARP Committee (Commissioner Jimmy Keefe, committee chair; Board Vice Chairman Glenn Adams and Commissioner Dr. Toni Stewart) met Sept. 7, 2021, to consider initial allocations for projects using the federal funding.

The committee is recommending projects totaling up to **\$34,690,000**, which are outlined below. In addition, the Board of Commissioners approved on Aug. 16, 2021, using ARP funding not to exceed \$3 million to renovate the courtroom of the Historic Courthouse as a board meeting chamber that would meet pandemic protocols. Management is also recommending setting aside \$6.5 million in contingency. The ARP recommendations, courtroom renovation and contingency bring the total to \$44,190,000 in identified uses.

The ARP Committee is bringing forward the following recommendations to the full board. The allocations are up to the amounts listed.

• Generators for emergency shelters	\$ 1,800,000
• Narcan for Sheriff's Office, Fire Departments	140,000
• Mortgage assistance program	2,000,000
• Rental assistance program	1,500,000
• Trade job training program	2,000,000
• Small local business assistance program	3,500,000
• Aid to non-profits serving residents affected by COVID-19	3,500,000
• Mobile technology lab and bookmobile (public library)	500,000
• Affordable housing project in Shaw Heights	10,000,000
• Planning funding for homeless shelter	250,000
• First-time homebuyers' program	2,500,000
• Sanitary Sewer System in Shaw Heights	5,000,000
• Comprehensive countywide feasibility study for water and sewer	2,000,000
	<hr/>
	\$ 34,690,000

Commissioner Keefe referenced the ARP Committee update recorded above and stated these are short-term initiatives to get money back into the economy. Commissioner Keefe stated the committee hopes to have these implemented with programs by the end of the year. Sally Shutt, Assistant County Manager, read the list of projects and corresponding allocations aloud.

Commissioner Adams stated the \$250,000 was not for planning for a homeless shelter. Commissioner Stewart stated it was to buy land and hire an engineer or architect to secure a site for a homeless shelter.

Commissioner Adams stated due to vacancies in management staff, he would like to add that County Manager hire someone to implement these short-term goals. Commissioner Adams stated although he does not have a dollar amount at this time, ARP allows for administrative costs. Ms. Cannon stated help may need to be added to finance and maybe engineering because there is a lot of performance data and the county has to go through the federal procurement process, which it does not currently have to do. Ms. Cannon stated there is a lot of tracking and the county does not want to be in the situation to have to pay the money back.

MOTION: Commissioner Boose moved to approve the ARP Committee's recommendations for the \$34,690,000 and that the County Manager hire suitable staff and bring the figures to the next ARP Committee meeting.

SECOND: Commissioner Council

DISCUSSION: Commissioner Keefe stated the ARP Committee did not negate essential employees and will acknowledge them through other funding; there will be premium pay for our employees, too. Commissioner Adams stated the committee talked about short-term, mid-term and long-term, and this is just short-term. Commissioner Keefe stated the county does not know what funding for infrastructure will bring or what state and federal grants will bring, but these recommendations are short-term that the committee put a timeline in for the end of the year to implement. Commissioner Keefe stated the committee will continue to meet and set mid-term and long-term goals for the community. Commissioner Adams stated CARES funding will also be used.

VOTE: UNANIMOUS (7-0)

Ms. Cannon stated Commissioner Adams brought to her attention the limited number of handicap parking spaces and asked what could be done to provide short-term handicap parking spaces. Commissioner Adams explained the handicap parking situation in the parking lot at the rear of the courthouse and stated he would like to consider a 20-minute or longer time limited handicap parking space on each end so people can come and go and keep the other handicap parking spaces. Discussion followed.

6. MONTHLY REPORTS

A. Community Development Block Grant - Disaster Recovery (CDBG-DR) Update

BACKGROUND

Cumberland County, in partnership with the North Carolina Office of Recovery & Resiliency (NCORR), is implementing a project funded through the Community Development Block Grant Disaster Recovery Program. The attached report is an update on the status of the project (Robin's Meadow Permanent Supportive Housing) undertaken by Cumberland County.

RECOMMENDATION / PROPOSED ACTION

No action is needed. This item is provided for informational purposes only.

CUMBERLAND COUNTY DISASTER RECOVERY PROGRAMS UPDATE FOR THE SEPTEMBER 9, 2021 BOARD OF COMMISSIONERS' AGENDA SESSION

Status as of August 31, 2021:

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Milestones/Activities (beginning with the most recent activity):

- ☐ Cumberland County Community Development (CCCD) had issued the Invitation for Bid (IFB) for the construction of the Robin's Meadow Permanent Housing Program. The bids from contractors were due by June 17, 2021. No bids were received. An IFB was reissued with a deadline of July 27, 2021. However, due to the low attendance at the pre-bid meeting and concerns of the fluctuation of price in construction, the IFB was cancelled. CCCD Director and the Wooten Company had expressed concerns to the State, during a recent conference call, regarding the challenges of obtaining bids and meeting the funding obligation by August 2021. The CCCD Director requested the State to amend the funding obligation date in the subrecipient agreement. The request is currently under review.
- ☐ The City of Fayetteville completed the final commercial review of the project. Within the next week, Cumberland County Community Development will post the invitation for bids for the construction of the project;
- ☐ On April 15, 2021, a virtual meeting was held between Tracey Colores (NCORR), Dee Taylor (CCCD), and Devon Newton (CCCD). Tracey provided an update on the status of the request for additional funds to support the project. NCORR is planning to provide additional funding. The additional funds requested by CCCD will only be eligible for construction activities. There were challenges with obtaining additional funding to assist with supportive services. The official letter and amended sub recipient agreement from NCORR is forthcoming. An updated Project Information Form will also need to be submitted;
- ☐ The Wooten Company submitted an updated project schedule. It is anticipated that construction will be completed June 2022;
- ☐ NCORR completed its review of the construction project manual;
- ☐ The construction project manual prepared by The Wooten Company was sent to NCORR for review. Invitation to Bid for the construction of the project are expected to be posted within the next month pending the City of Fayetteville's final commercial review and NCORR's final review of the construction project manual;
- ☐ NCORR held a technical assistance session with Community Development Staff (Sylvia McLean and Dee Taylor) on December 16, 2020 to ensure Community Development is carrying out the requirements of the agreement and the CDBG-DR program. NCORR staff included Dan Blaisdell, Bill Blankenship, Joe Brook, Mary Glasscock, Tracey Colores, and Kristina Cruz;
- ☐ A letter (dated July 28, 2020) was sent to NCORR requesting additional CDBG-DR funds in the amount of \$1,000,000 to cover construction and supportive services. A follow-up was made with NCORR regarding the status of the request and Community Development had to submit a revised letter (dated October 21, 2020) to clarify the amount requested. Community Development is still waiting to receive a response from NCORR regarding the status of the request;
- ☐ The Wooten Company submitted a revised project schedule. Community Development submitted a request to NCORR to extend the deadline to obligate funds to March 9, 2021;
- ☐ Robins Meadow Permanent Supportive Housing Project/Community Recovery Infrastructure - A/E Services – The Wooten Company is providing construction administration services and completing the construction document phase. The firm had submitted documents to City of Fayetteville Technical Review Committee and Engineering Review Committee to complete the final review process;
- ☐ DRA-17 & HMGP Projects – County completed acquisition and demolition of 10 properties;
- ☐ Robins Meadow Permanent Supportive Housing Project/Community Recovery Infrastructure – received project specific award letter January 23, 2020; and
- ☐ NCORR executed SRA with County December 17, 2019.

Current Staffing:

- ☐ State POC: John Ebbighausen – Director of Disaster Recovery Programs, NC Office of Recovery & Resiliency (NCORR); Mary Glasscock; Infrastructure Manager (NCORR)
- ☐ Cumberland County:
 - o Sylvia McLean, P.T. Community Development (CD) Consultant

B. Financial Report

BACKGROUND

The attached financial report shows preliminary results of the general fund for fiscal year 2021,

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June year-to- date. Additional detail has been provided on a separate page explaining percentages that may appear inconsistent with year-to-date expectations.

RECOMMENDATION / PROPOSED ACTION
No action needed. For discussion and information purposes only.

County ofCumberland GeneralFund Revenues						
REVENUES	FY19-20 AUDITED	FY20-21 ADOPTED BUDGET	FY20-21 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF August 24, 2021	PERCENT OF BUDGET TO DATE	*
Ad Valorem Taxes						
<u>Current Year</u>	\$ 166,739,244	\$ 165,908,675	\$ 165,908,675	\$ 169,200,461	102.0% (1)	
Prior Years	817,964	897,000	897,000	1,629,364	181.6%	
Motor Vehicles	20,340,183	19,955,512	19,955,512	23,101,696	115.8% (2)	
Penalties and Interest	773,447	712,000	712,000	703,134	98.8%	
Other	835,588	1,025,000	1,025,000	1,012,111	98.7%	
Total Ad Valorem Taxes	189,506,426	188,498,187	188,498,187	195,646,765	103.8%	
Other Taxes						
Sales	47,282,838	41,542,711	42,205,011	45,116,111	106.9% (3)	
Real Estate Transfer	1,689,875	1,450,000	1,450,000	2,215,078	152.8%	
Other	909,559	959,000	959,000	847,834	88.4%	
Total Other Taxes	49,882,272	43,951,711	44,614,011	48,179,023	108.0%	
Unrestricted & Restricted Intergovernmental Revenues	61,437,895	68,389,413	78,954,370	67,935,556	86.0%	
Charges for Services	14,524,383	13,072,456	13,072,456	13,326,803	101.9%	
Other Sources (includes Transfers In)	3,048,166	1,710,608	1,876,237	1,512,906	80.6%	
Lease Land CFVMC	4,012,056	4,012,056	4,012,056	4,313,522	107.5%	
Total Other	7,060,222	5,722,664	5,888,293	5,826,428	98.9%	
Total Revenue	\$ 322,411,198	\$ 319,634,431	\$ 331,027,317	\$ 330,914,575	100.0%	
Fund Balance Appropriation		8,663,701	18,674,255	-	0.0%	
Total Funding Sources	\$ 322,411,198	\$ 328,298,132	\$ 349,701,572	\$ 330,914,575	94.6%	

County of Cumberland General Fund Expenditures						
DEPARTMENTS	FY19-20 AUDITED	FY20-21 ADOPTED BUDGET	FY20-21 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF August 24, 2021	PERCENT OF BUDGET TO DATE	**
Governing Body	\$ 612,702	\$ 674,975	\$ 693,619	\$ 612,165	88.3%	
Administration	1,682,579	1,814,947	1,835,664	1,678,888	91.5%	
<u>Public Affairs</u> /Education	661,051	885,902	898,331	755,572	84.1%	
Human Resources	1,009,126	1,009,875	1,028,519	948,964	92.3%	
Print, Mail, and Design	643,314	756,378	795,391	732,642	92.1%	
Court Facilities	114,371	156,220	156,220	111,109	71.1% (1)	
<u>Facilities Maintenance</u>	967,335	1,202,491	1,419,688	1,208,920	85.2%	
Landscaping & Grounds	690,227	702,394	727,182	703,266	96.7%	
Carpentry	211,909	228,058	234,890	218,864	93.2%	
<u>Facilities Management</u>	1,259,321	1,523,436	1,572,880	1,471,009	93.5%	
Public Buildings Janitorial	784,441	870,951	1,044,344	878,653	84.1%	
<u>Central Maintenance</u>	590,365	672,722	711,468	671,612	94.4%	
Information Services	5,552,864	5,323,420	6,073,408	4,941,563	81.4%	
Board of Elections	1,400,349	1,673,589	2,183,209	1,924,358	88.1%	
Finance	1,299,307	1,418,140	1,449,215	1,358,176	93.7%	
Legal	631,925	807,290	936,155	738,801	78.9%	
Register of Deeds	2,435,628	2,526,950	3,115,363	2,366,080	75.9%	
Tax	5,625,153	6,271,825	6,466,523	5,768,828	89.2%	
General Government Other	2,976,609	7,003,558	10,413,183	7,377,003	70.8% (2)	
Sheriff	48,610,275	53,395,158	54,907,538	46,718,723	85.1%	
Emergency Services	3,655,978	4,310,596	4,562,457	3,965,420	86.9%	
Criminal Justice Pretrial	563,625	588,662	629,211	537,701	85.5%	
Youth Diversion	31,665	35,671	35,769	30,438	85.1%	
Animal Services	3,283,993	3,484,642	3,786,204	3,296,038	87.1%	
Public Safety Other (Medical Examiners, NC Detention Subsidy)	1,062,544	1,213,209	1,382,505	1,303,113	94.3%	
Health	21,068,569	24,301,667	30,445,942	23,013,130	75.6%	
Mental Health	5,316,988	5,519,255	5,524,942	5,429,601	98.3%	
Social Services	56,772,920	63,278,940	64,636,485	55,098,633	85.2%	
Veteran Services	426,127	452,713	465,142	437,823	94.1%	
Child Support	4,929,310	5,595,639	5,593,567	5,110,077	91.4%	
Spring Lake Resource Administration	29,503	34,542	34,542	28,155	81.5%	

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County of Cumberland General Fund Expenditures					
DEPARTMENTS	FY19-20 AUDITED	FY20-21 ADOPTED BUDGET	FY20-21 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF August 24, 2021	PERCENT OF BUDGET TO DATE **
Library	10,168,162	10,036,208	10,505,184	9,538,364	90.8%
Culture Recreation Other (Some of the Community Funding)	260,568	260,569	260,569	260,569	100.0%
Planning	2,711,212	3,271,297	3,335,814	2,968,615	89.0%
Engineering	978,925	585,162	592,711	409,892	69.2% (3)
<u>Cooperative Extension</u>	558,569	799,384	809,742	622,081	76.8%
Location Services	192,231	257,796	269,929	204,388	75.7%
Soil Conservation	183,211	151,537	2,708,097	208,205	7.7% (4)
Public Utilities	85,108	87,602	95,066	91,455	96.2%
Economic Physical Development Other	20,000	20,000	20,000	20,000	100.0%
Industrial Park	2,220	2,212	20,087	17,535	87.3%
Economic Incentive	402,406	461,947	709,947	632,132	89.0%
Water and Sewer	20,287	250,000	400,189	179,456	44.8% (5)
Education	94,408,174	94,411,029	95,073,329	93,323,739	98.2%
Other Uses:					
Transfers Out	30,131,528	19,969,574	21,141,352	20,178,672	95.4%
TOTAL	\$ 315,022,674	\$ 328,298,132	\$ 349,701,572	\$ 308,090,429	88.1%

Expenditures by Category	FY19-20 UNAUDITED	FY20-21 ADOPTED BUDGET	FY20-21 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF August 24, 2021	PERCENT OF BUDGET TO DATE
<u>Personnel Expenditures</u>	\$ 131,852,636	\$ 149,112,328	\$ 149,154,531	\$ 134,059,243	89.9%
<u>Operating Expenditures</u>	151,277,149	158,589,325	177,038,611	152,095,122	85.9%
Capital Outlay	1,761,361	626,905	2,367,078	1,757,391	74.2%
Transfers To Other Funds	30,131,528	19,969,574	21,141,352	20,178,672	95.4%
TOTAL	\$ 315,022,674	\$ 328,298,132	\$ 349,701,572	\$ 308,090,429	88.1%

COUNTY OF CUMBERLAND

Fiscal Year 2021 - June Year-to-Date Actuals (Report Run Date: August 24, 2021)

Additional Detail

General Fund Revenues

*

- (1) **Current Year Ad Valorem 102.0%** - The bulk of revenues are typically recorded between November - January.
- (2) **Motor Vehicles 115.8%** - YTD Actual reflects 12 months of collections.
- (3) **Sales Tax 106.9%** - There is a three month lag. YTD Actual reflects 10 months of collections.

General Fund Expenditures

**

- (1) **Court Facilities 71.1%** - Expenditures are in line with past fiscal year trends.
- (2) **General Government Other 70.8%** - Expenditure levels are in line with past fiscal year trends.
- (3) **Engineering 69.2%** - Personnel costs are low as a result of vacancies in the department.
- (4) **Soil Conservation 7.7%** - USDA Grant funds and funds from the NC Division of Soil & Water Conservation remain unexpended and will be carried forward.
- (5) **Water and Sewer 44.8%** - Expenditures are in line with past fiscal year trends.

C. Health Insurance Update

BACKGROUND

As of July 1, 2019, retirees who are 65 and older became covered by a County funded fully insured plan through AmWINS. All other covered members remained insured by the County’s self-funded plan through BCBS. The information provided below and within the graphs has been updated to include the monthly premium amount paid to fund the fully insured plan and the actual monthly claims amounts for all other covered members. Combining these amounts for FY20 and beyond is necessary to ensure a complete picture when comparing the claims results to prior years.

Total health insurance claims plus the fully insured premium amount for FY22 are up 62.93% for the month of July as compared to the same month in FY21. Like many other entities, BCBS reports Cumberland County is experiencing increased claims because of members receiving medical services that may have been put on hold during the earlier stages of the pandemic. For comparative purposes, below is the one-month average for the past five fiscal years. This average represents the average monthly year-to-date claims for each fiscal year and includes the fully insured premium for fiscal years 20, 21 and 22. Additionally, graphs are provided in the attachment to aid in the analysis.

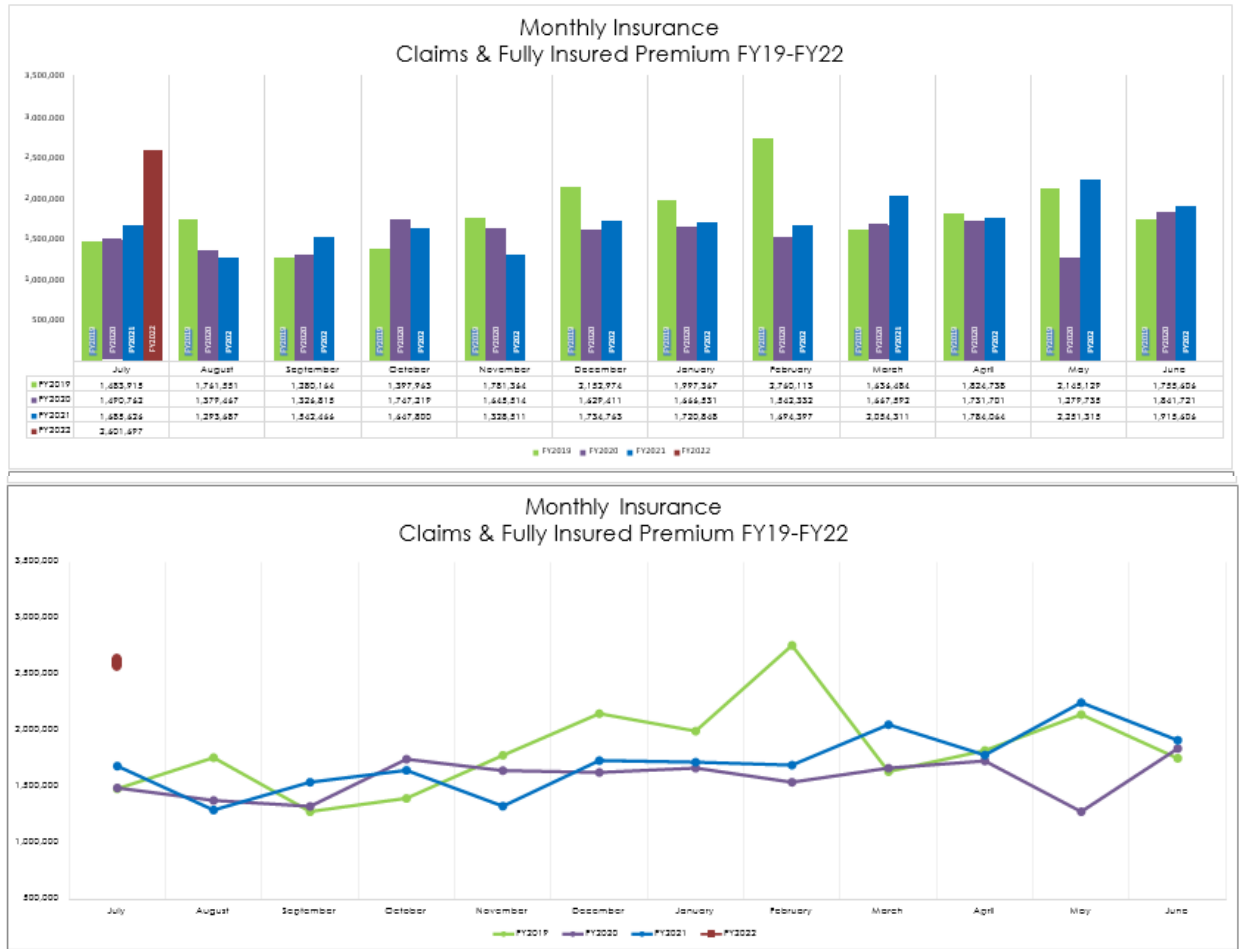
Year to date claims and premium payment through July	\$2,746,420
Less year to date stop loss credits	<u>(\$144,723)</u>
Net year to date claims and premium payment through July	\$2,601,697

Average monthly claims and fully insured premium (before stop loss) per fiscal year through July:	
FY18	\$1,431,414
FY19	\$1,483,915
FY20	\$1,490,762

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FY21 \$1,685,626
FY22 \$2,746,420

RECOMMENDATION / PROPOSED ACTION
For information only – no action needed.



Ms. Cannon referenced the August health insurance claims update provided in August by Finance Director Vicki Evans and stated claims are not good this month either. Ms. Evans stated these substantially increased claims are a result of people returning to their doctors after COVID, and BCBS indicated they have noticed a trend throughout all of their claims.

D. Project Updates

BACKGROUND

Please find attached the monthly project report update for your review.

RECOMMENDATION / PROPOSED ACTION

No action is necessary. This if for information only.

MONTHLY PROGRESS REPORT				
Project Location	Contract Amount	Project Status	Contract Start Date	Contract Duration
500 Executive Place - Cumberland County Emergency Services Center	\$16.8M	40% Complete. Completed mechanical, electrical (to include communication, audio visual and security), and fire protection rough ins. Poured footers for the addition. Completed slab on grade for new addition. Structural steel on site as of August 31, 2021. Next two weeks structural steel erection, installation of interior and exterior metal stud walls and mechanical, plumbing, electrical and fire protection rough-in inspections. Awaiting mechanical yard demolition.	3/8/2021	360 days
Spring Lake Family Resource Center, Chiller Replacement	\$197,000.00	Equipment is now on hand. Expected completion is EOM October 2021.	N/A	90 days
DSS Elevators	\$1,000,000.00	Working design now for Phase 2. Awaiting changes on final comments provided from Engineering Department for proposal. Estimating May 1st 2022 for completion.	N/A	N/A
Judge Maurice E. Braswell Courthouse Switchgear Replacement	\$470,000.00	Awaiting legal review of contract. Starting prep work in mid-September. On schedule for Thanksgiving weekend completion. Conducting additional transformer replacement project with PWC.		
Headquarters Library Parking Lot	\$37,200.00	Contract signed. Survey complete and design process underway.	5/13/2021	1/19/2022
Doorway for Register of Deeds	Pending	Received proposal for design and construction management service for \$12K. Awaiting Fleming and Associates signature on service agreement. Will re-solicit for bid after design is completed. Awaiting completion of legal and finance contract review.	N/A	N/A
DSS Camera Replacement and Security System Upgrades	Pending	Received proposal from Security 101 for \$219K. Awaiting fiscal year funding rollover approval before contract review by legal and finance. Awaiting contract review and approval.	N/A	N/A
Public Health Camera Replacement and Security System Upgrades	Pending	Received proposal from Security 101 for \$202K. Awaiting contract review and approval.	N/A	N/A
Judge Maurice E. Braswell Courthouse Access Management and Security Camera System	Pending	Received proposal from Security 101 for \$452K. Awaiting contract review and approval.	N/A	N/A
Judge Maurice E. Braswell Courthouse Bathroom Updates	Pending	Finalized scope July 23 rd . Will put out for bid on August 13 th . Intent is to do LL bathroom first.	N/A	N/A
DSS roof replacement	Pending	Received the proposal on July 21 st . Awaiting contract approval.	N/A	N/A
Judge Maurice E. Braswell Courthouse roof replacement	Pending	Received the proposal on July 21 st . Awaiting contract approval.	N/A	N/A
LEC roof replacement	Pending	Received the proposal on July 21 st . Awaiting contract approval.	N/A	N/A

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7. CLOSED SESSION

A. Attorney Client Matter Pursuant to 143-318.11(a)(3)

MOTION: Commissioner Boose moved to go into closed session for an Attorney Client Matter Pursuant to 143-318.11(a)(3).

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Boose moved to come out of closed session.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to adjourn.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 5:50 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White

Clerk to the Board