

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
NOVEMBER 1, 2021 – 9:00 AM
117 DICK STREET, FIRST FLOOR, ROOM 118
REGULAR MEETING MINUTES

PRESENT: Commissioner Charles Evans, Chairman
Commissioner Glenn Adams, Vice Chairman
Commissioner Michael Boose (arrived 9:05 a.m.)
Commissioner Jeannette Council
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Commissioner Toni Stewart
Amy Cannon, County Manager
Tracy Jackson, Assistant County Manager
Tye Vaught, Management Analyst
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Dr. Jennifer Green, Public Health Director
Dr. Anthony Wade, Human Resources Director
James McQueen, Child Support Director
Robert Van Geons, FCEDC President and CEO
Candice H. White, Clerk to the Board

Chairman Evans called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

1. APPROVAL OF AGENDA

MOTION: Commissioner Lancaster moved to approve the agenda.
SECOND: Commissioner Council
VOTE: UNANIMOUS (6-0)

Commissioner Boose arrived at the meeting.

2. PRESENTATIONS

A. COVID-19 Update and Masking Guidelines

BACKGROUND

Cumberland County Deputy Public Health Director Ashley Curtice will provide as update on Cumberland County's COVID-19 metrics and recently updated masking guidelines from the North Carolina Department of Health and Human Services.

RECOMMENDATION / PROPOSED ACTION

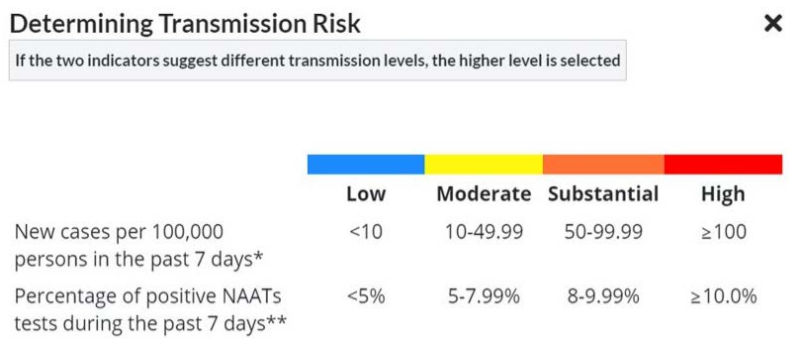
For information purposes.

Dr. Jennifer Green, Public Health Director, provided the following PowerPoint presentation as an update on COVID-19 and masking guidelines.

COVID-19 Data. Cumberland County (Data source: CDC Data Tracker)

- Cases
 - Last 7 days: 745 cases
- Cases per 100,000 pop: 222.05
- Case positivity rate: 9.82%
- Community transmission is high but overall trends are improving

Dr. Green stated the community transmission/Cumberland County is currently in high transmission.



COVID-19 Data Cumberland County
Vaccinations in Cumberland County, North Carolina

People Vaccinated	At Least One Dose	Fully Vaccinated
Total	223,363	190,012
% of Total Population	66.6%	56.6%
Population ≥ 12 Years of Age	223,205	189,931
% of Population ≥ 12 Years of Age	80.3%	68.4%
Population ≥ 18 Years of Age	210,163	179,265
% of Population ≥ 18 Years of Age	83.2%	71%
Population ≥ 65 Years of Age	43,229	34,629
% of Population ≥ 65 Years of Age	99.9%	84.6%

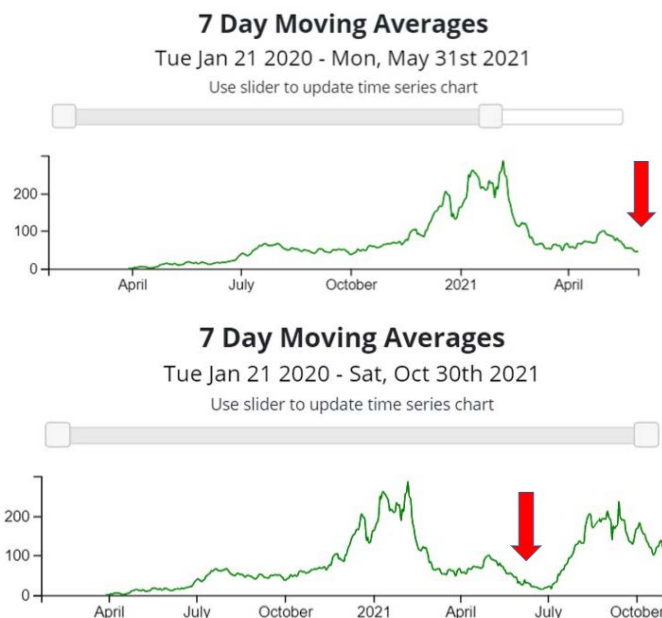
Public Health Abatement Order

- In effect on Friday, August 27, 2021
- Face covering requirement is in place for all residents and visitors ages 2 and over, regardless of vaccination status in public indoor public space
- Applies to all of Cumberland County which includes the unincorporated areas of the county, the City of Fayetteville, and Towns of Spring Lake, Wade, Stedman, Hope Mills, Linden, Eastover, Godwin and Falcon
- An order of abatement is authorized under [North Carolina General Statute Chapter 130A-19](#), [130A-20](#), and [130A-41](#).

Lifting Mask Restrictions

- Following CDC and NC DHHS guidelines for masking
- Current CDC and NC DHHS guidance
- Wear a mask in all indoor public spaces if you are in [areas of high or substantial levels of transmission](#) , regardless of vaccination status
- By CDC Order, a mask is required on all forms of public transportation
- In general, you do not need to wear a mask outdoors
- Consider wearing a mask outdoors in crowded settings
- Based on CDC Data Tracker Levels of Transmission
- Monitor CDC Data Tracker Daily
- **New NC DHHS guidance for local governments/businesses is forthcoming**
- NCDHHS recommendations
- Schools base their mask requirements on levels of community transmission as defined by the CDC
- Continue to implement a universal face covering requirement if they are in a county with **high** or **substantial** levels
- Can consider making face coverings optional for vaccinated individuals **moderate** or **low** levels for at least **7 consecutive days**
- Continue masks requirements for unvaccinated individuals
- Can consider masks optional for everyone when community transmission is **low** for at least 7 consecutive days
- Higher rates of transmission than when Gov. Cooper lifted statewide mask restrictions in May

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COVID-19 Vaccinations: Boosters

- Boosters for Pfizer, Moderna, and Johnson and Johnson are available at the Health Department
- Moderna* and Pfizer (6 months after second dose)
- 65 years and older
- Age 18+ who live in [long-term care settings](#)
- Age 18+ who have [underlying medical conditions](#)
- Age 18+ who work or live in [high-risk settings](#)
- J&J (2 months after first dose)
- Adults 18 or older who previously received the J&J vaccine
- Eligible groups can mix and match

*Same vaccine, different size dose

COVID-19 Vaccinations: Ages 5-11

- FDA Approval on 10/29
- Pediatric Doses of Pfizer Shipped and Arrived (week of November 1st)
- CDC Advisory Committee Recommendation (Nov 2-3)
- CDC Director Recommendation
- NC DHHS Standing Orders and Clinical Guidance

*Same vaccine, different dose and vial for pediatric patients

- Weekend, afterschool, and evening hours at Cumberland County libraries
- Afterschool/evening hours at rotating Recreation Centers co-located or next to a school campus
- November 12th – CCS Holiday – Large clinic at Department of Social Services
- Appointments and walk-ins, as available
- Parental/guardian consent required
- County, City, School District, and Healthier Together Media Campaign

Dr. Green concluded her presentation and responded to questions that followed.

B. Cumberland County United Way Campaign

BACKGROUND

Cumberland County will be conducting its employee United Way campaign for 2021 during the month of November.

RECOMMENDATION / PROPOSED ACTION

For information purposes.

Amy Cannon, County Manager, stated during the month of November, the county will conduct its employee United Way campaign. Ms. Cannon noted program areas impacted by United Way

funding and the 211 Information Referral Service operated by United Way and funded by Cumberland County, the City of Fayetteville and PWC.

Ms. Cannon recognized Jen Dayle, Employee Wellness Coordinator, who served as the 2020 United Way campaign manager and received the United Way's Newcomer Employee Campaign Manager of the year award.

Ms. Cannon also recognized James McQueen, Child Support Director, who accepted the United Way's Paul T. Hottle award in 2020 on behalf of the Child Support department for the most improved campaign for 2020. Ms. Cannon stated they increased their giving by 139% over the prior year.

Ms. Cannon thanked employees for their generosity over the years and for their support for the annual holiday food drive that will take place November 15 through December 15 this year.

3. CONSENT AGENDA

A. Approval of October 18, 2021, Regular Meeting Minutes

B. Approval to Pay Prior Year Invoices

BACKGROUND

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

Department: Community Development

Vendor: Family Endeavors

Invoice Date: July 15, 2021

Total Amount: \$71,154.12

Department: Animal Services

Vendor: NC Department of Administration - Courier Service

Invoice Date: May 18, 2021

Total Amount: \$110.95

RECOMMENDATION / PROPOSED ACTION

Management is requesting approval to pay a prior year invoice for Community Development totaling \$71,154.12 and an Animal Services invoice totaling \$110.95.

C. Approval of Budget Ordinance Amendments for the November 1, 2021 Board of County Commissioners' Agenda

BACKGROUND

REGARDING THE FOLLOWING ITEMS #1-#3 PLEASE NOTE:

Each fiscal year County departments may have projects that have been approved and initiated but were not complete by the fiscal year end (6/30/21) or items ordered that had not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2021 budget; however, the money was not spent by June 30, 2021.

The following amendments seek to bring those funds forward from FY 2021 into the current fiscal year, allowing departments to complete and pay for these projects and items. This revision is not using 'new' funds but are recognizing the use of FY21 funds in FY22.

General Fund 101

- 1) Social Services, Engineering, and Planning – Budget Ordinance Amendment B220653 to re- appropriate funds in the total amount of \$128,056

The Board is requested to approve Budget Ordinance Amendment B220653 to re-appropriate funds in the amount of \$128,056. These funds are for computer hardware that was ordered for Social Services, Engineering, and Planning in FY21 but not received until FY22.

Crown Center Fund 600

- 2) Crown Center – Budget Ordinance Amendment B220667 to re-appropriate funds in the total amount of \$373,439

The Board is requested to approve Budget Ordinance Amendment B220667 to re-appropriate funds in the amount of \$373,439. These funds are for the Crown Swale project that was started in FY21 but will not be completed until FY22.

Solid Waste Fund 625

- 3) Solid Waste Administration/Solid Waste Container Sites – Budget Ordinance Amendment B220859 to re-appropriate funds in the total amount of \$57,157

The Board is requested to approve Budget Ordinance Amendment B220859 to re-appropriate funds in the amount of \$57,157. These funds are for concrete shingle pad project that was started in FY21 but will not be completed until FY22.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments.

MOTION: Commissioner Boose moved to approve consent agenda Items 3.A. – 3.C.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

4. PUBLIC HEARINGS

A. Public Hearing on Proposed Economic Development Incentives for "Project Bronco"

BACKGROUND

This public hearing is to consider an economic development incentive package for "Project Bronco". Project Bronco is a US based company, considering the Military Business Park for a new distribution facility. If selected, the proposed project would:

- Create at least 500 new jobs, to be located at a facility in Cumberland County (Fayetteville), by 2023
- Pay an average wage exceeding \$32,969 per year
- Invest more than \$100 million in real estate improvements and equipment

After a number of months of consideration, out of an abundance of caution, the Company has asked Piedmont Natural Gas to relocate an established flare site (used when transmission line maintenance is required) further from their proposed facility. The gas company is agreeable, but as this was a relatively recent request, they have not yet been able to establish the preferred location or estimated cost. Project Bronco has agreed to pay up to \$5 million toward the relocation. To limit the Company's risk, and in keeping with Cumberland County's commitment to economic growth, we are asking the County and City to each commit up to \$1.25 million to cover potential cost overruns. These funds would only be expended if the company's documented costs exceed \$5 million.

Provided the company has met the requirements for investment and job creation, Cumberland County would:

- Provide a grant equal to 50% of the qualifying expenses exceeding \$5 million, with a maximum grant of \$1.25 million.

- The City of Fayetteville is holding a public hearing at 5:00pm November 1 to consider approving the same.

If successful, Cumberland County would benefit from the tax revenue generated by the facility, economic activity stimulated by its construction, and wages paid to the employees. At a minimum, we project:

- Cumberland County would receive more than \$800,000 in annual tax revenue
- The City of Fayetteville would receive more than \$500,000 in annual property tax revenue
- More than \$16,000,000 in annual wages would be paid to employees

RECOMMENDATION / PROPOSED ACTION

Hold the public hearing for "Project Bronco". After the public hearing, consider approval of an incentive grant, not to exceed \$1,250,000. To receive the grant the company must meet the performance goals as set in the public notice dated October 22, 2021, which is an attachment to this item.

Robert Van Geons, FCEDC President and CEO, presented the background information recorded above. Mr. Van Geons stated he is optimistic that the two remaining issues related to the site, that will have to be resolved before this company or any company can choose to move forward, will be resolved in the next few weeks.

Chairman Evans opened the public hearing.

The clerk to the board stated there were no speakers.

Chairman Evans closed the public hearing.

MOTION: Commissioner Adams moved to approve the incentive grant, not to exceed \$1.25M, and that to receive the grant, the company must meet the performance goals as set in the public notice dated October 22, 2021.
SECOND: Commissioner Boose
VOTE: UNANIMOUS (7-0)

5. ITEMS OF BUSINESS

A. Consideration of Adoption of 2022 Board of Commissioners' Regular Meeting Dates and Agenda Session Regular Meeting Dates

BACKGROUND

Each year the Board of Commissioners considers adoption of its regular meeting dates for the upcoming calendar year and each year there are exceptions to be considered. The exceptions for calendar year 2022 include the following:

- The second meeting in January has been moved to Tuesday, January 18, because the preceding Monday, January 17, will be observed as Martin Luther King, Jr. Day.
- The first meeting in September has been moved to Tuesday, September 6, because the preceding Monday, September 5, will be observed as Labor Day.

For calendar year 2022, the Board may also wish to consider an exception to its Agenda Session regular meeting dates. The exception includes the following:

- The NCACC Annual Conference will be held Thursday through Saturday, August 11-13. Reschedule the August 11 Agenda Session meeting for Tuesday, August 9.

RECOMMENDATION / PROPOSED ACTION

Adopt the calendar year 2022 Board of Commissioners' regular meeting dates and Agenda Session regular meeting dates as proposed or amended.

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Ms. Cannon presented the background information recorded above.

MOTION: Commissioner Lancaster moved to adopt the calendar year 2022 Board of Commissioners' regular meeting dates and Agenda Session regular meeting dates as proposed.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

B. Final Report on 2020 Census Impact on Commissioner Districts

BACKGROUND

The official 2020 census population for Cumberland County is 334,728 with 129,486 persons residing in Commissioner District 1 and 205,242 persons residing in Commissioner District 2. The ideal electoral population for District 1 is 133,891. The 2020 population of District 1 is a deviation from the ideal of 3.28%. The ideal electoral population for District 2 is 200,837. The 2020 population of District 2 is a deviation from the ideal of 2.14%. There is no statutory allowance for the percentage of deviation from the ideal; however, the North Carolina Supreme Court has established that a deviation which exceeds 5% in a single district is not permissible. Under that analysis, no redistricting is necessary.

The statutory requirement that precinct boundaries now follow census tract boundaries resulted in the State Board of Elections making changes that resulted in eight precincts being split since the 2010 redistricting. The only split that affects residential addresses is a split of Cliffdale 02 that shifts eleven residential addresses in Cliffdale 02 from District 2 to District 1. No other splits affect any residential addresses; however, making the North Regional Library the polling place for Cross Creek 23 results in voters residing in District 1 voting at a polling place within their precinct but located in District 2. Elections Director Robertson recommends eliminating these splits if possible. Unfortunately, G.S. 153A-22 only authorizes a board of commissioners to change commissioner district boundaries if the board finds there is a substantial imbalance in the populations in the districts. The county attorney advises against the board making this finding with the deviation percentages being as low as they are. If the board wishes to eliminate these split precincts, it may request a local act from the legislature to allow Cumberland County to make these changes to the commissioner district boundaries before the 2022 election.

RECOMMENDATION / PROPOSED ACTION

County attorney advises Board not to change commissioner district boundaries except by a local act by which the General Assembly authorizes the board to do so for the purpose of eliminating the split precincts without finding any substantial imbalance of the population within the districts.

Rick Moorefield, County Attorney, presented the background information and recommendation/proposed action recorded above. Mr. Moorefield responded to questions and advised if no action is taken, the commissioner district boundaries will not change. No action was taken.

6. NOMINATIONS

There were no nominations for this meeting.

7. APPOINTMENTS

A. Joint Fort Bragg & Cumberland County Food Policy Council (6 Vacancies)

MOTION: Commissioner Adams moved to appoint the following to the Joint Fort Bragg & Cumberland County Food Policy Council:
Member Representing Local Higher Education position:
Dr. Dana Kolbfleisch, Methodist University

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Member Who Works in the Field of Healthcare, Public Health, Food Insecurity/Food Access or Child and Adult Care position:

Shella Korch, Carolina Collaborative Community Care

Member Who Does Not Work in Local Government or Health Agencies position:

Veronica Feliciano, Fayetteville State University

Member Representing Fort Bragg Schools position:

Stephanie White, Mental Health Military & Family Life Counselor

Member(s) Who Works in Local Government position (2):

Mayor Pro Tem Kenjuana McCray, Town of Hope Mills

Natasha Randall, Women's Health Research

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

B. Cumberland County Home and Community Care Block Grant Committee (7 Vacancies)

MOTION: Commissioner Adams moved to appoint the following to the Cumberland County Home and Community Care Block Grant Committee:

Older Consumer category

Delores "Dee" Boyer

Willie Wright

Stephen MacDonald

Civic Representative category

Bennie Bradley

Aging Services Provider category

Debra Kinney

Lisa Hughes

Kendra Haywood

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

8. CLOSED SESSION:

A. Personnel Matter(s) Pursuant to NCGS 143-318.11(a)(6)

MOTION: Commissioner Boose moved to go into closed session for Personnel Matter(s) Pursuant to NCGS 143-318.11(a)(6).

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Keefe moved to reconvene in open session.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

Chairman Evans stated the Board of Commissioners completed evaluations of the County Manager, County Attorney and Clerk to the Board and they met or exceeded expectations in each category.

MOTION: Commissioner Keefe moved to adjourn.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 11:35 a.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the

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