

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
THURSDAY, MAY 12, 2022 – 1:00 PM
117 DICK STREET, 5TH FLOOR, ROOM 564
AGENDA SESSION REGULAR MEETING MINUTES

PRESENT: Commissioner Glenn Adams, Chairman
Commissioner Toni Stewart, Vice Chairwoman
Commissioner Jeannette Council
Commissioner Michael Boose (arrived 1:10 p.m./departed 3:45 p.m.)
Commissioner Charles Evans (departed 1:50 p.m./arrived 3:30 p.m.)
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
Amy Cannon, County Manager
Tracy Jackson, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Rawls Howard, Planning and Inspections Director
Jermaine Walker, Engineering and Infrastructure Director
Amanda Bader, Solid Waste Director
Dee Taylor, Community Development Director
Dr. Jennifer Green, Public Health Director
Hank Graham, FAMPO Executive Director
Brenda Jackson, ARP Program Manager
Andrea Tebbe, Deputy Clerk

Chairman Adams called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

Ms. Cannon requested an addition to the agenda as Item 3.C. a letter from Chancellor Darrell T. Allison requesting Cumberland County's support of the Fayetteville State University Innovation and Entrepreneurship Hub.

1. APPROVAL OF AGENDA

MOTION: Commissioner Keefe moved to approve the agenda with the addition as requested.
SECOND: Commissioner Council
VOTE: UNANIMOUS (6-0) (Commissioner Stewart was out of the room.)

2. APPROVAL OF MINUTES

A. April 14, 2022 Agenda Session Regular Meeting

MOTION: Commissioner Lancaster moved to approve the April 14, 2022 Agenda Session regular meeting minutes.
SECOND: Commissioner Council
VOTE: UNANIMOUS (6-0) (Commissioner Stewart was out of the room.)

3. PRESENTATIONS

A. Opioid Settlement Discussion and Feedback

BACKGROUND

Health Director Dr. Jennifer Green will facilitate a discussion about the opioid settlement funding and gather feedback from the Board of Commissioners. Dr. Green provided an overview of the settlement planning process during the May 2 Regular Meeting.

RECOMMENDATION / PROPOSED ACTION

Provide feedback during discussion to assist the planning process and development of recommendations for opioid settlement funding.

Dr. Green provided an overview of the settlement planning process using the following PowerPoint presentation.

Cumberland County Opioid Data

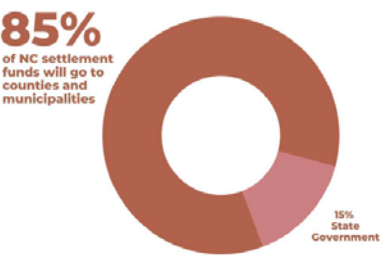
- 68 Opioid Overdose Emergency Department Visits for 2022 YTD
 - 52 visits (Jan to March in 2021)
- Populations disproportionately impacted
 - Adults, ages 25-64
 - Individuals who are White and American Indian/Alaskan Native
- 184 Overdose ED visits for Med/Drugs with dependency potential for 2022 YTD
 - 144 visits (Jan to March in 2021)

Opioid Settlement Funds

- In July 2021, Attorney General Josh Stein announced a \$26 billion agreement that will help communities harmed by the opioid epidemic
- Proceeds of settlements with the three largest drug distributors (McKesson, Cardinal Health, and AmerisourceBergen) plus the drug maker Johnson & Johnson (J&J)
- \$850 million to North Carolina over 18 years to support state and local efforts to address the epidemic

Opioid Settlement

- A Memorandum of Agreement between the State and local government directs how opioid settlement funds are distributed
- 18 Year payment to Cumberland County government: \$16,989,930
- 18 Year payment to City of Fayetteville: \$1,994,964



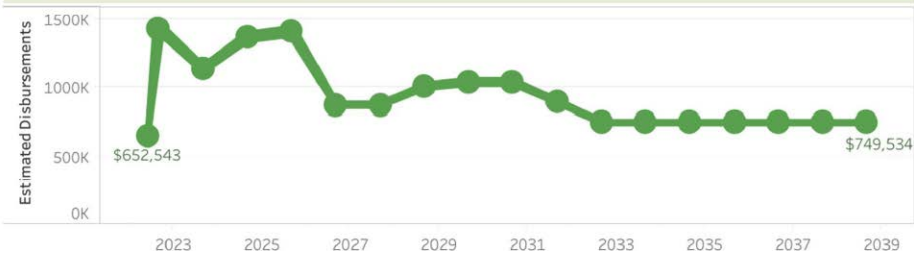
Choose a Place:

Cumberland

18 Year Payment to Cumberland (2022-2038):

\$16,984,644

Payments Over Time - Cumberland



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Using Opioid Settlement Funds

- Annual meeting of counties and municipalities within each county
- Establish a special revenue fund, which cannot be comingled with other county funds
- Authorize spending in a budget or resolution
 - Amount and time period
 - Strategy you are spending funds on
 - Report information to the opioid settlement dashboard
- Option A or B remediation activities
- Annual financial reports
- Annual impact reports
- Report available on statewide opioid settlement dashboard

Opioid Settlement Funds

- MOA offers local governments two options:
 - **Option A:** a local government may fund one or more strategies from a shorter list of evidence-based, high impact strategies to address the epidemic
 - *Collaborative strategic planning is included*
 - **Option B:** a local government may fund one or more strategies from a longer list of strategies after engaging in a collaborative strategic planning process involving a diverse array of stakeholders

OPTION A – High Impact Opioid Abatement Strategies

- | | |
|--------------------------------------|--|
| • Strategic Planning | • Post-overdose response teams |
| • Evidence-based addiction treatment | • Syringe service programs |
| • Recovery support services | • Criminal justice diversion programs |
| • Recovery housing | • Addiction treatment for incarcerated persons |
| • Employment-related services | • Reentry programs |
| • Early intervention programs | |
| • Naloxone distribution | |

Use of Settlement Funds – Option B

Treatment	Prevention	Other Strategies
A. Treat opioid use disorder	F. Prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids	I. First responders
B. Support people in treatment and recovery	G. Prevent misuse of opioids	J. Leadership, planning and coordination
C. Connect people who need help to the help they need	H. Prevent overdose deaths and other harms (harm reduction)	K. Training
D. Address the needs of criminal justice involved persons		L. Research
E. Address the needs of pregnant or parenting women and their families, including babies with neonatal abstinence syndrome		

Feedback of Option A and B Strategies

- Which strategies are already being implemented? By whom?
 - Which of these strategies could be expanded or enhanced?
- Where are there opportunities to implement new Option A strategies?
- Are there other non-option A strategies to consider (Option B)?

Soliciting Input: Stakeholder and Community Meetings

- ✓ Justice Services Advisory Council (JSAC)
- ✓ Cumberland County Sheriff
- ✓ Mayors' Coalition Meeting
- ✓ Crisis Collaborative
- Cumberland-Fayetteville Opioid Response Team
- Cumberland County Schools
- SMART Recovery Groups (individuals with lived experience)
- Military Public Health Partnership Meeting

Soliciting Input: Stakeholder and Community Meetings

- Community Meeting Series
 - Pate Room, Headquarters Library – May 24, 5:30 p.m.
 - Hope Mills Library – June 7, 5:30 p.m.
 - Spring Lake – June 14, 5:30 p.m.
 - Eastover – June 22, 5:30 p.m.
- Invite community members to attend
- Collaborate with Cumberland County and Fayetteville PIO to invite members of the public

Next Steps

- Budget resolution
- Complete stakeholder and community feedback sessions (May-June)
- Synthesize data, strategy alignment, and feedback
- Present results to County Commissioners

Dr. Green concluded her presentation and stated after the County holds meetings in May and June to solicit input from the community and stakeholders regarding the use of the settlement funds, she will come back to the Board for its input and direction. Dr. Green responded to questions and comments that followed.

B. Continuum of Care Update

BACKGROUND

As requested by the Board of Commissioners, the Fayetteville/Cumberland County Continuum of Care (CoC) on Homelessness will provide an overview of the coalition, to include its purpose, goals, and performance in achieving its goals.

RECOMMENDATION / PROPOSED ACTION

No action is necessary. For information purposes only.

Dee Taylor, Community Development Director, and Debbie Brown, Cumberland County Continuum of Care Chair, provided the update using the following PowerPoint presentation.

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What is the Continuum of Care?

- Per HUD: The Continuum of Care (CoC) is a community plan to organize and deliver housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximum self-sufficiency. It includes action steps to end homelessness and prevent a return to homelessness.
- The Fayetteville/Cumberland County Continuum of Care (FCCoC) is a non-profit organization 501 (c)(3) whose responsibilities are to adopt such rules and operating procedures as it deems necessary to carry out its duties under Local, State and Federal legislation.

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Background and History

- The Continuum of Care (CoC) process was developed in 1994, so that communities around the country would use a single, comprehensive planning process when applying for HUD’s McKinney-Vento Homeless Assistance Funding, the primary source of funding targeted to meet the needs of homeless persons and families.
- The McKinney-Vento Homeless Assistance Act combined these 3 programs to become the Continuum of Care Program:
 1. Supportive Housing Program;
 2. Shelter Plus Care Program; and
 3. Single Room Occupancy Program
- Over the years, the CoC has evolved beginning with the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009.
- The Fayetteville-Cumberland County Continuum of Care (CoC) began in 1996, as the Cumberland County Continuum of Care Planning Council. The mission of the Council was to facilitate the coordination of the community’s human services agencies in addressing the needs of the homeless individuals in Cumberland County.

NORTH CAROLINA COCs

500 – Winston-Salem	506 – Wilmington / Brunswick / New Hanover / Pender Co.
501 – Asheville / Buncombe Co.	507 – Raleigh / Wake Co.
502 – Durham City / Durham Co.	509 – Gastonia / Cleveland / Gaston / Lincoln Co.
503 – NC Balance of State (BOS)*	511 – Fayetteville / Cumberland Co.
504 – Greensboro / High Point / Guilford Co.	513 – Chapel Hill / Orange Co.
505 – Charlotte / Mecklenburg	516 – Northwest NC

*Covers 79 Counties

CoC Lead Agency and/or Collaborative Applicant

The Lead Agency/Collaborative Applicant carries out various functions, but the main tasks include, but are not limited to:

- Conducting the HUD CoC Program Grant Process;
- Conducting the State’s Emergency Solutions Grant (ESG) Process;
- Producing annual reports such as the Point-in-Time, Housing Inventory Chart, and other HUD/ State reports;
- Managing the local Homeless Management Information System; and
- Providing technical assistance to the local CoC and providers.

CoC lead agencies are not uniform entities and can be led by:

- City or county government;
- Private nonprofit;
- Managed at a balance of State (BoS) and statewide level by either a state agency or nonprofit; or
- United Funding Agency (UFA).

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CoC Lead Agency and/or Collaborative Applicant (continued)

Continuum of Care Program Grant
(funded by HUD)

- Lead Agency is designated by the local CoC to be the collaborative applicant in submitting the CoC regional application and project application to HUD on behalf of the CoC.
- Any agency that is a local unit of government or a nonprofit can serve as the lead agency for the CoC Program Grant.

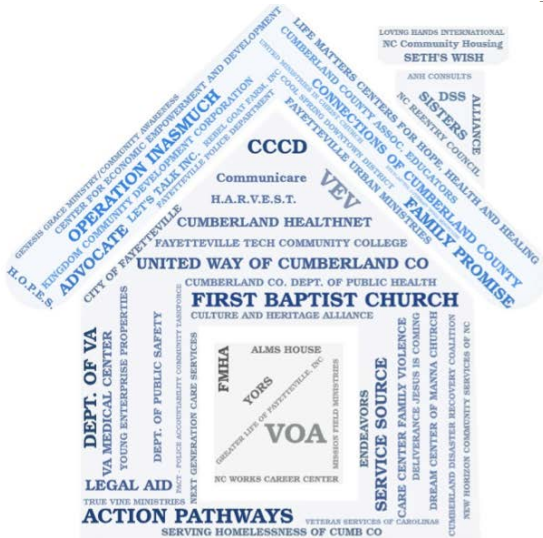
Emergency Solutions Grant
(funded by HUD through NCDHHS)

- Lead Agency is designated by the local CoC to be the collaborative applicant in submitting the CoC regional application and project applications to State on behalf of the CoC.
- Serves as the fiscal agent.
- Only a government agency can serve as the lead agency for the ESG Program Grant.

 The CoC voted for the Lead Agency role to be held by Cumberland County (through the Community Development Department) for both the CoC and ESG Programs. The Lead Agency is NOT the decision-making body for the CoC.

Mission

The Mission of the Fayetteville/Cumberland County CoC is to facilitate the coordination of the community's human services agencies and the community-at-large in order to adequately set strategies for addressing the needs of Cumberland County's vulnerable populations to include homeless persons and those persons at-risk of becoming homeless through the Continuum of Care System.



Purpose

The purpose of the Fayetteville/Cumberland County CoC is to serve the main priorities of the US Department of Housing & Urban Development (HUD). These include:

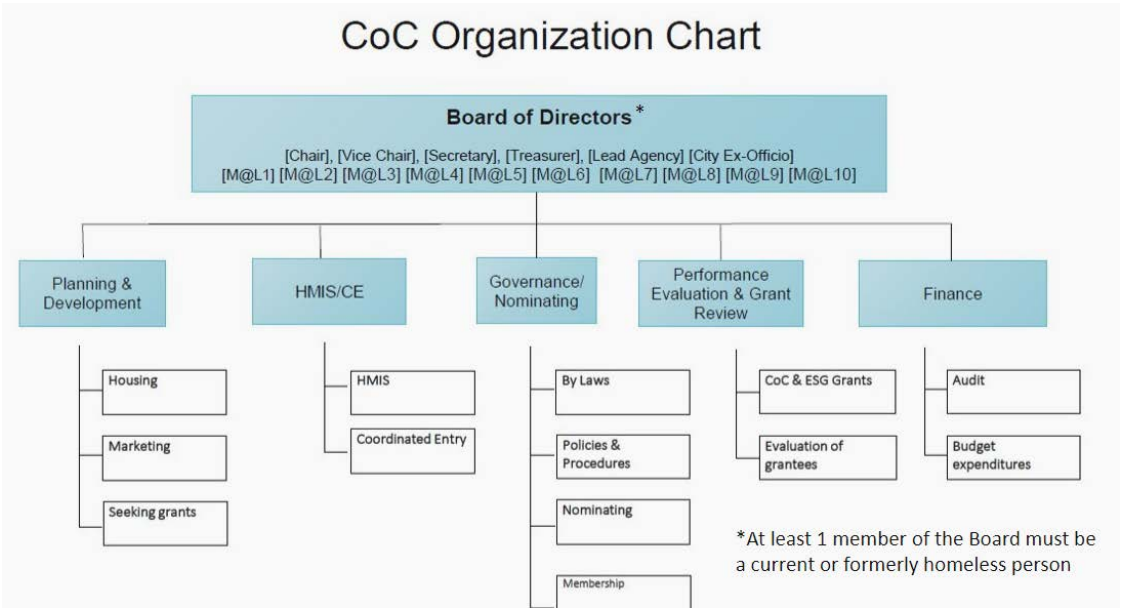
- 1. Operating a **functional CoC**;
- 2. Implementing a **coordinated entry system**;
- 3. Managing the **Homeless Management Information System (HMIS)**;
- 4. **Strategically planning** for the CoC; and
- 5. Preparation of the **annual application for funds**.



HUD ALIGNED OBJECTIVES

- Promote community-wide commitment to the goal of ending homelessness by **providing for the basic needs of homeless individuals and families**, regardless of race, color, ethnic origin, primary language, sex, or religious creed. The CoC will provide a **comprehensive response** that ensures homelessness is prevented or abbreviated whenever possible with the understanding that individuals have the right to self-determination.
- **Provide funding** for efforts to increase the re-housing of individuals and families who are homeless, and decrease the trauma and dislocation caused by homelessness;
- Establish community-wide systems' approach with **interagency coordination** to alleviate poverty;
- **Promote access to and the effective use of mainstream programs**; and
- **Optimize self-sufficiency** among individuals and families experiencing homelessness.

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CoC 4-Year Budget					
	2018-19	2019-20	2020-21	Balance Roll Over	2021-2022 Projected Budget
Contributions (Board Members, Individuals & Corporate)	\$5,797.35	\$6,640.00	\$2,460.24		\$2,000.00
Grants	\$32,500.00				\$3,000.00
Landlord Engagement (Restrictive Funds)			\$1,000		
Previous Year Balance		\$33,961.86	\$36,386.60	\$25,242.71	\$30,242.71
TOTAL REVENUE	\$38,297.35	\$40,601.86	\$39,846.84		
Operating Expenses	\$1,484.91	\$2,890.03	\$2,840.87		\$7,869.00
Grant Expenses	\$2,850.58	\$1,325.23	\$11,763.26		\$16,560.93
TOTAL EXPENSES	\$4,335.49	\$4,215.26	\$14,604.13		\$24,429.93
Net Surplus/(Deficit)	\$33,961.86	\$36,386.60	\$25,242.71		\$5,812.78

FY2021 CONTINUUM OF CARE PROJECTS RANKING

PROJECT / AGENCY	NUMBER OF UNITS / BED / CH Beds / DedicatedPLUS	HOUSING TYPE	SUBPOPULATION SERVING	AMOUNT APPROVED BY HUD FOR FY2021	LAST APR REPORTING PERIOD (GRANT CYCLE)	NUMBER OF HOUSEHOLDS / PERSONS SERVED
Coordinated Assessment / Cumberland HealthNET	Not Applicable	–	All Subpopulations	\$55,468		
Bonanza Permanent Supportive Housing / Family Endeavors, Inc. dba Endeavors	9 units / 11 beds / 11 CH beds / 100%	Scattered Site	Families w/children, DV, Substance abuse, Mental Illness, Chronic Homeless	\$107,352		
Leath Commons Permanent Supportive Housing / Cumberland Interfaith Hospitality Network	5 units / 15 beds	Single family homes/ townhouses/duplexes	Families w/children, Chronic Homeless, Disabled, DV	\$147,049		
Family Promise Permanent Supportive Housing / Cumberland Interfaith Hospitality Network	12 units / 34 beds	Single family homes/ townhouses/duplexes	Families w/children, Only children, Chronic Homeless, Disabled	\$239,047		
Safe Homes for New Beginnings Permanent Supportive Housing / Cumberland County, NC	5 units / 5 beds / 3 CH beds	Clustered Apartments	Single Adults, Substance Abuse, Mental Illness, Chronic Homeless	\$63,332		
Robin's Meadow Transitional Housing Program Transitional Housing / Cumberland County, NC	12 units / 36 beds	Clustered Apartments	Families w/children	\$85,817		
Reveille Retreat Permanent Supportive Housing / Family Endeavors, Inc. dba Endeavors	8 units / 24 beds / 24 CH beds / 100%	Clustered Apartments	Families w/children, DV, Substance Abuse, Mental Illness, Chronic Homeless	\$40,649		

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FY 2021 CONTINUUM OF CARE PROGRAM RECENT DEBRIEFING

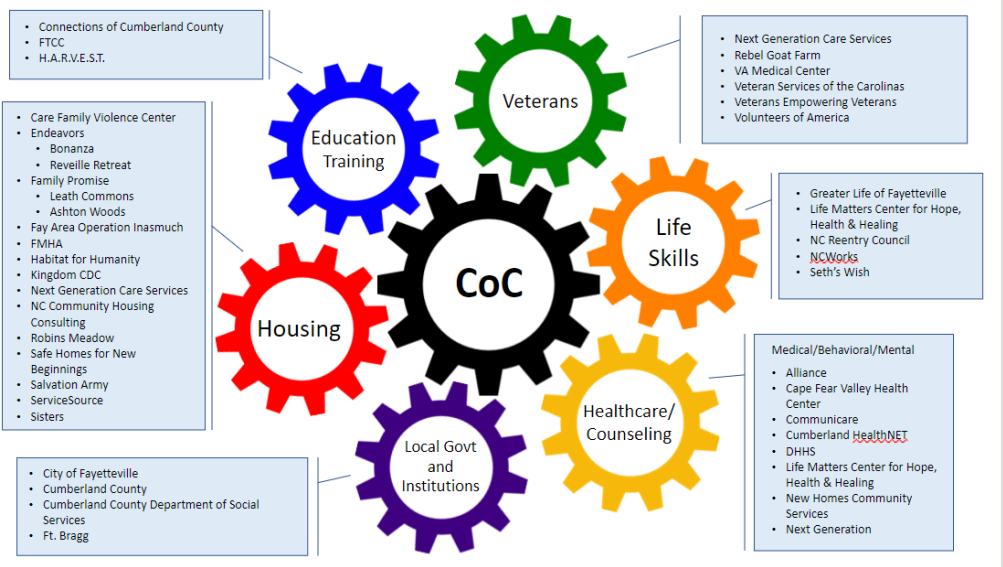
Scoring Category	Maximum Score	F/C CoC Score
CoC Coordination and Engagement	74.5	66
Addressing COVID-19 in the CoC's Geographic Area	21.5	20
Project Capacity, Review, and Ranking	30	26.5
Homeless Management Information System	11	10.5
Point-in-Time Count	3	3
System Performance	23	18.5
Coordination with Housing and Healthcare Bonus Points	10	0
	173	144.5

Overall Scores for all CoCs	
Highest Score for any CoC	168.25
Lowest Score for any CoC	60.25
Median Score for all CoCs	143
Weighted Mean Score**for all CoCs	155.5

FY2022 STATE EMERGENCY SOLUTIONS GRANT PROJECTS

Total Funding Available: \$130,731

PROJECT / AGENCY	SUBPOPULATION SERVING	AMOUNT FOR JAN 2022 – DEC 2022
Targeted Prevention / Fayetteville Urban Ministry	All Subpopulations	\$53,294
Shelter / Salvation Army	Families w/children, DV, Substance abuse, Mental Illness, Chronic Homeless	\$50,737
Shelter / DSS CARE Center Family Violence Program	Families w/children, Chronic Homeless, Disabled, DV	\$26,700



CoC Program Success and Progress

ACTION DESCRIPTION	SUCCESS	WORK IN PROGRESS	CHALLENGE/BARRIER
HMIS monitoring of Administrator and User Agencies	<ul style="list-style-type: none">State HMIS uses our administrator practices and shares with other HMIS adminsIncreased trainingImproved Process		
Coordinated Intake	<ul style="list-style-type: none">Initial processes revamped and improved;Clearer expectations	CE Policies and Procedures are being written; have not been finalized and approved by members and BoD.	
Moving On Strategy		Brainstorming & Strategizing how to implement	Bottleneck at Permanent Supportive Housing and Permanent Housing Levels
Chair & Committee Action Plans	<ul style="list-style-type: none">Some Committees have completed their Action Plan	<ul style="list-style-type: none">Some committees still in the process of completing Action Plans	

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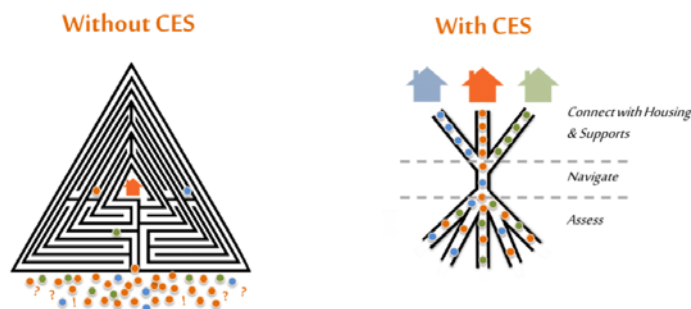
Managing the Homeless Management Information System (HMIS)

HMIS is a computerized data collection tool specifically designed to capture client-level, system-wide information over time on the characteristics and needs of those experiencing homelessness. HMIS generates unduplicated counts and service patterns of clients served.

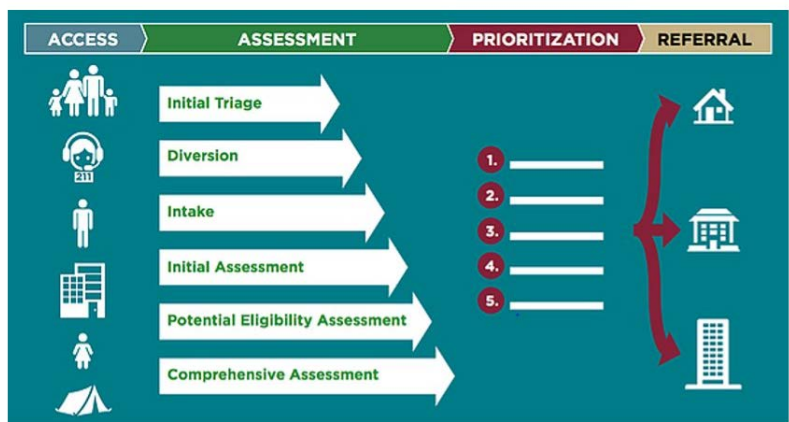
HMIS records and stores:

- Client Intake/Updates/Exits
 - Demographics
 - Basic Assessment of needs
 - Bed Utilization
- Service Tracking
 - Services delivered by providers
 - Services received by clients
 - Gaps in the homeless services in a community
- Case Management
 - Ability to plan, schedule, follow-up on service delivery
 - Ability to track changes in clients over time
 - Ability to monitor and measure performance goals and outcomes
- Information and Referral
 - Database of available resources
 - Online referrals
 - Electronic submission of applications for benefits and eligibility determination

Coordinated Entry System (CES)



Coordinated Entry Process



Goals and Strategies

- **Improve the Coordinated Intake Process**
- **Increase the number of people consistently working on Committees** to improve collaboration between service providers and identify gaps in services.
- **Develop and recommend:**
 - Plans to implement a **housing and service system** to meet the needs of those experiencing homelessness to include **outreach, emergency crisis resources and landlord engagement**;
 - Strategies for **identification & development of affordable housing resources** for those experiencing homelessness (serving persons at 30% of area median income or less).

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Looking to the Future

- Delineate Roles and Responsibilities Between CoC, City & County
 - Increase Affordable Housing
 - Re-evaluate and coordinate budgets
 - Create MOU's to Formalize Roles & Responsibilities
- Bring the local medical facility(ies) into CoC Work Flow

Ms. Taylor and Ms. Brown concluded the presentation and responded to questions and comments that followed.

C. Fayetteville State University Innovation and Entrepreneurship Hub

Ms. Cannon recognized Wesley Fountain, FSU Associate Vice Chancellor for Community Relations and Economic Partnership, who referenced a letter from FSU Chancellor Darrell T. Allison formally requesting Cumberland County's support in the amount of \$250,000 for the Innovation and Entrepreneurship HUB scheduled to be launched in August 2022. Mr. Fountain stated the goal of this project is to empower entrepreneurs and small businesses to achieve their full potential for economic success. Mr. Fountain also stated the center will provide advisory and consulting services and educational and entrepreneurial summits. Mr. Fountain stated the \$250,000 from the County will assist with expenses related to assisting small businesses.

Chairman Adams asked whether ARP funds could be used when considering the services that will be provided by the Innovation and Entrepreneurship Hub and the recipients of those services. Rick Moorefield, County Attorney, stated staff will look into whether ARP funds can be utilized.

MOTION: Commissioner Boose moved to approve \$250,000 for the FSU Innovation and Entrepreneurship Hub and have staff determine whether ARP funds can be utilized for these services.
SECOND: Commissioner Keefe
VOTE: UNANIMOUS (7-0) (Commissioner Evans departed the meeting without having been excused.)

4. CONSIDERATION OF AGENDA ITEMS

A. Opioid Settlement Fund Grant Project Budget Ordinance #B220136

BACKGROUND

Grant project budget ordinance #B220136 specific to Cumberland County's allocation of Opioid Settlement funds is attached in draft form for consideration. Approval of the budget ordinance now will ensure a budget is in place prior to the anticipated arrival of two 2022 funding distributions that are broadly scheduled to arrive in the "spring" and "summer". A special revenue fund has been established to budget, account for, and report on fund usage.

Language has been added in italics within Section 2 of the ordinance as a placeholder for the strategies and dollar amounts to be approved by the Board of Commissioners at a later date.

RECOMMENDATION / PROPOSED ACTION

Staff recommend the following action be placed on the May 16, 2022 Board of Commissioners' Meeting Agenda:

The Board is requested to approve Grant Project Budget Ordinance #B220136 appropriating Opioid Settlement Funds and the estimated amount of interest earnings to be utilized on authorized

opioid abatement or remediation strategies covering fiscal years 2022 and 2023 in a total amount of \$3,224,285.

**GRANT PROJECT BUDGET ORDINANCE #B220136
NORTH CAROLINA OPIOID SETTLEMENT FUNDS**

The Cumberland County Board of Commissioners hereby adopt the following Grant Project Ordinance in accordance with North Carolina General Statutes 159-13.2:

Section 1. This ordinance is to establish a budget for the funds being distributed to Cumberland County through the North Carolina Opioid Settlement. The state of North Carolina is expected to receive a total of \$757,666,411 in funding distributions scheduled to occur between 2022 – 2038. Of those funds, Cumberland County is expected to receive a total of \$16,984,643 in funding distributions scheduled to occur between 2022 – 2038. The amount distributed by year will vary. Opioid settlement funds and any interest earnings revenue shall only be utilized on authorized opioid abatement or remediation activities.

Section 2. Cumberland County hereby adopts the following expenditure amounts for opioid abatement or remediation activities:

Opioid Abatement or Remediation Activities:
\$3,224,285

After community meetings are held and before any expenditures are obligated, the expenditure amounts will further be divided into strategy specific designated amounts. Funds will be appropriated for each spending strategy option and authorized for expenditure from the date the ordinance is approved through June 30, 2023 as follows: [TBD]

Strategy: Option [A or B]	Allocated Amount
Strategy Specific [Numeric or Alpha Character]	[\$]
Strategy Specific [Numeric or Alpha Character]	[\$]
Strategy Specific [Numeric or Alpha Character]	[\$]
Strategy Specific [Numeric or Alpha Character]	[\$]
Strategy Specific [Numeric or Alpha Character]	[\$]
(add or remove rows as needed)	
Total shall not exceed:	\$3,224,285

Section 3. The following revenues are anticipated to be available for expenditures and strategies identified in Section 2 from the date the ordinance is approved through June 30, 2023:

Opioid Settlement Funds: \$3,223,285
Interest Earnings: 1,000

Section 4. The Finance Director is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the settlement award and to request Board of County Commissioners approval of an amended grant project ordinance as additional funds are distributed each fiscal year, prior to obligating those funds. A special revenue fund (246) has been established to account for and report on these funds.

Section 5. The Finance Director is hereby directed to report the financial status of the grant project to the governing board at the end of each fiscal year. The

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Public Health Director is hereby directed to file an annual impact report at the end of each fiscal year.

Section 6. Within five days after adoption, copies of this ordinance shall be filed with the Finance Officer, Budget Officer, and Clerk to the Board, to be kept on file by them for their direction in the disbursement of County funds for this project.

Section 7. This grant project ordinance shall expire on June 30, 2039, or when all the Opioid Settlement funds have been obligated and expended by the County, whichever occurs sooner.

Adopted this _____ day of _____, 2022.

Vicki Evans, Finance Director, referenced the background information and grant project budget ordinance recorded above. Ms. Evans stated a special revenue fund has been established to budget, account for, and report on fund usage based on two years' worth of the funding that totals \$3,224,285 and not the full \$16.98M. Ms. Evans stated staff intend to bring back a budget ordinance amendment to adjust for the strategic priorities by dollar amounts and adjustments will also have to be made for the funds the county receives each year through 2038. Ms. Evans stated the county does not want to budget for funds it has not yet received.

Commissioner Keefe asked whether there had been any coordination with the City of Fayetteville as far as what they planned to do with their opioid settlement funds. Ms. Cannon stated Dr. Green included individuals from the City of Fayetteville, to include Finance staff, on a committee that has met several times to ensure there is no overlap or duplication in the use of funds. A brief discussion followed. Ms. Cannon stated the Board of Commissioners will determine how the county's funds should be allocated based on community feedback.

MOTION: Commissioner Keefe moved to approve Grant Project Budget Ordinance #B220136 appropriating Opioid Settlement Funds and the estimated amount of interest earnings to be utilized on authorized opioid abatement or remediation strategies covering fiscal years 2022 and 2023 in a total amount of \$3,224,285.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0) (Commissioner Evans departed the meeting without having been excused.)

B. Naming of Public Health Boardroom

BACKGROUND

Commissioner Keefe would like the Board of Commissioners to consider naming the Public Health Boardroom after Dr. Jennifer Green, Public Health Director, at the May 12, 2022 Agenda Session meeting.

RECOMMENDATION / PROPOSED ACTION

Consider naming the Public Health Boardroom.

Commissioner Keefe stated he has interest in naming the Public Health Boardroom after Public Health Director Dr. Jennifer Green because of her leadership during the COVID-19 pandemic. Commissioner Keefe stated his request does not violate any ordinances and the only adopted naming policy relates to the naming of facilities. Commissioner Keefe stated with the advent of COVID, Dr. Green served as an exemplary ambassador for the county and became the benchmark for the state on how to do things right. Commissioner Keefe stated Dr. Green was always very

factual, very consistent, very calm and very professional and to his knowledge, no other county health director has had to go through what Dr. Green has gone through.

Commissioner Stewart stated her comments are not intended to take anything away from the phenomenal job performed by Dr. Green, but her concern is that Dr. Green is a current employee, and this may open up doors elsewhere. Chairman Adams stated a policy may be needed because without one, this could be a slippery slope. Commissioner Council stated the request did not come through the Board of Health of which she is a member, and she would like to suggest using a procedure similar to the one that was used when naming the courthouse. Commissioner Keefe stated in the military, individuals are recognized while in service which helps with camaraderie of others they work with.

MOTION: Commissioner Stewart moved to direct the County Attorney to develop a policy that addresses the naming of rooms or spaces within county facilities.

SECOND: Commissioner Council

DISCUSSION: Commissioner Keefe stated if a policy has to be developed, it may be four to six months before this request comes back again. Commissioner Keefe stated his sole intent was to recognize the amazing work of a servant of Cumberland County. Chairman Adams stated no one disagrees with the intent, it is just that a process is needed.

VOTE: PASSED (5-2) (Commissioners Lancaster, Council Stewart, Adams and Evans voted in favor; Commissioners Boose and Keefe voted in opposition) (Commissioner Evans departed the meeting without having been excused.)

C. Minimum Bid Policy

BACKGROUND

On April 4, 2022, the board took action to table a bid offer on a 12.44-acre parcel until the board could confirm the policy on considering minimum bids for surplus property. The most recent revision of the minimum bid policy was approved by the board May 17, 2021. The minimum bid policy is attached. If the board wishes to direct surplus property sales to be advertised on the county's website, the following revision to Section 3 of the policy will suffice:

3. The resale of properties acquired by the county through tax foreclosures shall be in accordance with N.C.G.S. § 105-376(c), **with additional notice of the intent to accept an offer to be posted on the county's website by a link appearing prominently on the county's homepage.**

RECOMMENDATION / PROPOSED ACTION

This was provided as information only. No action is needed unless the board wants to adopt the revision for giving additional notice on the county's website.

Mr. Moorefield stated the most recent revision to the minimum bid policy was approved by the board May 17, 2021. Mr. Moorefield stated he included a further revision to Section 3 of the policy in which he suggested that notice of the intent to accept an offer follow the statutory requirements which are to advertise in a newspaper of general circulation and to Commissioner Keefe's point, also be posted on the county's website by a link appearing prominently on the county's homepage.

Commissioner Keefe stated one of his concerns is that the availability of surplus properties is communicated with the public and he does not think *The Fayetteville Observer* is an adequate communication device. Loren Bymer, Public Information Deputy Director, stated a link can be setup on the website and options can be explored beyond that.

Commissioner Keefe expressed concern that the minimum offer to be accepted for consideration is the tax value. Mr. Moorefield stated after five years on the surplus list, the minimum offer to be accepted for consideration by the Board of Commissioners shall be the estimated cost of advertising for the upset bid process, but not less than \$300. Mr. Moorefield stated he is not aware of any surplus properties being sold for \$300. Commissioner Keefe also stated he does not want people with delinquent taxes to be able to purchase surplus properties. Mr. Moorefield stated that is addressed in Sections 7 and 8 of the policy adopted by the board in 2021 and his office checks for delinquent taxes. Commissioner Keefe stated he does not feel a motion is needed to communicate better with the public. No action was taken.

D. Discussion of Zero Lot Line Subdivisions

BACKGROUND

Commissioner Keefe requested a discussion of zero lot line subdivisions at the May 12, 2022 Agenda Session meeting.

Rawls Howard, Planning and Inspections Director, displayed the following PowerPoint slide as a simple definition of zero lot line:

Zero Lot Line: A single development including, but not limited to, patio houses, townhouses, condominiums, businesses, individual lots and including one or more structures comprising at least two individual lots, dwelling units, or businesses, whether attached or detached, intended for separate ownership.

Mr. Howard stated because it serves as a regulatory tool in the county's subdivision ordinance, it comes with a number of exemptions to include minimum lot size (density must be met), minimum setbacks, building area and lot width. Mr. Howard stated neither he nor his staff have seen this standard in other places where they have worked and the way in which it has been applied boils down to simply letting a developer write the development standards for their subdivision. Mr. Howard stated the intent however is for a developer can get what he/she would otherwise be entitled to on a challengeable piece of land. Mr. Howard displayed a plat of the Thornwall Subdivision and Cypress Creek Subdivision as examples of zero lot line development.

Commissioner Keefe stated zero lot line development is not appropriate in a rural setting and it should not be allowed. Discussion followed. Mr. Howard stated there are tentacles in the subdivision ordinance that affect the zoning ordinance. Chairman Adams suggested implementing a moratorium on zero lot line subdivision. Mr. Moorefield advised the board needs to provide direction to staff to remove zero lot line in the ordinance as an option and put a moratorium in place until that is accomplished. Mr. Moorefield stated he felt this could be accomplished within three months and the board could also ask to have the zoning ordinance reviewed.

MOTION: Commissioner Boose moved that there be a 90-day moratorium on zero lot line development and direct staff to update the ordinance to eliminate zero lot line as a development option.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0) (Commissioner Evans departed the meeting without having been excused.)

E. Contract for Recycling Center Fire Protection Improvements

BACKGROUND

This item was presented at the June 17, 2021 Board of Commissioners' Agenda Session meeting. The Board approved the bid for the Recycling Center Fire Improvements project and awarded a contract to Crawford Sprinkler Company of Raleigh, Inc. at the June 21, 2021 Board of Commissioners' Regular meeting.

The existing dry pipe sprinkler system protecting the Recycling Center (formerly baling plant) at Ann Street has exceeded its useful life and is now experiencing water leaks and nuisance alarms

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resulting from pipe corrosion. The project will consist of removing the existing sprinkler system and replacing it with a new dry sprinkler system equipped with a nitrogen generator to prevent future pipe corrosion.

The contract has undergone pre-audit and has been deemed legally sufficient by the County Legal Department.

RECOMMENDATION / PROPOSED ACTION

Staff recommend that the proposed actions below be placed on the May 16, 2022 Board of Commissioners consent agenda:

1. Approve the contract with Crawford Sprinkler Company of Raleigh, Inc.
2. Allow the Chairman to execute the contract on behalf of the County.

Amanda Bader, Solid Waste Director, presented the background information and recommendation/proposed action recorded above.

MOTION: Commissioner Lancaster moved to approve the contract with Crawford Sprinkler Company of Raleigh, Inc. and allow the Chairman to execute the contract on behalf of the County.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0) (Commissioner Boose was out of the room.) (Commissioner Evans departed the meeting without having been excused.)

- F. Request to Apply for U.S. Department of Transportation Multimodal Project Discretionary Grant

BACKGROUND

USDOT has announced \$2.9 billion in competitive funding for major infrastructure projects, including on-demand mobility services in rural areas through the combined Multimodal Projects Discretionary Grant (MPDG) opportunity. On-demand service (micro transit) is eligible under the Rural Surface Transportation Grant within MPDG. Micro transit is defined as a technology-enabled transit service that typically uses shuttles or vans to provide pooled, on-demand transportation with dynamic routing.

The NCDOT Integrated Mobility Division (IMD) is surveying transit partners across the state to understand local mobility needs and gauge interest in applying for this grant opportunity. IMD would prepare a combined grant application on behalf of participating transit systems. If awarded, the grant would fund upfront costs to initiate micro transit service as well as ongoing operating expenses for 3-5 years for up to 10 transit systems serving rural areas in North Carolina. There is no local match required for the County. Applications are due May 23, 2022.

RECOMMENDATION / PROPOSED ACTION

Staff requests this item be forwarded to the Consent Agenda at the Board's May 16, 2022 regular meeting for authorization from the Board of County Commissioners to apply for this funding opportunity.

Mr. Howard introduced the item and Hank Graham, FAMPO Executive Director, presented the background information recorded above. Commissioner Keefe posed questions about the Volkswagen mitigation plan.

MOTION: Commissioner Stewart moved to apply for the U.S. Department of Transportation Multimodal Project Discretionary Grant.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (7-0) (Commissioner Evans departed the meeting without having been excused.)

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G. FY23 Community Transportation Program Bid Tab for Proposed Services

BACKGROUND

An evaluation committee consisting of five members of the Transportation Advisory Board (TAB), met Thursday, April 21, 2022 to review Cumberland County Community Transportation Program provider proposals. The Transportation Advisory Board then met on Thursday, April 26, 2022 to review and approve the recommendations from the evaluation committee for the following proposals: Section 5310 Transportation (5310) Employment Transportation (EMPL) Rural General Public Transportation (RGP) Area Agency on Aging Medical Transportation (AAA Medical) Area Agency on Aging General Transportation (AAA Gen) Elderly and Disabled Medical Transportation (EDTAP) The proposals were rated on proposal response, qualifications and experience, references, Disadvantaged Business Enterprise (DBE) efforts, and value for cost.

After review, B&W Transportation was recommended for the following contracts: 5310, EMPL, RGP, AAA Gen, and AAA Medical at a rate of \$30.00 per unit of service.

FAMIKS Transportation was recommended for the following contracts: 5310, RGP, AAA Medical, and EDTAP at a rate of \$34.00 per unit of service.

Chapman Management Company was recommended for the following contracts: 5310, EMPL, RGP, AAA

Gen, and AAA Medical at a rate of \$30.00 per unit of service.

These three companies were recommended out of a total of four transportation providers that submitted proposals. Each was rated by the evaluation committee using the aforementioned criteria. A copy of the Bid Tab is attached with this memo.

The Transportation Advisory Board would like to request your approval to enter into contracts with the above selected transportation providers at the stated rates of service.

RECOMMENDATION / PROPOSED ACTION

Staff and the Transportation Advisory Board (TAB) recommend that the proposed actions below be placed on the May 16, 2022 Board of Commissioners' consent agenda:

1. Review and Approve the bid tab
2. Authorize staff to complete the provider contracts and authorize the Chairman to sign the contracts when pre-audited by Finance and approved for legal sufficiency.

Mr. Howard presented the background information recorded above and explained the process used with the transportation providers to determine the rates of services.

MOTION: Commissioner Stewart moved to approve the bid tab, authorize staff to complete the provider contracts and authorize the Chairman to sign the contracts when pre-audited by Finance and approved for legal sufficiency.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0) (Commissioner Evans departed the meeting without having been excused.)

Following a ten-minute recess, Chairman Adams reconvened the meeting.

H. Parking Lot Lease Renewal with First Presbyterian Church of Fayetteville

BACKGROUND

Cumberland County last renewed a lease for parking lot space from the First Presbyterian Church of Fayetteville in June of 2017. The current lease is set to expire on June 30, 2022. The following proposed terms for renewal have been put forth and are agreeable to the church:

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1. Five-year term starting July 1, 2022 and ending June 30, 2027
2. Annual lease rate of TWENTY-ONE THOUSAND DOLLARS (\$21,000.00) per year payable in monthly installments of ONE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$1,750.00); this amount is unchanged from the current lease rate
3. County agrees to maintain property as specified in the current agreement

RECOMMENDATION / PROPOSED ACTION

Staff requests this item be forwarded for approval to the May 16, 2022 Regular Board of Commissioners' Meeting as a Consent Agenda Item.

Tracy Jackson, Assistant County Manager, presented the background information recorded above. Mr. Jackson stated the county will be responsible for traffic control, mowing, landscaping, and cleaning; the church will maintain the lighting and utilities for the lighting. Chairman Adams asked how many of the parking spaces are used so it can be determined whether the parking spaces are actually needed. Mr. Jackson stated based on visual observation, there are people who cross Person Street to park in the parking spaces.

MOTION: Commissioner Council moved to renew the parking lot lease with First Presbyterian Church of Fayetteville with the terms as proposed.
SECOND: Commissioner Lancaster
VOTE: PASSED (6-1) (Commissioners Lancaster, Council, Stewart, Adams, Evans and Boose voted in favor, Commissioner Keefe voted in opposition) (Commissioner Evans departed the meeting without having been excused.)

I. Intent to Lease Real Property to ServiceSource Employment Services, Inc.

BACKGROUND

ServiceSource Employment Services, Inc. (DBA, ServiceSource) is a charitable non-profit organization that provides the operation of services and contracts to foster and promote employment of persons with disabilities. "Service Source" operates in 6 states and Washington, DC.

Service Source currently leases real property from the County which is located at 600 and 620 Ames Street in Fayetteville. The property consists of 12.96 acres and 7 buildings circa 1987 or later totaling 44,022 square feet of conditioned office and unconditioned warehouse space (see aerial map attached for reference). Service Source is requesting to renew a lease agreement with the County for \$1.00 per year for a term of fifteen (15) years and decrease the total leased square footage to 23,622 SF. They offer to continue providing all maintenance for facilities and grounds, utilities, and janitorial service (see attached proposal submitted by Service Source).

Staff requests the Board of Commissioners consider the following options and provide guidance regarding the potential intent to lease (see attached summary for a comparison with current terms).

1. Renew the lease for the same terms minus the requested reduction in square footage (i.e., removal of the Metal Fabrication Building, Wood Fabrication Building, or Old Horse Barn from the lease)
2. Renew the lease for the requested terms with the new square footage
3. Charge a per square footage rate on a per year basis payable in monthly installments with a new term (most leases are 3 years in duration) for the new square footage
4. Do not renew

If renewed, a notice of intent to enter into a proposed lease must be advertised thirty (30) days in advance of the lease approval.

RECOMMENDATION / PROPOSED ACTION

Adopt the following resolution, with specific terms, and advertise the public notice at least thirty (30) days in advance of the lease approval if there is an intent to lease.

BE IT RESOLVED the Cumberland County Board of Commissioners finds that the real property located at 600 and 620 Ames Street in Fayetteville, will not be needed for government purposes for the _____ year term proposed for the lease of the property to ServiceSource Employment Services, Inc., and this Board intends to adopt a resolution at its June 20, 2022 regular meeting, approving the lease pursuant to terms to be advertised as follows:

PUBLIC NOTICE OF PROPOSED LEASE PURSUANT TO G.S. 160A-272

TAKE NOTICE that the Cumberland County Board of Commissioners has found that the real property described herein will not be needed for government purposes for the term of the lease described herein and that the Board intends to adopt a resolution at its meeting to be held on June 20, 2022, approving the lease of approximately 23,622 square feet of space located at 600 and 620 Ames Street in Fayetteville, NC, to ServiceSource Employment Services, Inc., for a term of _____ years commencing on July 1, 2022, at an annual rental rate of \$_____.

Mr. Jackson presented the background information recorded above and displayed an aerial view of the property. Mr. Jackson stated in attendance are Andrew Rind, ServiceSource Senior Vice President and Executive Director, and Jim Richter, ServiceSource Regional Operations Manager. Mr. Jackson stated ServiceSource wishes to continue use of the main office building, overflow office space, training facility and contract close-out building and no longer desires to use the barn and older metal buildings. Chairman Adams asked whether the contract closeout building could be moved so the back of the property could be used to help with plans for the southern end of Murchison Road and Washington Drive school. Mr. Rind elaborated on redevelopment plans for the site with approximately \$600,000 in capital coming from ServiceSource over a period of years and stated overtime ServiceSource should be able to move out of the contract closeout building. Mr. Rind stated the strip of land could be developed to accommodate affordable housing which includes housing, recovery and self-sufficiency, all three of which ServiceSource does. Questions and discuss followed.

Mr. Jackson reviewed the following lease options and stated “except for the building exterior” under Option 1 was an error and should reflect a strikethrough.

For 600 & 620 Ames Street
(Main Office Building, Warrior Bridge Building, Training Building, Contract Close-out)

	Term	Total Building Square Footage	Rental Rate	Lessee to Provide
Current	10 yrs	44,022 SF	\$1/yr	Utilities, janitorial, and maintenance of buildings and grounds except the building exterior
Option 1 (Current minus 3 bldgs)	10 yrs	23,622 SF	\$1/yr	Utilities, janitorial, and maintenance of buildings and grounds except the building exterior
Option 2 (Requested by SSI)	15 yrs	23,622 SF	\$1/yr	Utilities, janitorial, and maintenance of buildings and grounds except the building exterior
Option 3	3 yrs	23,622 SF	\$9/SF for CS (20,382 SF) \$4/SF for UCS (3,240 SF)*	Utilities and Janitorial only; County would be responsible for maintenance of entire building and grounds**

*CS – Conditioned Space/UCS – Unconditioned Space; rates based on analysis of local lease rates for similar class of office space; results in total annual lease rate of \$196,398 (\$16,366.50/mth)

**Potential cost for assuming building and grounds maintenance could be \$28,500 annually. This does not include replacing end-of-life building systems; we should anticipate costs with these aging facilities and systems, but those costs are unknown at this time

MOTION: Commissioner Stewart moved to adopt the resolution of intent to lease under Option 1 for a term of ten (10) years at an annual lease rate of \$1.00 per year for 23,622 SF of space with Service Source maintaining all the utilities, custodial services, buildings and grounds and advertise the public notice at least thirty (30) days in advance of the lease approval.

SECOND: Commissioner Council

DISCUSSION: Commissioner Keefe suggested that the annual lease rate be a greater amount and revert back to \$1.00 year after ServiceSource has met its \$600,000 capital investment in the property. Commissioner Keefe stated at this time, all the county has is a verbal commitment as it relates to the capital investment and nothing else. Commissioner Boose stated ServiceSource is contributing to the community by being in the community and he supports their being a tenant at an annual lease rate of \$1.00 per year.

VOTE: UNANIMOUS (7-0) (Commissioner Keefe was out of the room.) (Commissioner Evans departed the meeting without having been excused.)

Chairman Adams suggested that ServiceSource return and provide a presentation at some point in the future.

J. Resolution of Intent to Lease Real Property to the Vision Resource Center, Inc.

BACKGROUND

The Vision Resource Center, Inc. (VRC) currently has a lease with Cumberland County for the real property located at 2736 Cedar Creek Road known as the "Alphin House," and the lease will expire June 30, 2022. The VRC is a charitable non-profit that provides services to the visually impaired. The VRC is requesting to renew the lease at the same terms of TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400.00) per year for three (3) years.

Staff requests the Board of Commissioners consider the following options and provide guidance regarding the potential intent to lease.

1. Renew the lease for the same terms
2. Charge a per square footage rate on a per year basis payable in monthly installments
3. Do not renew

If renewed, a notice of intent to enter into a proposed lease must be advertised thirty (30) days in advance of the lease approval.

RECOMMENDATION / PROPOSED ACTION

Adopt the following resolution, with specific terms, and advertise the public notice at least thirty (30) days in advance of the lease approval if there is any intent to lease.

BE IT RESOLVED the Cumberland County Board of Commissioners finds that the real property located at 2736 Cedar Creek Road in Fayetteville, will not be needed for government purposes for the three (3) year term proposed for the lease of the property to the Vision Resource Center, and this Board intends to adopt a resolution at its June 20, 2022 regular meeting, approving the lease pursuant to terms to be advertised as follows:

PUBLIC NOTICE OF PROPOSED LEASE PURSUANT TO G.S. 160A-272

TAKE NOTICE that the Cumberland County Board of Commissioners has found that the real property described herein will not be needed for government purposes for the term of the lease described herein and that the Board intends to adopt a resolution at its meeting to be held on June 20, 2022, approving the lease of approximately 2,752 square feet of space located at 2736 Cedar Creek Road, Fayetteville, NC, to the Vision Resource Center, Inc., for a term of three (3) years commencing on July 1, 2022, at an annual rental rate of \$_____.

Mr. Jackson presented the background information, lease options and resolution and notice recorded above. Commissioner Boose asked whether transportation to the VRC by the city ever materialized. Chairman Adams stated VRC has a van that handles transportation. Commissioner Boose asked whether there was a location in town for the VRC. Chairman Adams stated he and Commissioner Stewart visited the VRC and they like the location on Cedar Creek Road. Commissioner Keefe stated when the Board approved the location, the industrial park had vacancies, but it is now fully occupied.

Commissioner Evans rejoined the meeting.

MOTION: Commissioner Boose moved to adopt the resolution of intent to lease 2736 Cedar Creek Road to the Vision Resource Center and advertise the public notice at least thirty (30) days in advance of the lease approval.

SECOND: Commissioner Council

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

K. Amendments to the Overhills Park Water and Sewer District Rate Structure

BACKGROUND

After reviewing the operational costs of the Overhills Park sewer system, it has been determined that the present rate structure for sewer service does not meet the operation and maintenance costs incurred by the system nor generate adequate revenue for future capital costs. The present rate structure needs to be revised and updated to generate sufficient revenue to set aside in a capital reserve fund for future operation and maintenance of the system.

The current rates were approved in 2018, when the installation of the sewer system was completed. The attached rate structure is proposed for the Overhills Park Water and Sewer District. This proposed rate structure must be mailed to all the customers on the system no later than June 1st and will go into effect on July 1, 2022. The existing rate structure and proposed rate structure are provided in the chart below.

	<u>Existing</u> <u>Rate</u>	<u>Existing Rate</u>	<u>Proposed</u> <u>Rate</u>	<u>Proposed</u> <u>Rate</u>
	<u>Connected</u>	<u>Nonconnected</u>	<u>Connected</u>	<u>Nonconnected</u>
	<u>Customer</u>	<u>Customer</u>	<u>Customer</u>	<u>Customer</u>
Flat Rate Sewer Usage	\$24.50	-	\$25.50	-
Operation and Maintenance	\$10.50	\$10.50	\$11.50	\$11.50
Availability	\$17.00	\$17.00	\$17.00	\$17.00
Administration	\$2.00	\$2.00	\$2.00	\$2.00
Total	\$54.00	\$29.50	\$56.00	\$30.50

The attached rate structure also includes a suggested rate increase of 5% per year for the next three years. Research by the UNC School of Government indicates that many other utilities have taken this approach to addressing long term operations & maintenance needs. The benefit of setting the rates this way allows the customers to know exactly how much the rates will be increased yearly as opposed to different rates being applied randomly over time.

RECOMMENDATION / PROPOSED ACTION

The Public Utilities Department and County Management requests this item be placed on the May 16, 2022, Board of Commissioners' Consent Agenda and the Overhills Park Governing Board Consent Agenda for approval.

Jermaine Walker, Engineering and Infrastructure Director, presented the background information and proposed rate structure recorded above.

MOTION: Commissioner Council moved to approve the Overhills Park Water and Sewer District proposed rate structure with a rate increase of 5% per year for the next three years.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0)

L. Amendments to the NORCRESS Water and Sewer District Rate Structure

BACKGROUND

A review of the operational costs of the NORCRESS sewer system, has revealed the present rate of collections for sewer service is not meeting the costs being incurred by the system for operations and maintenance. There have been increases by the sewer service provider, chemical provider, and electrical providers. At the present rate we are not generating any revenue to set aside as a capital reserve fund to pay for replacement equipment or needed repairs.

The rates were last increased in 2018, in which the increase raised the rate on residential sewer service to \$7.50 per 1,000 gallons, commercial sewer service to \$8.00 per 1,000 gallons and flat rate services to \$33.42 per month. The attached rate structure is proposed for the NORCRESS Water and Sewer District. This proposed rate structure must be mailed to all the customers on the system no later than June 1st and will go into effect on July 1, 2022. The existing rate structure and proposed rate structure are provided in the chart below.

The NORCRESS Advisory Board, consisting of Mayors from Wade, Falcon, and Godwin, met to discuss the proposed rate increases and changes on May 9th.

<u>Rate Description</u>	<u>Current Rate</u>	<u>Proposed Rate</u>
Residential Sewer Customers	\$7.50/thousand gallons	\$9.50/thousand gallons
Commercial Sewer Customers	\$8.00/thousand gallons	\$10.00/thousand gallons
Industrial Sewer Customers	-	\$11.00/thousand gallons
Flat Rate Sewer Customers	\$33.42 per month	\$45.00 per month
Operation & Maintenance Fee Residential	\$3.00 per month	\$6.50 per month
Operation & Maintenance Fee Commercial	\$2.00/thousand gallons	\$7.50 per month
Operation & Maintenance Fee Industrial	-	\$3.00/thousand gallons
Administration Fee	\$2.00 per month	\$2.00 per month
Local Town Fee	\$1.75 per month	\$2.00 per month

The attached rate structure also includes a suggested rate increase of 5% per year for the next three years. Research by the UNC School of Government indicates that many other utilities have taken this approach to addressing long term operations and maintenance needs. The benefit of setting the rates this way allows the customers to know exactly how much the rates will be increased yearly as opposed to something different each year.

RECOMMENDATION / PROPOSED ACTION

The Public Utilities Department and County Management recommend that the item be placed on the May 16, 2022, Board of Commissioners agenda and the NORCRESS Governing Board agenda as a consent item.

Mr. Walker presented the background information and proposed rate structure recorded above.

MOTION: Commissioner Lancaster moved to approve the NORCRESS Water and Sewer District proposed rate structure with a rate increase of 5% per year for the next three years.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

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M. Request of Law Office of K D White for Refund of Excise Tax

BACKGROUND

The Law Offices of K. D. White has requested a refund of the county's one-half of the excise tax paid for the following recording:

Deed recorded in Book 11126 at page 802 with the excise tax incorrectly shown as \$900 instead of \$90; one-half of tax is \$450

The register of deeds has recommended that this refund be granted in the total amount of \$450. The county attorney has reviewed the recorded documents and confirmed that the stated excise tax is \$900 which reflects a sales price of \$450,000. The county attorney reviewed the sales history and determined the property was sold in 2007 for \$70,000 and has a current tax value of \$40,000. The county attorney recommends the refund based on the sales history and tax value.

G.S. § 105-228.37 governs this refund process. The board of commissioners must conduct a hearing on the request after at least 10 days' notice of the hearing to the taxpayer. Notice of the hearing was provided to the taxpayer by email sent by the county attorney to the taxpayer on May 2, 2022. This is not a public hearing. The county may only refund one-half of the total tax because the county only received one-half of the tax and the state received the other half. The refund cannot be granted until the taxpayer records a new instrument reflecting the correct amount of the tax due in accordance with G.S. § 105-228.37(e). The register of deeds must notify the finance officer and the secretary of revenue when the corrective instrument has been recorded. The refund will bear interest pursuant to the statute.

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends that the board set a hearing on this matter at its May 16, 2022, meeting at 6:45 p.m. and grant the taxpayer's request for this refund by adopting the following resolution:

Whereas, this matter was heard by the Board of Commissioners May 16, 2022; and

Whereas, the Law Offices of K. D. White requested a refund of the county's one-half of the excise tax paid for the following recording:

Deed recorded in Book 11126 at page 802 with the excise tax incorrectly shown as \$900 instead of \$90; one-half of tax is \$450; and

Whereas, the county attorney reported that the sales history of the property conveyed by the referenced deed shows that the property was sold in 2007 for \$70,000 and has a current tax value of \$40,000.

Be it resolved, that the Cumberland County Board of Commissioners finds that the facts stated above warrant the refund of the excise tax as requested by the taxpayer.

Be it further resolved, that upon the taxpayer recording a new instrument reflecting the correct amount of the tax due in accordance with G.S. § 105-228.37(e), the register of deeds shall notify the finance officer and the secretary of revenue of the board's action in this matter and the county finance officer shall refund the taxpayer one-half of the excise tax in the amount of \$450 with interest as provided by G.S. § 105-228.37.

N. Request of Single Source Real Estate Services Inc. for Refund of Excise Tax

BACKGROUND

Single Source Real Estate Services, Inc., has requested a refund of the county's one-half of the excise tax paid for the following recordings:

(1) Duplicate recording of deed in Book 10714 at pages 52 and 85; one-half of tax is \$351.50

(2) Recording deed in Book 10782 at page 427 which should have been recorded in Hoke County; one- half of tax is \$179.50

(3) Recording deed in Book 11431 at page 153 which should have been recorded in Harnett County; one- half of tax is \$320

The register of deeds has recommended that these refunds be granted in the total amount of \$851. The county attorney has reviewed the recorded documents and confirmed that the reasons stated by the taxpayer for each is correct and is a sufficient basis for granting the refunds.

G.S. § 105-228.37 governs this refund process. The board of commissioners must conduct a hearing on the request after at least 10 days' notice of the hearing to the taxpayer. Notice of the hearing was provided to the taxpayer by email sent by the county attorney to the taxpayer on May 2, 2022. This is not a public hearing.

The county may only refund one-half of the total tax because the county only received one-half of the tax and the state received the other half. The refund cannot be granted until the taxpayer records a corrective document for each of the recordings that complies with G.S. § 105-228.37(e). The register of deeds must notify the finance officer and the secretary of revenue when the corrective instrument has been recorded. The refund will bear interest pursuant to the statute.

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends that the board set a hearing on this matter at its May 16, 2022, meeting at 6:45 p.m. and grant the taxpayer's request for these refunds by adopting the following resolution:

Whereas, this matter was heard by the Board of Commissioners May 16, 2022; and

Whereas, Real Estate Services, Inc., has requested a refund of the county's one-half of the excise tax paid for the following recordings:

(1) Duplicate recording of deed in Book 10714 at pages 52 and 85; one-half of tax is \$351.50

(2) Recording deed in Book 10782 at page 427 which should have been recorded in Hoke County; one- half of tax is \$179.50

(3) Recording deed in Book 11431 at page 153 which should have been recorded in Harnett County; one- half of tax is \$320; and

Whereas, the county attorney reported that he had reviewed the recorded documents and confirmed that the reasons stated by the taxpayer for each is correct and is a sufficient basis for granting the refunds.

Be it resolved, that the Cumberland County Board of Commissioners finds that the facts stated above warrant the refund of the excise tax as requested by the taxpayer.

Be it further resolved, that upon the taxpayer recording a recording a corrective document for each of the recordings that complies with G.S. § 105-228.37(e), the register of deeds shall notify the finance officer and the secretary of revenue of the board's action in this matter and the county finance officer shall refund the taxpayer one-half of the excise taxes in the total amount of \$851 with interest as provided by G.S. § 105-228.37.

Mr. Moorefield presented the background information for Items 4.M. and 4.N. recorded above and stated he had reviewed all of the documents and recommends the excise taxes be refunded.

MOTION: Commissioner Boose moved to honor the request of the law office of K. D. White and Single Source Real Estate Services, Inc. for the refund of excise taxes and

forward to the May 16, 2022 Board of Commissioners' meeting as a consent agenda item subject to one of the taxpayers requesting a hearing.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

O. ARP Committee Recommendations: ARP Policies and Grant Project Ordinance

BACKGROUND

The American Rescue Plan Committee met on May 2, 2022. The committee recommended the following items be placed on the May 12, 2022 agenda for consideration (see Attachment A):

- Non-Discrimination Policy
- Conflict of Interest Policy
- Conflict of Interest Disclosure Form
- Eligibility Determination Policy
- Project Funding Eligibility Determination Form
- Aid to Non-Profit Organizations Policy Revision
- Aid to Non-Profit Organizations Responsive Proposal Review Guidelines
- ARPA Grant Project Ordinance Proposed Revisions

RECOMMENDATION / PROPOSED ACTION

Staff requests the recommendations be forwarded to the May 16, 2022 Board of Commissioners Meeting as a Consent Agenda item.

Chairman Adams stated these items will enable the county to move forward with disbursement of ARP funds and members of the ARP Committee recommended approval.

MOTION: Commissioner Evans moved to forward the items to the May 16, 2022 Board of Commissioners' meeting as a consent agenda item.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0)

Commissioner Boose departed the meeting.

5. OTHER ITEMS

A. Competitive Grants Report

BACKGROUND

Commissioner Jimmy Keefe requested a list of grants applied for by the County from 2020 to present, including grants that were not awarded, and grants that the county plans to submit within the next three months.

The attached report on competitive grant activity shows that Cumberland County departments have received \$7,538,725 in grant funding since FY2020.

Departments have recently submitted or plan to submit in the next three months grant applications totaling \$23,518,002 in funding.

Cumberland County contracted with DH Leonard Consulting and Grant Writing Services LLC in December 2021. The County is also implementing eCivis grants software for grants management.

RECOMMENDATION / PROPOSED ACTION

For information purposes.

Sally Shutt, Assistant County Manager, attended remotely and presented the competitive grants report. Ms. Shutt stated the report on grants applied for since FY2020 is broken down by county department with a total of \$7,538,725 having been received in grant funding since FY2020. Ms. Shutt stated the second part of the competitive grants report contains grants that have recently been applied for or are in the planning stages totaling \$23,518,002 in funding. Ms. Shutt highlighted some of the grants contained in the report.

Commissioner Keefe asked that commissioners be contacted when grants are awarded. Staff responded to questions that followed about additional grant opportunities.

Grants Applied for Since FY2020 ** federal formula grants are not included													
Department	Date	Grant Title	Project Name	Granting Agency	Amount Requested	Amount Awarded	Project Summary	Status	Match				
Animal Services	6/7/2019		Best Friends/Rachel Ray	Best Friends/Rachel Ray	\$ 21,500.00	\$ 21,500.00	Surgical Equip. supplies	Complete					
Animal Services	9/1/2019		Stanton Foundation	Stanton Foundation	\$ 160,000.00	\$ 160,000.00	Purchase Mobile Van	Complete					
Animal Services	10/31/2019		Petco	Petco	\$ 60,000.00	\$ 60,000.00	TNR, Increase Adoptions	Complete					
Animal Services	11/25/2019		Petsmart	Petsmart	\$ 30,000.00	\$ 30,000.00	Spay/Neuter Surgeries	Complete					
Animal Services	12/23/2019		Cumberland Community Foundation	Cumberland Community Foundation	\$ 500.00	\$ 500.00	Animal Medical	Complete					
Animal Services	1/2/2020		Petco	Petco	\$ 60,000.00	\$ 60,000.00	TNR, Adoptions	Complete					
Animal Services	5/21/2020		Maddie Fund	Maddie Fund	\$ 10,000.00	\$ 10,000.00	Heartworm Treatment	Complete					
Animal Services	10/31/2020		NCVMA	NCVMA	\$ 2,500.00	\$ 2,500.00	Medical Supplies	Complete					
			TOTAL DEPT GRANT FUNDING		\$ 344,500.00	\$ 344,500.00				\$ 344,500.00			
County Administration	FY2022	State-directed grant - State Capital Infrastructure Funds	Homeless Shelter	INC General Assembly	\$1,000,000.00	\$1,000,000.00	Capital costs for a homeless shelter		No				
			TOTAL DEPT GRANT FUNDING		\$1,000,000.00	\$1,000,000.00				1,000,000.00			
Emergency Services	FY2022 - Award Date 12/3/2021	Hazardous Material Emergency Preparedness Grant	Aircraft Spill Exercise	State - NCDPS		\$ 10,000.00	The HMEP grant program is designed to allow grantees the flexibility to implement training and planning programs that address differing needs for each location based on demographics, emergency response capabilities, commodity flow studies, and hazard analysis.		No				
Emergency Services	FY2022 - Award Date 11/9/2021	Homeland Security Grant	Rehab Trailer	State - NCDPS		\$ 40,800.00	Homeland security grants fund projects related to Homeland security Planning, Operations, Equipment purchases, Training and Exercise. This grant is being used to purchase a fire rehab trailer to support local first responders.		No				
Emergency Services	FY2022 - Award Date 06/10/2021	NC Tier II	LEPC Hazmat Response	State - NCDPS		\$ 10,000.00	The Tier II grants may provide Local Emergency Planning Committees funding and more options to expand the scope of their hazardous materials emergency preparedness programs though response planning, training and related exercises.		No				
Emergency Services	FY2021 - Award Date 9/22/2020	Homeland Security Grant	EOC Activation	State - NCDPS		\$ 5,000.00	Homeland security grants fund projects related to Homeland security Planning, Operations, Equipment purchases, Training and Exercise. This grant is being used to perform a exercise planned by the LEPC for a EOC activation in a COVID19 environment.		No				
Emergency Services	FY2022 - Award Date 1/1/2021	NC Tier II	LEPC	State - NCDPS		\$ 1,000.00	The Tier II grants may provide Local Emergency Planning Committees funding and more options to expand the scope of their hazardous materials emergency preparedness programs though response planning, training and related exercises.		No				
Emergency Services	FY2022 - Award Date 7/1/2021	Emergency Management Performance Grant	EMPG	State - NCDPS		\$ 65,375.00	EMPG grants are used for planning, operations, equipment purchases, training and exercise expenses.		No				
Emergency Services	FY2020 - Award Date 9/15/2019	NC 911	Communication Center Re-location	State - 911 Board		\$ 2,251,387.00	Construction for New 911 Center		No				
			TOTAL GRANT FUNDING			\$ 2,383,562.00				2,383,562.00			
Health Department	FY2021 - 6/1/2020	Healthiest Cities & Counties Challenge Grant	Healthiest Cities & Counties Challenge Grant	American Public Health Association		\$ 100,000.00	The project focuses on reducing adult and childhood obesity by improving access to healthy foods i Cumberland Count and Ft. Bragg.		No				
Health Department	FY2022 - Award Date 6/1/2021	Improving Health Outcomes through Mobile Clinics and Social Determinants of Health		Cumberland Community Foundation, Inc.		\$ 64,000.00	Identify patients with high unmet needs by screening all patients for social determinants of health, with a focus on patients with food, transportation barriers, housing needs and those experiencing violence. Funding will be used for direct payments to vendors for unmet needs of patients.		No				
Health Department	FY2020 - Award Date 9/30/2019	Reduction of Opioid Injuries and Deaths in Cumberland County	Reduction of Opioid Injuries and Deaths in Cumberland County	Federal - DOJ/OJP/BJA		\$ 899,814.00	Reduce the number of opioid overdose injuries and deaths by expanding post overdose outreach, providing linkage to care opportunities for person who experience a non-fatal overdose, enhance diversion programs and strengthen community knowledge and awareness regarding substance use disorders.		No				

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Health Department	FY2020/2021	Standard 4 Uniform Inspection Program / Standard 7 Community and Industry Relations	Standard 4 Uniform Inspection Program / Standard 7 Community and Industry Relations	Association of Food and Drug Officials (AFDO)	\$3,000	\$3,000	Implementation of training related to to enhance conformance with the Voluntary National Retail Food Regulatory Program Standards						
Health Department	FY2020/2021	Smiles for Kids	Smiles for Kids	Delta Dental Foundation	\$2,400.00	\$2,400.00	The effort will focus on oral health in primary school aged youth by raising awareness of oral health and healthy smiles that improve student self-esteem and academic success.						
Health Department	FY2021	Child Care Health Consultants		Partnership for Children and SMART Start	\$220,928.00	\$220,928.00	Child Care Health Consultants (CCHCs) are trained health professionals with education and experience in both child and community health and early care and education. CCHCs work with programs to assess, plan, implement, and evaluate strategies to achieve high quality, safe and healthy child care environments.						
TOTAL DEPT GRANT FUNDING					\$	1,289,942.00					1,289,942.00		
Library	FY20		11th Annual Storytelling Festival-Create Your Own Story	Arts Council	\$8,500.00	\$6,000.00	Working with some elementary schools and hosting children's authors and illustrators reflecting diversity in children's literature	Completed					
Library	FY 20 NOTE: Items highlighted were for the library but processed through the Friends of Library, prior to changes implemented in 2021		Passports	Arts Council	\$4,210.00	\$3,500.00	Collaboration with Cape Fear Regional Theatre teaching children and teens screenwriting	Completed					
Library	FY 20		Musical me	Arts Council	\$9,600.00	\$7,500.00	Fayetteville Symphony Orchestra will present music programs for preschool children	Completed					
Library	FY 20		Artisan Alley & Create & Take	Arts Council	\$1,000.00	\$941.56	Artisan/artist market hosted at HOU and separately two artists located at 2 downtown event spaces	Completed					
Library	FY 20		StoryWalk: Improving Literacy One Step at a Time	CCF - Women's Giving Circle	\$12,148.00	\$12,148.00	Create a Storywalk at Clark Park	Completed					
Library	FY 20		Library Census Outreach to Hard-to-Reach Populations	CCF	\$3,129.00	\$3,129.00	Purchase 5 laptops and a carrying case which will be loaned to qualifying nonprofit community organizations to allow patrons to complete the 2020 Census	Completed					
Library	FY 20 - 21		Summer Time Kids - Imagine Your Story	CCF	\$7,500.00	\$7,500.00	Summertime kids books and book bags to kids in summer camps with underserved populations	Completed					
Library	FY 20		Long Rang Strategic Plan Development	State Library of NC - LSTA	\$20,967.00	\$20,967.00	Long Range Plan Development	Completed					
Library	FY 20		Space Youth Initiative (STARLAB)	State Library of NC - LSTA	\$53,635.00	\$48,271.00	Purchased STAR LAB for space programs	Completed					
Library	FY 20		EZ Edge Technology Grant	State Library of NC - LSTA	\$4,435.00	\$0.00	Purchase of media production equipment - padcasters	Not awarded					
Library	FY 20		LTAL-Law and Literature: The Eva R. Rubin Series	NC Humanities	\$1,000.00	\$1,000.00	Scholar-led book discussion	Completed					
Library	FY 20		Road Scholar Event: Max Roach: Jazz Drummer and NC Native	NC Humanities	\$350.00	\$350.00	event was scheduled for June 2020						
Library	FY 20		Explore Space Exhibit	Space Science Institute	no funds, just exhibit		Display Period July 1-Aug 30, 2019	Completed					
Library	FY 20		Mobile Library Services Van - CCPL Busts a Move	State Library of NC - LSTA	\$100,000.00	\$0.00		Not awarded					
Library	FY 21		12th Annual Storytelling Festival-Nature Stories	Arts Council	\$3,300.00	\$3,300.00	Theme - Nature Stories	Completed					
Library	FY 21		Summertime Kids - Tales and Tales	CCF	\$7,500.00	\$7,500.00	Summertime Kids books and book bags to kids in summer camps with underserved populations	Completed					
Library	FY 21		COVID-19 Response Grant	State Library of NC - LSTA	\$4,500.00	\$4,500.00	Purchased sanitizing stations, gloves, masks	Completed					
Library	FY 21		ecoEXPLORE	ecpEXPLORE	\$200.00	\$200.00	We offer 4 ecoEXPLORE programs each year (virtual or in-person)	Continuous					
Library	FY 21		Leap into Science	NC STEM Center	-	-	We offer at least 3 programs either virtually or in-person.	Continuous					
Library	FY 22		Connecting the Last Mile	State Library of NC - LSTA	\$95,846.00	\$95,846.00	Purchase laptops for digital navigators and remote lockers	in progress					
Library	FY 22		13th Annual Storytelling Festival - The Sun, the Moon and the Stars	Arts Council	\$6,750.00	\$5,000.00	Theme - The Sun, the Moon and the Stars	Completed					
Library	FY 22		ARP: Humanities Grant for Libraries	American Library Association	\$10,000.00	\$10,000.00	Books will be provided to students at Ramsey Street High School and Authors will do a workshop with students	in progress					
Library	FY22 - FY23		Connecting the Community: Hotspots at CCPL	Federal Communications Comission - Emergency Connectivity Fund	\$30,260.00	\$30,260.00	Provide 100 hotspots to community	in progress					
Library	FY 22 - 23		Friends of the Library Grant	Friends of the Cumberland County Public Library	\$47,900.00	\$47,900.00	with transition to Friends being a granting agency - funding for kids, teens, adult programming and staff day, and other items	in progress					
TOTAL DEPT GRANT FUNDING						\$315,812.56					315,812.56		

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Planning & inspections Department	FY2020 - Awarded 11/23/2021	2020 Hurricanes Florence and Michael National Park Service Subgrants	Cumberland County Historic Resources Survey			\$ 90,000.00	This project will result in an architectural survey update of rural Cumberland County; the small towns Eastover, Falcon, Godwin, Linden, Spring Lake, Stedman, and Wade, and the census-designated place Vander. The Study Area covers approximately 400 square miles		No			
TOTAL DEPT GRANT FUNDING						\$ 90,000.00				90,000.00		
Pretrial Services			Sobriety Court			\$ 296.25			Yes			
TOTAL DEPT GRANT FUNDING						\$ 296.25				296.25		
Sheriff's Office	FY2022 - awarded 12/20/2021	BJA FY 21 Body-Worn Camera Policy and Implementation Program to Support Law Enforcement Agencies	Cumberland County Sheriff's Office Body-Worn Camera Policy and Implementation Program	US Dept of Justice/Office of Justice Programs/Bureau of Justice Assistance		\$ 700,000.00	CCSO will purchase and deploy 350 cameras and related required technology needed to establish a comprehensive camera policy and implementation program (PIP). This project will allow for additional documentation of police-public contacts, arrests, and critical incidents, serve as a means to enhance officer accountability, enhance the agency's ability to review probable cause for arrest and officer and suspect interaction, provide evidence for investigative and prosecutorial purposes and supplemental documentation of crime and accident scene, and provide additional information for officer training needs.		Yes			
Sheriff's Office	2022	Homeland Security Grant Program (HSGP) Fiscal Year 21	BA Face Shield Kit EOD 10/10E	State - NCDCPS/Emergency Management		\$ 3,013.00	Funding will be utilized to purchase a Explosive Ordnance Disposal (EOD) 10 breathing apparatus (BA) face shield kit to better protect the bomb squad technical dealing iwth known or suspected chemical, biological, radiological, necular, and explosive (CBRNE) threats.					
TOTAL DEPT GRANT FUNDING						\$ 703,013.00				703,013.00		
Social Services	Nov-22	Emergency Solutions Grant	Family Violence Care Center	State of NC	\$ 32,596.00	\$ 32,596.00	Emergency Shelter Operations	Awarded	No			
Social Services	Nov-21	Family Violence Grant	Family Violence Care Center	State of NC-Dept of Admin	\$ 20,000.00	\$ 20,000.00	Shelter Salary and Fringes for staff	Awarded	No			
Social Services	Oct-21	Domestic Violence Grant	Family Violence Care Center	State of NC-Dept of Admin	\$ 17,500.00	\$ 17,500.00	Shelter Salary and Fringes for staff	Awarded	No			
Social Services	Apr-20	Family Violence Prevention	Family Violence Care Center	State of NC-DHHS Div of SS	\$ 35,000.00	\$ 35,000.00	Shelter Salary and Fringes for staff	Awarded 2020-23	No			
Social Services	Jan-21	Governor's Crime Commission	Family Violence Care Center	State of NC-Governor's Crime Commission	\$ 334,612.80	\$ 334,612.80	Shelter Salary and Fringes for staff	Awarded	No			
Social Services	10/1/2021	Divorce Filing Fee	Family Violence Care Center	State of NC-Dept of Admin	\$ 19,000.00	\$ 19,000.00	Shelter client expenses	Awarded	No			
Social Services	5/12/2021	Dept of Juvenile Justice and Delinquency Prevention	Safe Landing Group Home	Juvenile Crime Prevention Council	\$ 147,000.00	\$ 147,000.00	Successful reunification of youth with family	Awarded	No			
Social Services	FY2020	Chapin Hall; SWS, LLC	multiple	The Duke Endowment	\$450,000	\$450,000	Salary, Fringes, Support Services, Project Development	Awarded	Yes			
Social Services		NCQWVI - Child Welfare Workforce Development	SW Traineeship Project	Fayetteville State University and UNC, Pembroke	\$ 894,548.24	\$ -	Social Worker Traineeship Project	Not Awarded	n/a			
TOTAL DEPT GRANT FUNDING						\$ 1,055,708.80				1,055,708.80		
Solid Waste	FY2021 - Award Date 9/10/20	NC VW Settlement Phase 1 award	Roll-off Fleet Improvement	State - NCDEQ		\$ 315,891.00	Purchase of 3 new fuel efficient roll-off trucks in return for the destruction of 3 obsolete vehicles.		Yes			
Solid Waste	FY2021 - Award Date 7/1/2020	Community Waste Reduction and Recycling (CWRAR)	Concrete Shingle Recycling pad	State - NCDEQ		\$ 40,000.00	Concrete pad to relocate shingles recycling area		Yes			
TOTAL DEPT GRANT FUNDING						\$ 355,891.00				355,891.00		
TOTAL COUNTY GRANT FUNDING AMOUNT										7,338,725.61		
Recently Submitted and Planned Grant Applications for FY2022/FY2023												
Department	Date	Grant Title	Project Name	Granting Agency	Amount of Requested	Amount Awarded	Project Summary	Status				
Animal Services	3/14/2022		Kia Pet Adoption grant	Petfinder Foundation	not specified		will pay adoption fees for dogs and cats	submitted				
Animal Services	3/14/2022		REDI training grant	Petfinder Foundation	\$4,500		will pay for DEI training class for staff	submitted				
County Administration/Sheriff's Office	Apr-22	Congressionally Directed Spending Request	Radio replacement project	Congress	\$ 2,473,794.00		Seeking funding to replace radios and handheld devices to satisfy the FCC-required TDM-A upgrade. Otherwise, the equipment will be inoperative on the NC VIPER radio - NC Voice Interoperability Project for Emergency Responders.	submitted	Yes			
County BOC-Partnership with Brightspeed	4-May-22	Growing Rural Economies with Access to Technology (GREAT) Grant	GREAT Grant Partnership	NC Department of Informaiton Technology's Broadband Infrastructure Office	\$ 3,000,000.00		The County has designated \$1 million in ARPA funds as a matching contribution for the GREAT Grant partnership with private sector provider, Brightspeed.	Submitted	Yes			

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FAMPO - Fayetteville Area Metropolitan Planning Organization	Due on 5/23/2022	Multimodal Projects Discretionary Grant	Rural Microtransit Services	US Department of Transportation through NCDOT	\$500,000		A technology-enabled transit service that typically uses shuttles or vans to provide pooled on-demand transportation with dynamic routing.	submission pending	No				
Internal Services	2-May-22	NC Volkswagen Settlement - Zero-Emission Vehicle Infrastructure Program	Public Charging Stations for the JEB Courthouse Parking Lot	NCDEQ	\$10,000		The grant request is for the installation of a dual port electric vehicle charging station to be installed in the front parking lot of the Judge E. Maurice Braswell Courthouse. The grant pays up to \$5,000 per port.	Submitted					
Library	FY2023		Summertime Kids - Oceans of Possibilities	Cumberland Community Foundation	\$4,500.00		Summertime Kids - Oceans of Possibilities	Submitted					
Library	FY2023		Forward Together: Capacity Building at CCPL	State Library of NC - LSTA	\$135,712.64			Submitted					
Library	FY2023		14th Annual Storytelling Festival: Rhythm of a Story	Arts Council	\$10,000.00		Theme - Rhythm of a Story	Submitted					
Public Utilities	5/2/2022	Wastewater State Reserve and/or Viable Utility Reserve	NORCRESS	NCDEQ	\$ 1,543,275		Improvements to the wastewater system	Submitted					
Public Utilities	5/2/2022	Drinking Water State Revolving Fund	Gray's Creek Water & Sewer District	NCDEQ	\$ 15,000,000		Construction of a drinking water system.	Submitted					
Soil and Water	3/30/2022	Streamflow Rehabilitation Assistance Program (STRAP)	Clearing and Snagging, Streambank Stabilization, and Sediment Removal	State Streamflow Rehabilitation Assistance Program (STRAP)	\$836,220		Harrison Creek, Flea Hill (Wade Canal and Lateral) and a few other small drainages that I have labeled Unnamed Tributaries	Submitted					
Solid Waste	5/2/2022		Stormwater Ponds No. 2 and No. 3 Improvements	NCDEQ - DWI	\$1,763,374		Sampling from Sediment Pond No. 2 and No. 3 indicates a need to reduce the concentrations of total suspended solids, ammonia and TKN in the discharge from the ponds and its impacts on Cross Creek and the Cape Fear River downstream.	Submitted					
Solid Waste	5/2/2022		Landfill Leachate PFAS Removal	NCDEQ - DWI	\$13,893,518		Once a pilot study on froth flotation to remove PFAS compounds is completed, a full-scale PFAS removal implementation project may be constructed capable of treating all leachate discharged from the landfill, currently at 30,000 gallons per day, but could increase to 50,000 gallons per day with landfill expansions planned at the site.	Submitted					
Solid Waste	5/2/2022		Landfill Gas Collection and Treatment Improvements	NCDEQ - DWI	\$1,750,642		Upgrade the blower and moisture removing system facility that was installed in 1997.	Submitted					
			TOTAL RECENT GRANT FUNDING APPLIED FOR/OR IN PROCESS			\$23,518,002							

B. Update on the Emergency Rental Assistance Program (ERAP)

BACKGROUND

Heather Skeens will be providing an update on the ERAP transition from Innovative Emergency Management (IEM), Inc. to the County/DSS at the May 12, 2022 Agenda Session Meeting.

RECOMMENDATION / PROPOSED ACTION

No action needed. For information and discussion purposes only.

Heather Skeens, Social Services Director, stated in February 2022, the county asked the Department of Social Services if it would be willing to manage the State Emergency Rental Assistance Program allocations. Ms. Skeens stated the ERAP consists of 4 allocations – Federal 1 and 2 and State 1 and 2. Ms. Skeens stated Innovative Emergency Management, Inc. managed the Federal ERAP 1 and 2 allocations for the county and city; the county accepted the State 1 allocation in the amount of \$17,452,503.07 with 10% of the funds to be used for administration and case management. Ms. Skeens stated should the county expend all of the \$17 million by September 2022, it would be eligible for the State 2 allocation.

Ms. Skeens stated DSS has worked with ITS and the Finance department over the last three months to convert the approximately 5,000 pending applications from IEM to DSS and to create a pathway to determine eligibility; this included development of a platform by ITS to distribute payments to qualified applicants. Ms. Skeens stated the pending applications are up to eleven months old and require extensive work for staff to be able to determine eligibility.

Ms. Skeens stated DSS started contacting applicants the last week of April 2022 and has currently assigned 273 applications of which 15 have been approved, 54 have been denied, and 204 are in the processing/pending status. Ms. Skeens stated the processing/pending status means that the individual has been contacted and DSS is awaiting more information and/or the worker is reviewing the eligibility requirements to determine whether the applicant is eligible. Ms. Skeens stated in addition to the 4,784 pending applications, there are approximately 6,000 incomplete

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applications which will require case management work; DSS has prioritized the completed 4,784 applications to work on first.

Ms. Skeens stated the denial rate is currently high due to the length of time associated with some of these applications. Ms. Skeens stated there are a variety of reasons why applicants are not eligible, which includes the fact that they no longer reside at the address on the application or there is no longer a need for the funds. Ms. Skeens stated DSS is working on issuing award letters and will meet with staff of the Finance department on May 13 to ensure everything is in place to issue checks to eligible applicants.

Ms. Skeens concluded her update by speaking to the 25 time-limited positions the Board approved. Ms. Skeens responded to questions.

C. Cumberland County Emergency Services Center Project Update

BACKGROUND

On May 6, 2022, Staff presented a project update to the Cumberland County Board of Commissioners 9-1-1 Committee. The presentation detailed the current status of the project, outstanding tasks and projected durations, challenges that would impact schedule and budgetary status.

Staff informed the Committee of the impacts of supply chain issues and lack of skilled labor have had on the project completion timeline. Staff also highlighted a potential issue with the required permitting for installation of the required secondary fiber communications line.

The project still remains under budget and Staff is now estimating a "go live" date of December 2022.

RECOMMENDATION / PROPOSED ACTION

No action is necessary. This is for information only.

Mr. Walker provided the following update on the Cumberland County Emergency Services Center project.

Cumberland County Emergency Services Center:
Remaining Tasks

Exterior Tasks	Interior Tasks
<ul style="list-style-type: none">• Handrailing: (May 9 – May 12)• Power washing: (May 9 – May 12)• Striping: (May 18)• Communication Pad Walkway: (May 9 – May 12)• Communication Tower Fencing: (May 9 – May 10)• Paint Handrails and Front Gate: (May 13 – May 17)• Aluminum Canopy: May 27 – May 30)• Backup Generator: (May 9 – May 10)• Chiller Startup: (May 12 – May 13)• Exterior Lighting: (May 23 – May 30)• Communications Shelter: (July 30)	<ul style="list-style-type: none">• Conditioned air: (May 12 – May 13)• Flooring: (May 16 – May 20)• Final Painting: (May 16 – May 23)• Cabinetry: (May 24 – May 27)• Wood Veneer Wallcovering: (May 20)• Interior Glass Windows: (May 12 – May 13)• Acoustical Ceiling Tile: (May 17 – May 20)• Door Hardware: (May 25 – May 30)• Signage: (May 30)• MEP Punchlist: (May 16 – May 30)• Cleaning: (May 23 – May 30)• Arrival of 911 Workstations and final Network Equipment: (June 1 – July 30)• Installation Security System: (May – July)

Cumberland County Emergency Services Center:
Challenges and Impact to Schedule

- Uninterruptable Power System (UPS):
 - Cannot complete automation install without complete UPS configuration
 - Cannot “go live” without it (Estimated final component delivery date (mid July 2022)
 - After complete ITS automation installation and testing, this moves Beneficial Occupancy Date (BOD) to September 2022

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Mr. Booth stated in 2019, Cumberland County 911 rolled over into the Emergency Services IP network owned by the State of North Carolina 911 Board. Mr. Booth stated the county has been working with the 911 Board and AT&T for over a year, and they have been monitoring process on the building to know when to start the secondary fiber line project so they can have everything needed in place. Mr. Booth stated staff were informed about three weeks ago by AT&T and the project manager that there will be a delay in securing the permits to provide the diverse routing because it will be necessary to bore under railroad tracks and it could take until early October which will extend the “go live” to October. Mr. Booth stated staff are working with the 911 Board and AT&T regarding options. Questions and comments followed.

Cumberland County Emergency Services Center: Challenges and Impact to Schedule

- Secondary Fiber Line
 - 911 Board contracted with AT&T for installation
 - Subcontractor has not received easement from Railroad authority
 - Coordinating for alternate solution
 - If unsuccessful could move “go live” date to October 2022

D. Emergency Operations Center Capital Project Budget Ordinance Revision #B220053 and the Emergency Telephone System 911 Fund Budget Ordinance Amendment #B220052

BACKGROUND

Staff presented a budgetary update to the Emergency Operations Center Committee on Friday, May 6, 2022. The Committee recommended this information be moved forward to the Agenda Session meeting on Thursday, May 12, 2022.

Emergency Operations Center (EOC) Capital Project Fund (404)

The EOC Capital Project Budget Ordinance Amendment number B220053 will remove the 911 Grant Award totaling \$2,251,387 as well as the \$1,000,000 Emergency Telephone System (ETS) fund balance transfer as sources of revenue. Instead, these revenues and offsetting expenditures will be budgeted and accounted for within the county's ETS 911 fund as required by the 911 Board.

In addition, the budgeted amount of debt proceeds revenue is being increased to the actual amount received, a budgeted increase of \$1,371,941. The construction and technology expenditure lines of the capital project ordinance have been decreased accordingly by the net amount of \$1,879,446.

Emergency Telephone System Fund for 911 (260)

Budget Ordinance Amendment number B220052 for the ETS 911 Fund is being amended to add the \$2,251,387 911 Grant Award and the \$1,000,000 ETS 911 fund balance appropriation as revenue sources with corresponding offsetting expenditure amounts to the construction and technology lines. The total increase in budget to this fund is \$3,351,387.

RECOMMENDATION / PROPOSED ACTION

Staff recommend the following action be placed on the May 16, 2022 Board of Commissioners' Meeting Agenda as a Consent Agenda item:

The Board is requested to approve the EOC Capital Project Budget Ordinance Amendment B220053 which removes the 911 Grant Award amount of \$2,251,387 and the ETS 911 Fund Balance amount of \$1,000,000; increases the debt proceeds revenue by \$1,371,941; and decreases construction and technology expenditures by a net total of \$1,879,446.

The Board is requested to approve Budget Ordinance Amendment number B220052 for the ETS 911 Fund. This amendment adds the \$2,251,387 911 Grant Award and the \$1,000,000 ETS 911 fund balance appropriation as revenue sources with corresponding offsetting expenditure amounts to the construction and technology lines. The total increase in budget to this fund is \$3,351,387.

Vicki Evans, Finance Director, referenced the background information and ordinance amendments recorded above. Ms. Evans stated the State’s 911 Board staff recently provided finance staff with training specific to 911 funds and the EOC capital project and as a result of clarification provided, staff have a request for budgetary changes. Ms. Evans stated the grant funds, and 911 fund balance revenues and expenditures must be budgeted and accounted for in the 911 fund. Ms. Evans stated that accounts for a total of \$3,351,387 that will need to be moved out of the EOC capital project fund and into the 911 fund, a special revenue fund on county’s books. Ms. Evans stated staff also learned that the full \$2.25M grant award is not completely available for reimbursement because when the original application was submitted to the 911 Board in 2019, the construction costs were estimated at about \$10M. Ms. Evans stated the Board computed 911 eligible costs at 22% based on the square footage of 911 functions to overall square footage of the building. Ms. Evans stated the actual construction contract totals \$6.5M and 22% of that total is \$1.43M which is the max amount available based on the contract amount. Ms. Evans stated to offset the approximate \$821K that is no longer available, staff are increasing the debt proceeds budgeted revenue amount by \$1.37M which is available. Ms. Evans stated expenditures in the construction line are being decreased by approximately \$1M and Technology by \$865,000. Ms. Evans stated in the 911 fund, staff are adding in the grant award amount and the 911 fund balance appropriation with offsetting expenses in the construction and technology lines. Ms. Evans stated even with these changes, the overall project cost will not exceed the \$16.5M that has been budgeted for the project and there is a projection that technology costs are going to come in about \$500K less than budget. Ms. Evans responded to questions and stated the county lost \$821,000 in grant funding on this project.

Emergency Operations Center Capital Budget Ordinance Revision DRAFT for the May 16, 2022 Board of Commissioners' meeting BR220053				NOTES
Revenues	Current	Adjustment	As Revised	
NC 911 Board	\$ 2,251,387	\$ (2,251,387)	\$ -	911 Board requires grant award and 911 FB allocation revenue and expenditures be expended from the County's 911 fund. A separate BR220052 to set these funds up in the ETS Fund has been created.
County 911 Fund Balance	1,000,000	(1,000,000)	-	
CARES Freed-up Capacity	150,000		150,000	
Premium on debt issued		3,412,300	3,412,300	Debt proceeds available to utilize on the EOC capital project total \$14,507,300. \$13,135,359 is currently budgeted. Utilizing the full amount provides \$1,371,941 in additional available revenue. If the proceeds are not needed, they will be utilized to pay down the overall debt.
Debt proceeds revenue	13,135,359	(2,040,359)	11,095,000	
Total Budgeted Project Revenues	16,536,746	(1,879,446)	14,657,300	
Expenditures	Current	Adjustment	As Revised	
Construction	6,673,652	(1,014,846)	5,658,806	Only PSAP eligible expenditures are allowed for reimbursement through grant fund will be offset by construction costs being charged to the 911 Grant Award. The technology cost decrease in this fund will be offset by technology costs being charged to the ETS 911 fund balance. Decreases balance to net decrease in revenues totaling \$1,879,446.
Soft Costs (Engineering, architect, permits, surveying)	1,496,124	-	1,496,124	
County Procurement (Equipment, furniture, technology)	2,926,835	(864,600)	2,062,235	
Property Acquisition	5,113,537	-	5,113,537	
Contingency	-	-	-	
Debt Issuance Costs	326,598	-	326,598	
Total Budgeted Project Expenditures	16,536,746	(1,879,446)	14,657,300	
Interfund Transfers				
Transfer from CIF to EOC Capital Project Fund	(5,801,818)	-	(5,801,818)	
Transfer to CIF from EOC Capital Project Fund	5,801,818	-	5,801,818	

- MOTION: Commissioner Stewart moved to approve the Emergency Operations Center Capital Project Budget Ordinance Revision #B220053 and the Emergency Telephone System 911 Fund Budget Ordinance Amendment #B220052 and forward to the Board of Commissioners’ May 16, 2022 meeting as a consent agenda item.
- SECOND: Commissioner Council
- VOTE: UNANIMOUS (6-1) (Commissioners Lancaster, Council, Stewart, Adams, Evans and Boose voted in favor; Commissioner Keefe voted in opposition.) (Commissioner Boose left without having been excused.)

6. MONTHLY REPORTS

A. Financial Report

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <https://www.cumberlandcountync.gov/departments/commissioners-group/commissioners/meetings/agendas-minutes-and-videos>

BACKGROUND

The attached financial report shows results of the general fund for fiscal year 2022, March year-to- date. Additional detail has been provided on a separate page explaining percentages that may appear inconsistent with year-to-date budget expectations.

RECOMMENDATION / PROPOSED ACTION

No action needed. For information and discussion purposes.

County of Cumberland General Fund Revenues						
REVENUES	FY20-21 AUDITED	FY21-22 ADOPTED BUDGET	FY21-22 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF March 31, 2022	PERCENT OF BUDGET TO DATE	*
Ad Valorem Taxes						
Current Year	\$ 169,200,461	\$ 168,721,614	\$ 168,721,614	\$ 167,457,841	99.3% (1)	
Prior Years	1,629,364	828,000	828,000	1,241,659	150.0%	
Motor Vehicles	23,101,696	22,348,691	22,348,691	14,984,676	67.0% (2)	
Penalties and Interest	788,466	578,000	578,000	592,067	102.4%	
Other	926,779	894,939	894,939	849,248	94.9%	
Total Ad Valorem Taxes	195,646,766	193,371,264	193,371,264	185,125,490	95.7%	
Other Taxes						
Sales	55,084,708	53,023,227	53,023,227	30,133,162	56.8% (3)	
Real Estate Transfer	2,215,078	1,600,000	1,600,000	2,445,936	152.9%	
Other	847,834	873,000	873,000	326,284	37.4%	
Total Other Taxes	58,147,620	55,496,227	55,496,227	32,905,382	59.3%	
Unrestricted & Restricted Intergovernmental Revenues	70,904,229	65,581,449	77,462,574	34,931,343	45.1% (4)	
Charges for Services	14,618,559	13,422,090	13,434,090	8,814,097	65.6% (5)	
Other Sources (includes Transfers In)	1,658,932	1,184,882	1,361,489	1,061,604	78.0%	
Lease Land CFVMC	4,313,322	4,313,322	4,313,322	4,205,080	97.5%	
Total Other	5,972,454	5,498,404	5,675,011	5,266,684	92.8%	
Total Revenue	\$ 345,289,628	\$ 333,369,434	\$ 345,439,166	\$ 267,042,997	77.3%	
Fund Balance Appropriation		9,159,873	20,753,650	-	0.0%	
Total Funding Sources	\$ 345,289,628	\$ 342,529,307	\$ 366,192,816	\$ 267,042,997	72.9%	

County of Cumberland General Fund Expenditures						
DEPARTMENTS	FY20-21 AUDITED	FY21-22 ADOPTED BUDGET	FY21-22 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF March 31, 2022	PERCENT OF BUDGET TO DATE	**
Governing Body	\$ 612,166	\$ 682,250	\$ 682,250	\$ 472,831	69.3%	
Administration	1,678,886	1,992,345	2,062,103	983,448	47.7% (1)	
Public Affairs/Education	755,572	916,658	846,900	558,179	65.9%	
Human Resources	948,963	1,071,556	1,071,556	536,855	50.1%	
Print, Mail, and Design	732,642	780,535	780,535	402,346	51.5%	
Court Facilities	111,108	144,920	144,920	94,801	65.4%	
Facilities Maintenance	1,209,766	1,158,465	1,109,032	648,306	58.5%	
Landscaping & Grounds	703,267	800,763	800,763	488,881	61.1%	
Carpentry	218,864	217,753	217,753	138,257	63.5%	
Facilities Management	1,471,010	1,556,056	1,556,056	990,027	63.6%	
Public Buildings Janitorial	878,654	965,301	965,301	645,490	66.9%	
Central Maintenance	704,021	675,219	747,510	458,149	61.3%	
Information Services	4,941,565	6,507,246	7,234,066	3,905,459	54.0%	
Board of Elections	1,924,356	1,556,013	1,556,013	530,590	34.1% (2)	
Finance	1,366,775	1,378,438	1,406,949	960,881	68.3%	
Legal	738,495	1,087,181	1,087,181	580,218	53.4%	
Register of Deeds	2,366,082	2,616,316	3,297,413	1,650,159	50.0%	
Tax	5,768,829	6,387,092	6,551,767	4,089,960	62.4%	
General Government Other	7,508,484	4,622,876	8,863,111	6,458,141	72.9%	
Sheriff	46,770,661	58,503,564	60,514,678	32,127,299	53.1%	
Emergency Services	3,979,703	4,190,026	4,304,115	2,731,292	63.5%	
Criminal Justice Pretrial	537,704	691,215	691,215	345,355	50.0%	
Youth Diversion	30,438	36,687	36,687	22,572	61.5%	
Animal Services	3,296,041	3,509,785	3,844,426	2,241,568	58.3%	
Public Safety Other (Medical Examiners, NC Detention Subsidy)	1,303,113	1,369,155	1,617,155	879,187	54.4%	
Health	23,030,559	25,020,602	31,512,988	15,734,696	49.9%	
Mental Health	5,429,603	5,694,167	5,694,167	4,051,378	71.1%	
Social Services	55,098,629	64,644,188	69,018,514	36,698,962	53.2%	
Veteran Services	437,822	547,167	547,167	338,625	61.9%	

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County of Cumberland General Fund Expenditures						
DEPARTMENTS	FY20-21 AUDITED	FY21-22 ADOPTED BUDGET	FY21-22 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF March 31, 2022	PERCENT OF BUDGET TO DATE	**
Child Support	5,110,079	5,693,462	5,693,462	3,215,799	56.5%	
Spring Lake Resource Administration	28,155	39,074	39,074	22,134	56.6%	
Library	9,538,367	10,495,183	10,925,139	6,841,082	62.6%	
Culture Recreation Other (Some of the Community Funding)	260,569	260,569	260,569	248,823	95.5%	
Planning	2,968,616	3,489,338	3,564,370	2,209,223	62.0%	
Engineering	409,892	607,937	610,207	415,054	68.0%	
Cooperative Extension	622,080	839,559	842,559	415,158	49.3%	
Location Services	204,386	275,533	202,162	103,665	51.3%	
Soil Conservation	208,202	2,288,939	2,669,781	115,471	4.3% (3)	
Public Utilities	91,456	96,900	96,900	66,586	68.7%	
Economic Physical Development Other	20,000	20,000	20,000	20,000	100.0%	
Industrial Park	17,535	4,332	4,332	3,889	89.8%	
Economic Incentive	632,132	767,447	767,447	593,541	77.3%	
Water and Sewer	179,456	250,000	268,570	53,090	19.8% (4)	
Education	94,876,432	98,053,453	98,053,453	72,506,725	73.9%	
Other Uses:						
Transfers Out	20,391,447	20,024,042	23,412,500	504,109	2.2% (5)	
TOTAL	\$ 310,112,582	\$ 342,529,307	\$ 366,192,816	\$ 207,098,258	56.6%	

Expenditures by Category	FY20-21 AUDITED	FY20-21 ADOPTED BUDGET	FY20-21 REVISED BUDGET	YTD ACTUAL (unaudited) AS OF March 31, 2022	PERCENT OF BUDGET TO DATE	
Personnel Expenditures	\$ 134,059,243	\$ 154,487,473	\$ 158,466,701	\$ 94,532,407	59.7%	
Operating Expenditures	153,904,502	164,954,413	180,025,704	111,800,438	62.1%	
Capital Outlay	1,757,391	3,063,379	4,287,911	261,305	6.1% (6)	
Transfers To Other Funds	20,391,446	20,024,042	23,412,500	504,109	2.2% (5)	
TOTAL	\$ 310,112,582	\$ 342,529,307	\$ 366,192,816	\$ 207,098,258	56.6%	

COUNTY OF CUMBERLAND	
Fiscal Year 2022 - March Year-to-Date Actuals (Report Run Date: April 28, 2022)	
Additional Detail	
General Fund Revenues	
*	
(1) Current Year Ad Valorem 99.3% of budget (97.83% = Total Collection Rate as of 3/31/22)	
(2) Motor Vehicles 67.0% - YTD Actual reflects 8 months of collections.	
(3) Sales Tax 56.8% - YTD actual reflects 6 months of collections. Collections for the fiscal year are first recorded in October.	
(4) Unrestricted/Restricted Intergovernmental 45.1% - There is typically a one to two month lag in receipt of this funding.	
(5) Charges for Services 65.6% - The largest component of charges for services is revenue from the Board of Ed for security at 22% of budget. 48% of that revenue has been billed/collected to date.	

General Fund Expenditures	
**	
(1) Administration 47.7% - Personnel costs are low as a result of vacancies in the department.	
(2) Board of Elections 34.1% - Municipal election expenses came in lower than anticipated as compared to budget.	
(3) Soil Conservation 4.3% - Approximately \$2.1M in USDA Grant funds were budgeted and are unexpended.	
(4) Water and Sewer 19.8% - Expenditures are in line with past fiscal year trends at this point in the fiscal year.	
(5) Transfers Out 2.2% - Transfers are often prepared toward the end of the fiscal year.	
(6) Capital Outlay 6.1% - Most of these capital items are typically purchased in the second and third quarters of the fiscal year.	

B. ARPA Quarterly Project and Expenditure Report as of March 31, 2022

BACKGROUND

Quarterly project and expenditure reporting of American Rescue Plan Act funding is required for metropolitan cities and counties with a population that exceeds 250,000. Cumberland County's quarterly report of projects and expenditures was submitted for the timeframe of January 1, 2022 through March 31, 2022 on April 28, 2022 as shown within the attached report. The report was also provided to the Board's ARPA Committee on May 2, 2022.

To aid in public transparency, each quarterly report will be provided within the Board of Commissioners' Agenda Session agenda and will also be posted to the County's ARPA webpage at:https://www.cumberlandcountync.gov/docs/default-source/commissioners-documents/americanrescueplan/slfrf-compliance-report-1-31-2022-for-march-december-2021.pdf?sfvrsn=d66a7615_2

RECOMMENDATION / PROPOSED ACTION

No action needed. For information and discussion purposes only.

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SLFRF Compliance Report - SLT-1353-P&E Report-Q1 2022
Report Period : Quarter 1 2022 (January-March)

Recipient Profile

Recipient Information

Recipient UEI	VAUSC2ZZKJ78
Recipient TIN	566000291
Recipient Legal Entity Name	County Of Cumberland, North Carolina
Recipient Type	
FAIN	
CFDA No./Assistance Listing	
Recipient Address	117 Dick Street
Recipient Address 2	
Recipient Address 3	
Recipient City	Fayetteville
Recipient State/Territory	NC
Recipient Zip5	28301
Recipient Zip+4	
Recipient Reporting Tier	Tier 1. States, U.S. territories, metropolitan cities and counties with a population that exceeds 250,000 residents
Discrepancies Explanation	
Is the Recipient Registered in SAM.Gov?	Yes

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Project Overview

Project Name: Direct Costs to Administer ARPA Funds

Project Identification Number	AR701
Project Expenditure Category	7-Administrative
Project Expenditure Subcategory	7.1-Administrative Expenses
Status To Completion	Completed less than 50%
Adopted Budget	\$5,778,690.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$18,010.82
Total Cumulative Expenditures	\$18,010.82
Current Period Obligations	\$18,010.82
Current Period Expenditures	\$18,010.82
Project Description	Salary and benefit costs of ARPA program manager. Advertising costs.

Project Name: Grays Creek Water Project

Project Identification Number	AR515
Project Expenditure Category	5-Infrastructure
Project Expenditure Subcategory	5.15-Drinking water: Other water infrastructure
Status To Completion	Not Started
Adopted Budget	\$10,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	The Grays Creek area of Cumberland County has been tested and confirmed to have above normal/unsafe limits of contaminants within its ground water and wells that provide water to the schools, residences, and businesses in the area. Construction is planned to create a community water system to address the existing public health problems associated with consuming unsafe drinking water provided by the individual well. ARPA funds will assist in partially funding the initial phases of this water project.

Project Name: Shaw Heights Sanitary Sewer System Project

Project Identification Number	AR505

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Project Expenditure Category	5-Infrastructure
Project Expenditure Subcategory	5.5-Clean Water: Other sewer infrastructure
Status To Completion	Not Started
Adopted Budget	\$12,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County is in the process of exploring the addition of a sanitary sewer system located within the Shaw Heights community, which is located within a Qualified Census Tract (QCT). Failing septic systems has been an issue within this community and in order for the Shaw Heights Affordable Housing ARPA Project (AR215) to be the most successful, the installation and construction of new pipes, pump stations, and force mains for sewer systems is required.

Project Name: Broadband Expansion

Project Identification Number	AR521
Project Expenditure Category	5-Infrastructure
Project Expenditure Subcategory	5.21-Broadband: Other projects
Status To Completion	Not Started
Adopted Budget	\$1,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County plans to partner with an internet service provider to expand fiber optic internet access into the more remote areas of the County. ARPA funds will provide for a portion of the project cost with the remaining required funds coming from the State of North Carolina and the internet service provider. A state grant request has been submitted and results are pending. If awarded, the combined funds will provide access to approximately 2,017 homes.

Project Name: Homeless Shelter Property

Project Identification Number	AR216
Project Expenditure Category	2-Negative Economic Impacts
	2.16-Long-Term Housing Security: Services for Unhoused

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Project Expenditure Subcategory	persons
Status To Completion	Not Started
Adopted Budget	\$250,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County is in the process of exploring potential property/building locations for a homeless shelter to be located within a qualified census tract. A previously issued needs assessment survey indicated the County is lacking in available temporary housing solutions and beds available for the homeless population. Although this item is budgeted utilizing a portion of ARPA funds currently, it is expected that this will be removed from consideration as we now understand with the Final Rule this type of project is not allowed.
What is the Total expected capital expenditure, including pre-development costs, if applicable	\$250,000.00
Type of capital expenditures, based on the following enumerated uses	Improvements to existing facilities

Project Name: Shaw Heights Affordable Housing

Project Identification Number	AR215
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.15-Long-Term Housing Security: Affordable Housing
Status To Completion	Not Started
Adopted Budget	\$10,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County is in the planning phase of construction of affordable housing to be located within the Shaw Heights community, which is located within a Qualified Census Tract (QCT). This project is being explored in conjunction with the installation of a sanitary sewer system described in the Shaw Heights Sanitary Sewer System ARPA Project (AR505). The number of housing units is to be determined. The affordable housing units will provide for permanent housing options for those citizens who are within the low to moderate income range.

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What is the Total expected capital expenditure, including pre-development costs, if applicable	\$10,000,000.00
Type of capital expenditures, based on the following enumerated uses	Affordable housing, supportive housing, or recovery housing
Does the project prioritize local hires?	No
Does the project have a Community Benefit Agreement, with a description of any such agreement?	No

Project Name: First Time Home Buyers Program

Project Identification Number	AR218
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.18-Housing Support: Other Housing Assistance
Status To Completion	Not Started
Adopted Budget	\$2,500,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County plans to issue a request for applications, with a focus on first-time home buyers of low to moderate income and/or those who have had an adverse economic impact as a result of COVID-19, and/or residents of a Qualified Census Tract (QCT). Eligible applicants may receive financial assistance in the household per person amounts that do not exceed the payment totals provided by the federal government within the COVID-19 Stimulus & Relief packages.

Project Name: Mortgage Assistance

Project Identification Number	AR202
Project Expenditure Category	2-Negative Economic Impacts
Project Expenditure Subcategory	2.2-Household Assistance: Rent, Mortgage, and Utility Aid
Status To Completion	Not Started
Adopted Budget	\$3,500,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
	Cumberland County plans to issue a request for applications

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Project Description	tailored to those who had existing mortgages, who were negatively affected by the pandemic, and who have been thus rendered unable to maintain their current mortgage payments. Eligibility will be limited to providing mortgage assistance to those who reside in a QCT, and/or those who qualify as low to moderate income households, without duplicating similar assistance that has already been provided to these households.
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Project Name: Board Meeting Room Update

Project Identification Number	AR104
Project Expenditure Category	1-Public Health
Project Expenditure Subcategory	1.4-Prevention in Congregate Settings (Nursing Homes, Prisons/Jails, Dense Work Sites, Schools, Child care facilities, etc.)
Status To Completion	Not Started
Adopted Budget	\$3,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Board of Commissioner meetings are required to be open to the public. Sufficient space is not available in the current congregate meeting room to allow for social distancing between commissioners or in the employee/public seating area. Funds will be utilized to enhance airflow, provide commissioner and employee/public seating sufficient enough to provide for social distancing in a different meeting room that will allow for safety in this congregate setting.
What is the Total expected capital expenditure, including pre-development costs, if applicable	\$3,000,000.00
Type of capital expenditures, based on the following enumerated uses	Improvements to existing facilities

Project Name: C COVID Assistance to Nonprofits

Project Identification Number	AR109
Project Expenditure Category	1-Public Health
Project Expenditure Subcategory	1.9-COVID-19 Assistance to Non-Profits
Status To Completion	Not Started
Adopted Budget	\$3,640,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00

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Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County has issued a formal request for proposals seeking the assistance of nonprofit entities to recommend ideas on how to best provide county citizens in need with supports/services to aid in COVID-19 recovery efforts. The highest ranked proposals will be considered for a subaward agreement.

Project Name: Provision of Government Services

Project Identification Number	AR610
Project Expenditure Category	6-Revenue Replacement
Project Expenditure Subcategory	6.1-Provision of Government Services
Status To Completion	
Adopted Budget	\$10,000,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	The salary and benefit costs of public safety employees will be the basis for drawing down the allowable \$10,000,000 standard allowance for revenue replacement.

Project Name: COVID Small Business Assistance

Project Identification Number	AR108
Project Expenditure Category	1-Public Health
Project Expenditure Subcategory	1.8-COVID-19 Assistance to Small Businesses
Status To Completion	Not Started
Adopted Budget	\$3,500,000.00
Program Income Earned	\$0.00
Program Income Expended	\$0.00
Total Cumulative Obligations	\$0.00
Total Cumulative Expenditures	\$0.00
Current Period Obligations	\$0.00
Current Period Expenditures	\$0.00
Project Description	Cumberland County has issued a request for applications, focused on for-profit small businesses located within the County. Eligible small businesses have an opportunity to receive a one-time amount up to \$50,000 to aid in COVID-19 recovery efforts. Higher priority is being given
	to eligible small businesses who employ one or more individuals of low to moderate income and/or whose business is located within a qualified census tract.

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Expenditures

Aggregate Expenditures for Awards less than \$50,000

Expenditure: EN-00305141

Project Name	Direct Costs to Administer ARPA Funds
Subaward Type (Aggregates)	Aggregate of Direct Payments
Total Period Expenditure Amount	\$18,010.82
Total Period Obligation Amount	\$18,010.82

Report

Revenue Replacement

Is your jurisdiction electing to use the standard allowance of up to \$10 million, not to exceed your total award allocation, for identifying revenue loss?	Yes
Revenue Loss Due to Covid-19 Public Health Emergency	\$10,000,000.00
Were Fiscal Recovery Funds used to make a deposit into a pension fund?	No
Please provide an explanation of how revenue replacement funds were allocated to government services	The funds will be utilized to cover staff costs of the Sheriff's Office and Detention Center. The funds will cover the regular and routine overtime salaries and corresponding fringe benefit expenses for those employees beginning in April 2022 until available funds are exhausted. Covered salaries are based on Cumberland County's current pay schedule and the fringe benefits are based on the Board of Commissioner adopted benefits ordinance.

Ineligible Activities: Tax Offset Provision

Revenue-reducing Covered Changes from date of award through July 31, 2021	
Revenue-reducing Covered Changes from August 1, 2021 – September 30, 2021	

Overview

Total Obligations	\$18,010.82
Total Expenditures	\$18,010.82
Total Number of Projects	12
Total Number of Subawards	1
Total Number of Expenditures	0

Certification

Name	Victoria Evans
Telephone	(910) 678-7750
Title	Finance Director
Email	vevans@co.cumberland.nc.us
Submission Date	4/28/2022 5:08 PM

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

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <https://www.cumberlandcountync.gov/departments/commissioners-group/commissioners/meetings/agendas-minutes-and-videos>

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 27.27% for the month of March as compared to the same month in FY21. To provide some perspective, below is the nine-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.

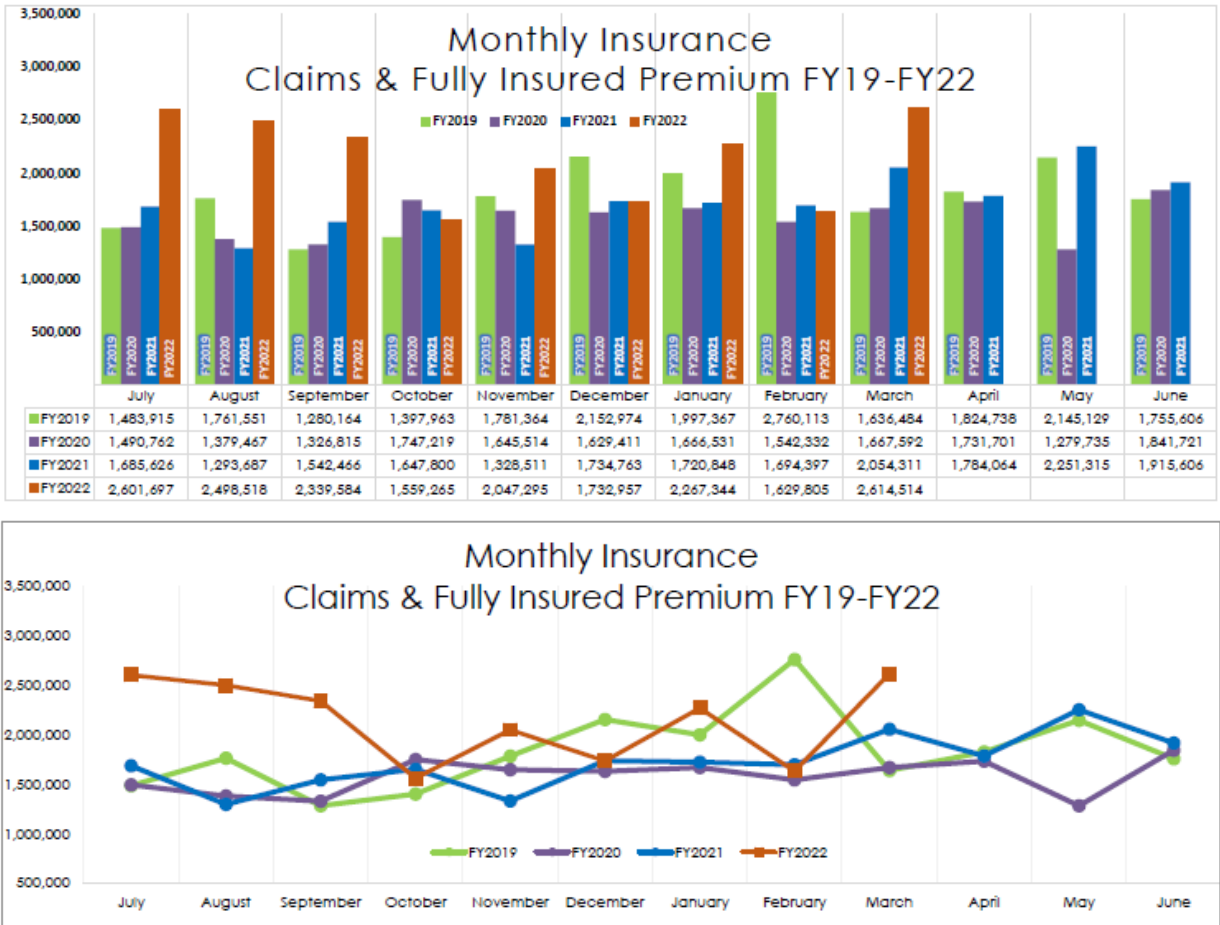
Additionally, graphs are provided in the attachment to aid in the analysis. Staff are continuing to closely monitor claims costs against budget and will bring forth a budget ordinance amendment to appropriate health insurance fund balance.

Year to date claims and premium payment through March	\$19,435,702
Less year to date stop loss credits	<u>(\$ 2,975,574)</u>
Net year to date claims and premium payment through March	\$16,460,128

Average monthly claims and fully insured premium (before stop loss) per fiscal year through March:

FY18	\$1,484,097
FY19	\$1,805,766
FY20	\$1,566,183
FY21	\$1,633,601
FY22	\$2,159,522

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



D. Southern Health Partners, Inc., Quarterly Statistical Report on Inmate Healthcare

BACKGROUND

Through a contract with the Board of County Commissioners, Southern Health Partners, Inc. has been providing services to the inmates at the Cumberland County Detention Center since July 2017.

All references to any materials which are described in these minutes or incorporated into these minutes are to the materials that are contained in the same numbered item in the agenda for this meeting. These may be viewed online in the agenda set out on this web page <https://www.cumberlandcountync.gov/departments/commissioners-group/commissioners/meetings/agendas-minutes-and-videos>

The most recently updated quarterly statistical report of inmate healthcare as reported by Southern Health Partners, Inc. is provided in the attachment.

RECOMMENDATION / PROPOSED ACTION
For information only. No action needed.

Southern Health Partners, Inc. Quarterly Statistics Report on Inmate Health Care July 1, 2018 - March 31, 2022 Provided for the Cumberland County Board of Commissioners																		
Data Set	Description	Fiscal Year 2019				Fiscal Year 2020				Fiscal Year 2021				Fiscal Year 2022				Average over all Quarters
		1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	
1	# of Hospital Admissions	6	4	4	3	3	4	2	3	2	5	8	3	5	6	8	4	
2	# Sent to Emergency Room	18	16	11	8	10	16	6	9	6	15	29	7	24	22	20	14	
3	# Outside Medical Visits (includes any specialty)	44	27	28	40	41	19	24	12	15	26	31	28	34	26	22	28	
4	# of In-House X-Ray Services	78	54	69	95	75	78	105	45	195	88	51	66	59	62	57	78	
5	# Seen On-Site By Mental Health	1220	1403	1324	963	1043	859	1034	691	528	938	733	737	960	1153	818	960	
6	# Seen by Physician and/or Physician Providers	354	288	299	319	256	300	267	196	251	321	227	248	198	161	199	259	
7	# Seen by Dentist (includes on-site & off-site)	53	42	56	69	63	51	48	54	54	52	20	49	44	38	32	48	
8	# of Raccoring Screens done by Medical Staff	0	2021	3500	2946	2924	2923	2836	1479	1959	1970	1895	2287	2616	2400	2645	2293	
9	# Seen by Medical Staff for Sick Call	3512	3672	3739	3598	3507	4304	3513	3045	3553	2834	3350	2527	4114	4384	4352	3600	
10	# of History and Physicals Performed	1365	1353	1296	1243	1721	1476	1418	925	1011	1064	933	853	906	785	996	1156	
11	# of Inpatient Patients Referred to perinatal (SICU/Neonatal/Perinatal)	538	489	486	440	342	415	312	0	0	0	0	0	0	0	0	201	
12	# of Other Sexually Transmitted Diseases	12	6	18	14	7	13	6	8	5	8	22	16	16	12	15	12	
13	# of Medical Referrals by Inmate	504	358	409	502	602	774	603	385	564	352	367	414	502	453	921	514	
14	# of Inmate Blood Sugar Checks	2508	2100	4265	3455	3362	3993	4105	2651	1818	1633	1647	1814	2706	2632	1592	2685	
15	# of Inmate Blood Pressure Checks	1193	1508	1705	2105	2510	2006	1776	1012	1036	1184	2112	1615	1480	1025	1533	1587	
16	# of TB Screens and/or PPD Tests	1365	1353	1296	1250	1305	1476	1418	925	1011	1068	933	920	906	785	2718	1249	
17	# of Staph/MRSA Patients In-house	0	1	0	15	7	1	2	1	0	2	3	4	2	2	2	3	
18	# of Pregnant Females	22	19	18	12	9	14	15	5	9	9	4	15	13	11	6	12	
19	# of HIV Patients In-House	16	11	25	26	25	14	17	12	17	15	20	13	19	18	15	18	
20	# of Inmates Placed on Suicide Watch	94	141	133	305	861	169	260	504	765	530	529	215	51	39	58	310	
21	# of Inmate Deaths	0	0	0	0	2	1	0	0	1	0	0	0	1	0	0	0	
22	# of Inmates on Detox Protocols	80	200	175	208	214	177	150	49	111	88	110	179	184	128	94	143	
23	# of Diabetic Patients	no data	no data	no data	no data	no data	no data	41	19	30	31	30	40	54	53	20	35	
24	# of Asthma Patients	no data	no data	no data	no data	no data	no data	33	12	21	15	23	40	24	46	22	26	
25	# of Meds Administered	no data	no data	no data	no data	no data	no data	no data	no data	no data	no data	1858	2470	4578	3626	3738	3254	
26	# of Medication Assisted Treatment	no data	no data	no data	no data	no data	no data	9	0	0	0	0	0	0	0	1	1	
27	# of patients tested for COVID19	no data	no data	no data	no data	no data	no data	0	121	423	886	1194	826	1134	1188	919	743	
28	# of patients testing positive for COVID19	no data	no data	no data	no data	no data	no data	0	20	9	16	98	8	11	25	133	36	
Average Daily Population per Quarter:		751	725	697	649	680	714	674	537	501	472	452	442	467	475	450	579	
ADDITIONAL INFORMATION ON OUTLIERS AS COMPARED TO AVERAGES:																		
Grey highlighted cells show outliers as compared to quarterly averages. Per contract at SHP, those quarters' data were inaccurately counted and reported.																		
Please note: HIPAA laws do not allow cause of death information to be released within the quarterly reports.																		
Line 27	Per Dr. Jennifer Green, Cumberland County Public Health Director: All new inmates are being tested upon intake (-day 5 or 6 after arrival) and quarantined.																	
Line 28	Per Dr. Jennifer Green, Cumberland County Public Health Director: Some of the positive tests were among those that were tested upon intake and already in isolation or quarantine. The detention center was in "outbreak status" during the 3rd Quarter of FY 22. The outbreak was during the height of the Omicron wave. The significant increase in the Detention Center followed the trend of an increase of cases nationwide January-March 2022. The Health Department collaborates with Detention Center staff and Southern Health Partners to appropriately isolate and quarantine individuals in the facility. The Detention Center is not currently in outbreak status.																	

E. Project Updates

BACKGROUND

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

RECOMMENDATION / PROPOSED ACTION

No action is necessary. This is 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	\$16.5M	83% Complete. Construction phase is expected to be completed by May 31, 2022. Experiencing significant supply chain and labor shortages. Awaiting delivery of critical infrastructure items (UPS and Backup Generator). Secondary fiber network permitting still pending and will significantly impact "go live" date. Estimated completion date is December 30, 2022.	3/8/2021	360 days
DSS Elevators	\$1,000,000.00	Materials are scheduled to be delivered on May 23, 2022. Will deconflict with DSS Roof Replacement project. Estimated completion is December 31, 2022.	N/A	N/A
Headquarters Library Parking Lot	\$37,200.00	Completed boring on February 16, 2022. Results should be available mid-March 2022. Will revise design based upon boring results. Revising design based upon boring results. Design will be completed by EOM May 2022. Will solicit on July 1, 2022.	5/13/2021	1/19/2022
Doorway for Register of Deeds	\$115,000.00	Construction started on date April 8, 2022. Project nearing completion.	N/A	N/A
DSS Camera Replacement and Security System Upgrades	\$219K	99% complete. Awaiting programming and issue of new access cards. Estimated completion date is May 27, 2022.	10/11/2021	270 days
Judge Maurice E. Braswell Courthouse Access Management and Security Camera System	\$452K	Kickoff meeting conducted on May 4, 2022. Expected start date is May 9, 2022. Estimated completion date is mid-July, 2022 due to all work being completed after hours.	10/11/2021	270 days
Judge Maurice E. Braswell Courthouse Bathroom Updates	Pending	Intent is to do LL bathrooms first. Finalized scope and awaiting permitting. Bids closed on March 30, 2022. Kennedy Construction was only responsive bid. Preparing release of Purchase Order. Reviewing material submittals.	N/A	N/A
DSS roof replacement	\$1.5M	Conducted pre-construction meeting on January 25, 2022. Construction will start on April 25, 2022. Estimate July 11, 2022.	N/A	N/A
Judge Maurice E. Braswell Courthouse roof replacement	\$400K	Construction started March 21, 2022. Estimated completion date is June 3, 2022.	N/A	N/A

7. CLOSED SESSION

There was no closed session.

MOTION: Commissioner Council moved to adjourn.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0) (Commissioners Boose left the meeting without having been excused.

There being no further business, the meeting adjourned at 4:20 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board

Cumberland County
Section I – Board Approved Policies
Subsection 3 – Cumberland County Financial/Audit
Policy No. 3-10: Policy of Nondiscrimination: American Rescue Plan Act Coronavirus
State and Local Fiscal Recovery Funds
(ARPA/CLSFRRF)

1.0 PURPOSE

Cumberland County has received an allocation of funds from the “Coronavirus State Fiscal Recovery Fund” or “Coronavirus Local Fiscal Recovery Fund” (together “CSLFRF funds”), established pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (the “ARP/CSLFRF award”). These funds are subject to the U.S. Department of Treasury (“Treasury”) regulations, including the Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22.

2.0 SCOPE

As a condition of receiving CSLFRF funds, Cumberland County agrees to follow all federal statutes and regulations prohibiting discrimination in its administration of CSLFRF under the terms and conditions of the ARP/CSLFRF award, including, without limitation, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury’s implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury’s implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

3.0 STATEMENT OF THE POLICY

It is the policy of Cumberland County to ensure that no person shall, on the ground of race, color, national origin (including limited English Proficiency), familial status, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subject to discrimination under any program or activity administered by Cumberland County, including programs or activities that are funded in whole or part, with Coronavirus State and Local Fiscal Recovery Funds

Cumberland County
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("CLSFRF"), which Cumberland County received from the U.S. Department of Treasury ("Treasury") pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (herein the "ARP/CLSFRF award").

GOVERNING STATUTORY & REGULATORY AUTHORITIES

As required by the CLSFRF award terms and conditions, Cumberland County shall ensure that each "activity," "facility," or "program"¹ that is funded in whole, or in part, with CLSFRF and administered under the ARP/CLSFRF award, will be facilitated, operated, or conducted in compliance with the following federal statutes and federal regulations prohibiting discrimination. These include, but are not limited to, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age within programs or activities receiving federal financial assistance; and
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

DISCRIMINATION PRACTICES PROHIBITED IN THE ADMINISTRATION OF ARP/CLSFRF AWARD

¹ 22 C.F.R. § 22.3 defines "program" and "activity" as all operations of an entity, including local governments, that receive Federal financial assistance, and the departments, agencies, or special purpose districts of the local governments to which Federal financial assistance is distributed. "Federal financial assistance" includes, among other things, grants and loans of federal funds. "Facility" includes all or any part of structures, equipment, or other real or personal property or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alteration, or acquisition of facilities.

Cumberland County
Section I – Board Approved Policies
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State and Local Fiscal Recovery Funds
(ARPA/CLSFRRF)

To ensure compliance with Title VII of the Civil Rights Act of 1964, and Title 31 Code of Federal Regulations, Part 22, the Civil Rights Restoration Act of 1987, and other pertinent nondiscrimination authorities, Cumberland County shall prohibit, at a minimum, the following practices in its administration of CLSFRRF pursuant to the ARP/CLSFRRF award:

1. Denying to a person any service, financial aid, or other program benefit without good cause;
2. Providing to a person any service, financial aid, or another benefit which is different in quantity or quality, or is provided in a different manner, from that provided to others under the program.
3. Subjecting a person to segregation or separate treatment in any matter related to the receipt of any service, financial aid, or other benefit under the program;
4. Restricting a person in the enjoyment of any advantages, privileges, or other benefits enjoyed by others receiving any service, financial aid, or other benefit under the program;
5. Treating a person differently from others in determining whether that person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet to be provided any service, financial aid, or other benefit provided under the program;
6. Implementing different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities to the program;
7. Adopting methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
8. Selecting a site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, subjecting them to discrimination, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI or related acts and regulations;
9. **Unlawfully** discriminating against any person, either directly or through a contractual agreement, in any employment resulting from the program, a primary objective of which is to provide employment;
10. Committing acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because an individual made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing.

Cumberland County
Section I – Board Approved Policies
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REPORTING & ENFORCEMENT

1. Cumberland County shall cooperate in any enforcement or compliance review activities by the Department of the Treasury. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. Cumberland County shall comply with information requests, on-site compliance reviews, and reporting requirements.
2. Cumberland County shall maintain a complaint log and inform the Treasury of any complaints of discrimination on the grounds of race, color, or national origin (including limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome. Cumberland County shall inform the Treasury if it has received no complaints under Title VI.
3. Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Treasury. Any such complaint must be in writing and filed with the Treasury's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.
4. Any person who believes that because of that person's race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by Cumberland County in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence:

Primary Contact: Chief Diversity Officer
Office of the County Manager
Cumberland County Courthouse, 5th Floor
117 Dick Street
Fayetteville, NC 28302-1829
(910) 678-7723

Secondary Contact: Employee Relations Manager
Cumberland County Human Resources Department
County Courthouse, 117 Dick Street, Room 25
Fayetteville, NC 28301
(910)-678-7653

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
CONFLICT OF INTEREST POLICY
APPLICABLE TO CONTRACTS AND SUBAWARDS OF CUMBERLAND COUNTY
SUPPORTED BY FEDERAL FINANCIAL ASSISTANCE

Adopted May ____, 2022

I. Scope of Policy

- a. Purpose of Policy. This Conflict of Interest Policy ("*Policy*") establishes conflict of interest standards that (1) apply when Cumberland County ("*Unit*") enters into a Contract (as defined in Section II hereof) or makes a Subaward (as defined in Section II hereof), and (2) meet or exceed the requirements of North Carolina law and 2 C.F.R. § 200.318(c).
- b. Application of Policy. This Policy shall apply when the Unit (1) enters into a Contract to be funded, in part or in whole, by Federal Financial Assistance to which 2 C.F.R. § 200.318(c) applies, or (2) makes any Subaward to be funded by Federal Financial Assistance to which 2 C.F.R. § 200.318(c) applies. If a federal statute, regulation, or the terms of a financial assistance agreement applicable to a particular form of Federal Financial Assistance conflicts with any provision of this Policy, such federal statute, regulation, or terms of the financial assistance agreement shall govern.

II. Definitions

Capitalized terms used in this Policy shall have the meanings ascribed thereto in this Section II. Any capitalized term used in this Policy but not defined in this Section II shall have the meaning set forth in 2 C.F.R. § 200.1.

- a. "*COI Point of Contact*" means any individual identified in Section III of this Policy.
- b. "*Contract*" means, for the purpose of Federal Financial Assistance, a legal instrument by which the Unit purchases property or services needed to carry out a program or project under a federal award.
- c. "*Contractor*" means an entity or individual that receives a Contract.
- d. "*Covered Individual*" means a Public Officer, employee, or agent of the Unit.
- e. "*Covered Nonprofit Organization*" means a nonprofit corporation, organization, or association, incorporated or otherwise, that is organized or operating in the State of North Carolina primarily for religious, charitable, scientific, literary, public health and safety, or educational purposes, excluding any board, entity, or other organization created by the State of North Carolina or the Unit.

- f. *“Direct Benefit”* means, with respect to a Public Officer or employee of the Unit, or the spouse of any such Public Officer or employee, (i) having a ten percent (10%) ownership interest or other interest in a Contract or Subaward; (ii) deriving any income or commission directly from a Contract or Subaward; or (iii) acquiring property under a Contract or Subaward.
- g. *“Federal Financial Assistance”* means federal financial assistance that the Unit receives or administers in the form of grants, cooperative agreements, non-cash contributions or donations of property (including donated surplus property), direct appropriations, food commodities, and other federal financial assistance (except that the term does not include loans, loan guarantees, interest subsidies, or insurance).
- h. *“Governing Board”* means the Board of County Commissioners of the Unit.
- i. *“Immediate Family Member”* means, with respect to any Covered Individual, (i) a spouse, and parents thereof, (ii) a child, and parent thereof, (iii) a parent, and spouse thereof, (iv) a sibling, and spouse thereof, (v) a grandparent and grandchild, and spouses thereof, (vi) domestic partners and parents thereof, including domestic partners of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with the Covered Individual is the equivalent of a family relationship.
- j. *“Involved in Making or Administering”* means (i) with respect to a Public Official or employee, (a) overseeing the performance of a Contract or Subaward or having authority to make decisions regarding a Contract or Subaward or to interpret a Contract or Subaward, or (b) participating in the development of specifications or terms or in the preparation or award of a Contract or Subaward, (ii) only with respect to a Public Official, being a member of a board, commission, or other body of which the Public Official is a member, taking action on the Contract or Subaward, whether or not the Public Official actually participates in that action.
- k. *“Pass-Through Entity”* means a non-federal entity that provides a Subaward to a Subrecipient to carry out part of a federal program.
- l. *“Public Officer”* means an individual who is elected or appointed to serve or represent the Unit (including, without limitation, any member of the Governing Board), other than an employee or independent contractor of the Unit.
- m. *“Recipient”* means an entity, usually but not limited to non-federal entities, that receives a federal award directly from a federal awarding agency. The term does not include Subrecipients or individuals that are beneficiaries of the award.
- n. *“Related Party”* means (i) an Immediate Family Member of a Covered Individual, (ii) a partner of a Covered Individual, or (iii) a current or potential employer (other than the Unit) of a Covered Individual, of a partner of a Covered Individual, or of an Immediate Family Member of a Covered Individual.

- o. “*Subaward*” means an award provided by a Pass-Through Entity to carry out part of a federal award received by the Pass-Through Entity. It does not include payments to a contractor or payments to a contractor or payments to an individual that is a beneficiary of a federal program.
- p. “*Subcontract*” means mean any agreement entered into by a Subcontractor to furnish supplies or services for the performance of a Contract or a Subcontract. It includes, but is not limited to, purchase orders, and changes and modifications to purchase orders.
- q. “*Subcontractor*” means an entity that receives a Subcontract.
- r. “*Subrecipient*” means an entity, usually but not limited to non-Federal entities, that receives a subaward from a Pass-Through Entity to carry out part of a federal award; but does not include an individual that is a beneficiary of such award. A subrecipient may also be a recipient of other Federal awards directly from a federal awarding agency.
- s. “*Unit*” has the meaning specified in Section I hereof.

III. **COI Point of Contact.**

The county manager may appoint an employee of the Unit to have primary responsibility for managing the disclosure and resolution of potential or actual conflicts of interest arising under this Policy on a grant-by-grant or project basis. The individual with responsibility for managing the disclosure and resolution of potential or actual conflicts of interest under this Section III shall be known as the “*COI Point of Contact*.”

IV. **Conflict of Interest Standards in Contracts and Subawards**

- a. North Carolina Law. North Carolina law restricts the behavior of Public Officials and employees of the Unit involved in contracting on behalf of the Unit. The Unit shall conduct the selection, award, and administration of Contracts and Subawards in accordance with the prohibitions imposed by the North Carolina General Statutes and restated in this Section IV.
 - i. G.S. § 14-234(a)(1). A Public Officer or employee of the Unit Involved in Making or Administering a Contract or Subaward on behalf of the Unit shall not derive a Direct Benefit from such a Contract or Subaward.
 - ii. G.S. § 14-234(a)(3). No Public Officer or employee of the Unit may solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment, in exchange for recommending, influencing, or attempting to influence the award of a Contract or Subaward by the Unit.
 - iii. G.S. § 14-234.3. If a member of the Governing Board of the Unit serves as a director, officer, or governing board member of a Covered Nonprofit Organization, such member shall not (1) deliberate or vote on a Contract or Subaward between the Unit and the Covered Nonprofit Corporation, (2) attempt

to influence any other person who deliberates or votes on a Contract or Subaward between the Unit and the Covered Nonprofit Corporation, or (3) solicit or receive any gift, favor, reward, service, or promise of future employment, in exchange for recommending or attempting to influence the award of a Contract or Subaward to the Covered Nonprofit Organization.

- iv. G.S. § 14-234.1. A Public Officer or employee of the Unit shall not, in contemplation of official action by the Public Officer or employee, or in reliance on information which was made known to the public official or employee and which has not been made public, (1) acquire a pecuniary interest in any property, transaction, or enterprise or gain any pecuniary benefit which may be affected by such information or other information, or (2) intentionally aid another in violating the provisions of this section.

b. Federal Standards.

- i. Prohibited Conflicts of Interest in Contracting. Without limiting any specific prohibition set forth in Section IV(a), a Covered Individual may not participate in the selection, award, or administration of a Contract or Subaward if such Covered Individual has a real or apparent conflict of interest.

- 1. Real Conflict of Interest. A real conflict of interest shall exist when the Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract or Subaward. Exhibit A attached hereto provides a non-exhaustive list of examples of (i) financial or other interests in a firm considered for a Contract or Subaward, and (ii) tangible personal benefits from a firm considered for a Contract or Subaward.

- 2. Apparent Conflict of Interest. An apparent conflict of interest shall exist where a real conflict of interest may not exist under Section IV(b)(i)(1), but where a reasonable person with knowledge of the relevant facts would find that an existing situation or relationship creates the appearance that a Covered Individual or any Related Party has a financial or other interest in or a tangible personal benefit from a firm considered for a Contract or Subaward.

ii. Identification and Management of Conflicts of Interest.

1. Duty to Disclose.

Each Covered Individual expected to be or actually involved in the selection, award, or administration of a Contract or Subaward has an ongoing duty to disclose to the COI Point of Contact, or the county manager if a COI Point of Contact has not been designated, potential real or apparent conflicts of interest arising under this Policy.

2. Notice of Disclosure.

Upon the county manager's receipt of notice of a potential conflict of interest under this Section IV, the county manager shall consult with the county attorney to determine the appropriate action to be taken to address it and report such proposed action to the Governing Board.

V. Oversight of Subrecipient's Conflict of Interest Standards

- a. Subrecipients of Unit Must Adopt Conflict of Interest Policy. Prior to the Unit's execution of any Subaward for which the Unit serves as a Pass-Through Entity, the county manager shall ensure that the proposed Subrecipient of Federal Financial Assistance has adopted a conflict of interest policy that satisfies the requirements of 2 C.F.R. § 200.318(c)(1), 2 C.F.R. § 200.318(c)(2), and all other applicable federal regulations.
- b. Obligation to Disclose Subrecipient Conflicts of Interest. The county manager shall ensure that the legal agreement under which the Unit makes a Subaward to a Subrecipient shall require such Subrecipient to disclose to the COI Point of Contact designated in the agreement any potential real or apparent conflicts of interest that the Subrecipient identifies. Upon receipt of such disclosure, the county manager shall disclose such information to the federal awarding agency that funded the Subaward in accordance with that agency's disclosure policy.

VI. Gift Standards

- a. Federal Standard. Subject to the exceptions set forth in Section VI(b), a Covered Individual may not solicit or accept gratuities, favors, or anything of monetary value from a Contractor or a Subcontractor.
- b. Exception. Notwithstanding Section VI(a), a Covered Individual may accept an unsolicited gift from a Contractor or Subcontractor of one or more types specified below if the gift has an aggregate market value of \$20 or less per source per occasion, provided that the aggregate market value of all gifts received by the Covered Individual pursuant to this Section VI(b) does not exceed \$50 in a calendar year:
 - i. honorariums for participating in meetings;
 - ii. advertising items or souvenirs of nominal value; or
 - iii. meals furnished at banquets.
- c. Internal Reporting. A Covered Individual shall report any gift accepted under Section VI(b) to the COI Point of Contact or the county manager if a COI Point of Contact has not been designated. If required by regulation of a federal awarding agency, the COI Point of Contact or county manager shall report such gifts to the federal awarding agency or a Pass-Through Entity for which the Unit is a Subrecipient.

VII. Violations of Policy

- a. Disciplinary Actions for Covered Individuals. Any Covered Individual that fails to disclose a real, apparent, or potential real or apparent conflict of interest arising with respect to the Covered Individual or Related Party may be subject to disciplinary action, including, but not limited to, an employee’s termination or suspension of employment with or without pay, the consideration or adoption of a resolution of censure of a Public Official by the Governing Board, or termination of an agent’s contract with the Unit.
- b. Disciplinary Actions for Contractors and Subcontractors. The Unit shall terminate any Contract with a Contractor or Subcontractor that violates any provision of this Policy.
- c. Protections for Whistleblowers. In accordance with 41 U.S.C. § 4712, Unit shall not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant: (i) a member of Congress or a representative of a committee of Congress; (ii) an Inspector General; (iii) the Government Accountability Office; (iv) a Treasury or other federal agency employee responsible for grant oversight or management; (v) an authorized official of the Department of Justice or other law enforcement agency; (vi) a court or grand jury; of (vii) a management official or other employee of the Unit, a Contractor, or Subcontractor who has the responsibility to investigate, discover, or address misconduct.

Adopted this the _____ day of April, 2022.

EXHIBIT A

Examples

<i>Potential Examples of a “Financial or Other Interest” in a Firm or Organization Considered for a Contract or Subaward</i>	<i>Potential Examples of a “Tangible Personal Benefit” From a Firm or Organization Considered for a Contract or Subaward</i>
Direct or indirect equity interest in a firm or organization considered for a Contract or Subaward, which may include: <ul style="list-style-type: none">- Stock in a corporation.- Membership interest in a limited liability company.- Partnership interest in a general or limited partnership.- Any right to control the firm or organization’s affairs. For example, a controlling equity interest in an entity that controls or has the right to control a firm considered for a contract.- Option to purchase any equity interest in a firm or organization.	Opportunity to be employed by the firm considered for a contract, an affiliate of that firm, or any other firm with a relationship with the firm considered for a Contract. A position as a director or officer of the firm or organization, even if uncompensated.
Holder of any debt owed by a firm considered for a Contract or Subaward, which may include: <ul style="list-style-type: none">- Secured debt (e.g., debt backed by an asset of the firm (like a firm’s building or equipment))- Unsecured debt (e.g., a promissory note evidencing a promise to repay a loan).<ul style="list-style-type: none">o Holder of a judgment against the firm.	A referral of business from a firm considered for a Contract or Subaward.
Supplier or contractor to a firm or organization considered for a Contract or Subaward.	Political or social influence (e.g., a promise of appointment to an local office or position on a public board or private board).



ARP CONFLICT OF INTEREST DISCLOSURE FORM
FOR
CONTRACTS AND SUBAWARDS

Name:	
County Department or Employer:	
Position/Job Title:	
Date of Completion:	

Background: Cumberland County has received an allocation of funds from the "Coronavirus State Fiscal Recovery Fund" or "Coronavirus Local Fiscal Recovery Fund" (together "CSLFRF funds"), established pursuant to Sections 602 and 603 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (the "ARP/CSLFRF award"). These funds are subject to the U.S. Department of Treasury ("Treasury") regulations, including the Final Rule, the Award Terms and Conditions, and the Title VII implementing regulations at 31 C.F.R. Part 22.

Purpose: Compliance with conflict of interest standards when Cumberland County enters into a Contract or Subaward using federal financial assistance such as ARP/CSLFRF funding. The purpose of disclosure of financial and personal interests (business, professional, or political) related to covered individuals is to avoid real or apparent conflicts of interest as it relates to contracts or subawards supported by federal financial assistance. Covered individuals include Public Officers such as the Board of Commissioners, employees or anyone involved in the selection, decision-making, award, or administrative process of the contract or subaward.

Covered Individuals have an affirmative duty to disclose any real or apparent conflicts of interest between their public and private interests. Also, personal relationships that may inappropriately influence (bias) or appear to influence actions must be disclosed.

Please answer the following questions:

I acknowledge that I have reviewed and understand Cumberland County's Conflict of Interest Policy.

Yes _____ No _____

If no, do not proceed to complete this form until you have reviewed the County's Conflict of Interest Policy.

1. Do you or your spouse or someone that you reside with serve as a director, officer, or governing board member of the firm that is under consideration for the Contract or Subaward?

Yes _____ No _____ Unsure _____

If the answer is Yes or Unsure, please explain:

2. Do you or your spouse or someone that you reside with have a ten percent (10%) ownership interest or other interest in the firm that is under consideration for the Contract or Subaward?

Yes _____ No _____ Unsure _____

If the answer is Yes or Unsure, please explain:

3. Do you or your spouse or someone that you reside with have any financial interest in the firm that is under consideration for the Contract or Subaward?
Yes _____ No _____ Unsure _____
If the answer is Yes or Unsure, please explain:
4. Do you or your spouse or someone that you reside with derive any income or commission directly from the firm that is under consideration for the Contract or Subaward?
Yes _____ No _____ Unsure _____
If the answer is Yes or Unsure, please explain:
5. Will you or your spouse or someone that you reside with acquire any property as a result of the firm under consideration being awarded the Contract or Subaward?
Yes _____ No _____ Unsure _____
If the answer is Yes or Unsure, please explain:
6. Will you or your spouse or someone that you reside receive any tangible personal benefit as a result of the firm under consideration being awarded the Contract or Subaward? See Exhibit A attached hereto for a non-exhaustive list of examples of (i) financial or other interests in a firm considered for a Contract or Subaward, and (ii) tangible personal benefits from a firm considered for a Contract or Subaward.
Yes _____ No _____ Unsure _____
If the answer is Yes or Unsure, please explain:
7. Do you or your spouse or someone that you reside with have any financial interest in any property, transaction, employer (other than the county), business or enterprise which may be affected by the approval of the Contract or Subaward to the firm under consideration?
Yes _____ No _____ Unsure _____
If the answer is Yes or Unsure, please explain:
8. Will you or your spouse or someone that you reside with gain any financial benefits (regardless of the amount) by the approval of the Contract or Subaward to the firm under consideration?
Yes _____ No _____ Unsure _____
If the answer is Yes or Unsure, please explain:

9. Will you or your spouse or someone that you reside with derive any type of benefit (financial or otherwise) from the approval of the Contract or Subaward to the firm under consideration?
Yes _____ No _____ Unsure _____
If the answer is Yes or Unsure, please explain:

10. Have you or your spouse or someone that you reside with solicited or received any gift, favor, reward, service, or promise of reward, including a promise of future employment in exchange for recommending, influencing or attempting to influence the award of the Contract or Subaward to the firm under consideration?
Yes _____ No _____ Unsure _____
If the answer is Yes or Unsure, please explain:

For purposes of the following questions your "Immediate Family Members" include: (i) your spouse and their parents, (ii) your child, (iii) your parent and any spouse of your parent, (iv) your sibling and any spouse of your sibling, (v) your grandparents or grandchildren, and the spouses of each, (vi) any domestic partner of any individual in (ii) through (v) of this definition; and (vii) any individual related by blood or affinity whose close association with you is the equivalent of a family relationship.

11. Do you have an Immediate Family Member with any financial interest in the firm under consideration for the Contract or subaward?
Yes _____ No _____ Unsure: _____
If the answer is Yes or Unsure, please explain:

12. Do you have an Immediate Family Member that will receive a tangible personal benefit from the firm under consideration for the Contract or subaward?
Yes _____ No _____ Unsure: _____
If the answer is Yes or Unsure, please explain:

13. Do you have an Immediate Family Member who has any type of interest (financial or otherwise) in the firm under consideration for the Contract or subaward?
Yes _____ No _____ Unsure: _____
If the answer is Yes or Unsure, please explain:

14. Does a current or potential employer of any of your Immediate Family Members have a financial or other interest in the firm under consideration for the Contract or subaward?
Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

15. Will a current or potential employer of any of your Immediate Family Members receive a tangible personal benefit should the firm under consideration receive the Contract or subaward?
Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

16. Do you or your spouse or someone that you reside with have any contact with or any kind of relationship with the owners or employees or anyone associated with the firm under consideration for the Contract or Subaward?
Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

17. Does any existing personal or business situation or personal or business relationship create the appearance that you have a financial or other interest in the firm under consideration for the Contract or Subaward?
Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

18. Does any existing personal or business situation or personal or business relationship create the appearance that you will receive a tangible personal benefit from the firm under consideration for the Contract or Subaward?
Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

19. Does any existing personal or business situation or personal or business relationship of an Immediate Family Member of yours create the appearance that an Immediate Family Member of yours has a financial or other interest in a firm under consideration for the Contract or Subaward?
Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

20. Does any existing personal or business situation or personal or business relationship of an Immediate Family Member of yours create the *appearance* that an Immediate Family Member of yours will receive a tangible benefit from the firm under consideration for the Contract or Subaward?
Yes _____ No _____ Unsure: _____

If the answer is Yes or Unsure, please explain:

If replying "Yes" to questions 1 through 20 above, the ARP/CSLFRF County Designee will complete a description of the steps that will be taken to address any conflicts of interest.

Signature:		Date:	
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For County Designee Use Only

Identified Real or Apparent Conflict of Interest	Action Steps
County Designee	
Name:	
County Department:	
Position/Job Title:	
Date of Completion:	

Cumberland County
Section I – Board Approved Policies
Subsection 3 – Cumberland County Financial/Audit
Policy No. 3-9: Policy for Eligibility Determination for Expenditures of American Rescue
Plan Act Coronavirus State and Local Fiscal Recovery Funds
(ARPA/CLSFRRF)

1.0 PURPOSE

Cumberland County has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARPA/CLSFRRF). A separate ARPA fund has been established through an ARPA Grant Project Ordinance to budget and account for receipt and use of the funds.

2.0 SCOPE

These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Provide services to disproportionately impacted communities to include providing housing support, healthy childhood environments, social, emotional and mental health services;
4. Provide premium pay for essential workers offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors;
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.
6. Revenue replacement; and,
7. Administrative expenses.

These funds are subject to the provisions of the federal Uniform Grant Guidance, 2 CFR Part 200 (UG), as provided in the Assistance Listing; and the Compliance and Reporting Guidance for the State and Local Fiscal Recovery Funds which dictate implementation of the ARP/CLSFRRF award terms and compliance requirements. Cumberland County must develop and implement effective internal controls to ensure that funding decisions under the SLFRRF award constitute eligible uses of funds, and document determinations.

3.0 STATEMENT OF THE POLICY

Cumberland County hereby adopts and enacts the following Eligibility Determination Policy for the expenditure of ARPA/CLSFRRF funds.

PERMISSIBLE USES OF ARP/CSLFRF FUNDING

US Treasury issued its **Final Rule** regarding use of ARPA funds on January 6, 2022. (The Final Rule is effective as of April 1, 2022. Until that date, a local government may proceed under the regulation promulgated by US Department of the Treasury in its **Interim Final Rule** or the Final Rule.) The Final Rule (and the Interim Final Rule) identify permissible uses of ARP/CSLFRF funds and certain limitations and process requirements. Cumberland County must allocate ARP/CSLFRF funds no later than December 31, 2024 and disburse all funding no later than December 31, 2026. Failure of an entity to expend all funds by December 31, 2026 will result in forfeiture of ARPA funds.

ARP/CSLFRF funds may be used for projects within the following categories of expenditures:

1. Support COVID-19 public health expenditures, by funding COVID-19 mitigation and prevention efforts, medical expenses, behavioral healthcare, preventing and responding to violence, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, non-profits, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

PROHIBITED USES OF ARPA FUNDING

The ARP/CSLFRF and US Treasury's Final Rule prohibit certain uses of ARP/CSLFRF funds. Specifically, ARP/CSLFRF funds may not be used for projects within the following categories of expenditures:

1. To make a deposit into a pension fund that constitutes an extraordinary payment of an accrued, unfunded liability (Note that routine contributions as part of a payroll obligation for an eligible project are allowed.);
2. To borrow money or make debt service payments;
3. To replenish rainy day funds or fund other financial reserves;
4. To satisfy an obligation arising from a settlement agreement, judgment, consent decree, or judicially confirmed debt restricting in a judicial, administrative, or regulatory proceeding (There is an exception to this prohibition if the settlement or judgment requires Cumberland County to provide services to respond to the COVID-19 public health emergency or its negative economic impacts or to provide government services, then the costs of those otherwise ARP/CSLFRF-eligible projects are allowed.);
5. For a project that includes a term or condition that undermines efforts to stop the spread of COVID-19 or discourages compliance with recommendations and guidelines in CDC guidance for stopping the spread of COVID-19;
6. In violation of the conflict-of-interest requirements imposed by the award terms and 2 CFR 200.318(c).
7. For any expenditure that would violate other applicable federal, state, and local laws and regulations.

Cumberland County and any of its contractors or subrecipients, shall not expend any ARP/CSLFRF funds for these purposes.

PROCEDURES FOR PROJECT APPROVAL

The following are procedures for ARP/CSLFRF project approvals. All Cumberland County employees and officials must comply with these requirements.

1. Requests for ARP/CSLFRF funding eligibility determination, must be documented on the Cumberland County ARPA Project Funding Eligibility Determination Form which shall include all the following:
 - a. Brief description of the project
 - b. Identification of ARP/CSLFRF Expenditure Category (EC)
 - c. Required justifications for applicable projects, according to the requirements in the Final Rule.
 - d. Proposed budget, broken down by cost item, in accordance with Cumberland County's Allowable Cost Policy.
 - e. A project implementation plan and estimated implementation timeline (All ARP/CSLFRF funds must be fully obligated by December 31, 2024, and fully expended by December 31, 2026.)
2. Eligibility Determination forms must be submitted to Cumberland County's ARPA Staff Committee for consideration and preliminary review.
3. If a proposal does not meet the required criteria as documented on the form, the requesting party may be requested to revise and resubmit.
4. All requests being recommended to move forward to the Board of Commissioner's ARP Committee will be reviewed by the County Attorney's Office for ARP/CSLFRF compliance and by the ARPA Finance Accountant for contractor/sub-recipient relationship determination other financial review such as a valid SAM registration (if applicable) and vendor setup information required to establish a formal agreement with Cumberland County.
5. Following approval, employees responsible for implementing the project must conform actual obligations and expenditures to the pre-approved project budget. Any changes in project budgets must be approved in advance and may require a budget amendment before proceeding. Any delay in the projected project completion date shall be communicated to the ARPA Program Manager immediately.
6. The ARPA Finance Accountant must collect and document required information for each EC, for purposes of completing the required Project and Expenditure reports.
7. No ARP/CSLFRF project expenditures may be obligated or expended before the Board of County Commissioners approves the use within the grant project budget ordinance.
8. For audit purposes, the ARPA Finance Accountant must maintain a file containing project requests and approvals, all supporting documentation, and financial information at least until December 31, 2031.

Cumberland County American Rescue Plan Act of 2021 Coronavirus State and Local Fiscal Recovery Fund Project Funding Eligibility Determination

Reference Cumberland County Policy No. 3-9 – Policy for Eligibility Determination for Expenditure of ARPA/CLSRF

BASIC INFORMATION AND DESCRIPTION

Program/Project Name:	
Program/Project Description:	
Responsible Department/Committee:	
Program/Project Manager Name:	
Total Amount Requested:	
Treasury Expenditure Category Level:	Choose an item.
Treasury Expenditure Category:	Choose an item.

ELIGIBILITY REVIEW

Please select appropriate ARP/CLSRF Category below and complete the required information. Note that each requested project may only be associated with one of the following categories as selected above. Please complete all information in the applicable category and attach any required additional justifications and documentation.

1. Public Health		
A. Enumerated Uses/ Safe Harbors (Must select one) <div><input type="checkbox"/> COVID-19 mitigation & prevention* <input type="checkbox"/> Medical expenses* <input type="checkbox"/> Behavioral health care* <input type="checkbox"/> Preventing & responding to violence* <input type="checkbox"/> Not on Enumerated List (Must complete Box B.)</div>		
*See detailed list of enumerated projects in each of these categories in Attachment A.		
B. Written Justification (Please provide detailed responses to both these questions if checked "Not on Enumerated List" in Box A) (1) What is the specific negative public health impact or harm experienced by an individual or a class? (2) How does proposed project address the negative public health impact or harm?		
C. Is the project reasonably designed to benefit the individual or class that experienced a public health impact or harm?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
D. Is the project related and reasonably proportional to the extent and type of public health impact or harm experienced?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
E. Does proposed project involve a capital expenditure between \$1 million and \$10 million?	<input type="checkbox"/> Yes – Proceed to Box F.	<input type="checkbox"/> No – Proceed to Box G.
F. Is proposed project on enumerated list in Box A? *Written justification must include the following elements: • Describe the harm or need to be addressed; • Explain why a capital expenditure is appropriate; and • Compare the proposed capital expenditure to at least two alternative capital expenditures and demonstrate why the proposed capital expenditure is superior.	<input type="checkbox"/> Yes – Record written justification* in file, but not required in Project & Expenditure Reports	<input type="checkbox"/> No – Record written justification* in file and include in Project & Expenditure Reports

G. Does the proposed project involve a capital expenditure of \$10 million or more?		<input type="checkbox"/> Yes – Record written justification* for file and include in Project & Expenditure Reports	<input type="checkbox"/> No – No further action required.
2. <u>Negative Economic Impact</u>			
A. Enumerated Beneficiaries (Must select one) <i>*See detailed list of enumerated beneficiaries and income in Attachment B.</i>			
Beneficiaries Who Experience Negative Economic Impact from the Pandemic		Beneficiaries Who Experienced Disproportionately Negative Economic Impact from the Pandemic	
<input type="checkbox"/> Low-moderate income households or communities		<input type="checkbox"/> Low-income households and communities	
<input type="checkbox"/> Household that experienced unemployment		<input type="checkbox"/> Households residing in a Qualified Census Tract (QCT)	
<input type="checkbox"/> Households that experienced increased food or housing insecurity		<input type="checkbox"/> Households that qualify for Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Free- and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs, Medicare Part D Low-Income Subsidies, Supplemental Security Income (SSI), Head Start and/or Early Head Start, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Section 8 Vouchers, Low-Income Home Energy Assistance Program (LIHEAP), and Pell Grants. For services to address educational disparities, Treasury will recognize Title I eligible schools as disproportionately impacted and responsive services that support the school generally or support the whole school as eligible.	
<input type="checkbox"/> Households that qualify for the Children’s Health Insurance Program, Childcare Subsidies through the Child Care Development Fund Program, or Medicaid		<input type="checkbox"/> Small businesses operating in a Qualified Census Tract (QCT)	
<input type="checkbox"/> When providing affordable housing programs: households that qualify for the National Housing Trust Fund and Home Investment Partnerships Program		<input type="checkbox"/> Nonprofits operating in a Qualified Census Tract (QCT)	
<input type="checkbox"/> When providing services to address lost instructional time in K-12 schools: any student that lost access to in-person instruction for a significant period		<input type="checkbox"/> Not on enumerated list (Must complete Box B.)	
<input type="checkbox"/> Small business that experienced decreased revenue or gross receipts, increased costs, financial insecurity, or other financial challenges due to the pandemic			
<input type="checkbox"/> Nonprofit the experienced decreased revenue, increased costs, financial insecurity, or other financial challenges due to the pandemic			
<input type="checkbox"/> Travel, tourism, hospitality industries			
<input type="checkbox"/> Other industry that experienced at least 8% employment loss from pre-pandemic levels or is experiencing comparable or worse economic impacts as national tourism, travel, and hospitality sector			
<input type="checkbox"/> Local government			
B. Written Justification (Provide detailed response to this question if proposed beneficiary not on enumerated list in Box A) Define the group/class/geographical area that experienced a negative economic impact from the COVID-19 pandemic. Be specific in defining group/class/area and in defining the negative economic impact to the group/class/area.			
C. Enumerated / Safe Harbor Projects (Must Select One)			
Projects for Negatively Economically Impacted		Projects for Disproportionately Negatively Economically Impacted	
<u>Households & Communities</u>		<u>Households & Communities</u>	
<input type="checkbox"/> Food assistance & food banks		<input type="checkbox"/> Pay for community health workers to help households access health & social services	
<input type="checkbox"/> Emergency housing assistance: rental assistance, mortgage			

assistance, utility assistance, assistance paying delinquent property taxes, counseling and legal aid to prevent eviction and homelessness & emergency programs or services for homeless individuals, including temporary residences for people experiencing homelessness

- ☐ Health insurance coverage expansion
- ☐ Benefits for surviving family members of individuals who have died from COVID-19
- ☐ Assistance to individuals who want and are available for work, including job training, public jobs programs and fairs, support for childcare and transportation to and from a jobsite or interview, incentives for newly- employed workers, subsidized employment, grants to hire underserved workers, assistance to unemployed individuals to start small businesses & development of job and workforce training centers
- ☐ Financial services for the unbanked and underbanked
- ☐ Burials, home repair & home weatherization
- ☐ Programs, devices & equipment for internet access and digital literacy, including subsidies for costs of access
- ☐ Cash assistance
- ☐ Paid sick, medical, and family leave programs
- ☐ Assistance in accessing and applying for public benefits or services
- ☐ Childcare and early learning services, home visiting programs, services for child welfare- involved families and foster youth & childcare facilities
- ☐ Assistance to address the impact of learning loss for K-12 students (e.g., high-quality tutoring, differentiated instruction)
- ☐ Programs or services to support long-term housing security: including development of affordable housing and permanent supportive housing

Small Businesses

- ☐ Loans or grants to mitigate financial hardship, such as by supporting payroll and benefits, costs to retain employees, and mortgage, rent, utility, and other operating costs
- ☐ Technical assistance, counseling, or other services to support business planning

Nonprofits

- ☐ Loans or grants to mitigate financial hardship
- ☐ Technical or in-kind assistance or other services that mitigate negative economic impacts of the pandemic

Travel, Tourism, Hospitality Industry

- ☐ Aid to mitigate financial hardship, such as supporting payroll costs, lost pay and benefits for returning employees, support of operations and maintenance of existing equipment and facilities
- ☐ Technical assistance, counseling, or other services to support business planning
- ☐ COVID-19 mitigation and infection prevention measures (see section Public Health)

- ☐ Remediation of lead paint or other lead hazards
- ☐ Primary care clinics, hospitals, integration of health services into other settings, and other investments in medical equipment & facilities designed to address health disparities
- ☐ Housing vouchers & assistance relocating to neighborhoods with higher economic opportunity
- ☐ Investments in neighborhoods to promote improved health outcomes
- ☐ Improvements to vacant and abandoned properties, including rehabilitation or maintenance, renovation, removal and remediation of environmental contaminants, demolition or deconstruction, greening/vacant lot cleanup & conversion to affordable housing
- ☐ Services to address educational disparities, including assistance to high-poverty school districts & educational and evidence-based services to address student academic, social, emotional, and mental health needs
- ☐ Schools and other educational equipment & facilities

Small Businesses

- ☐ Rehabilitation of commercial properties, storefront improvements & façade improvements
- ☐ Technical assistance, business incubators & grants for start-up or expansion costs for small businesses
- ☐ Support for microbusinesses, including financial, childcare, and transportation costs

Local Government

☐ Public safety, public health, and human services salaries/benefits, to extent responding to the COVID-19 public health emergency

☐ Restoring pre-pandemic employment levels

☐ Effective service delivery

☐ Not on enumerated list (Must proceed to Box D.)

D. Written Justification (Provide detailed response to this question if proposed project not on enumerated list in Box C.)

(1) What is the specific negative economic impact or harm caused or exacerbated by the pandemic?

(2) How does the proposed project address the impact or harm?

E. Is the project reasonably designed to benefit the individual or class that experienced a public health impact or harm?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
F. Is the project related and reasonably proportional to the extent and type of public health impact or harm experienced?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
G. Does proposed project involve a capital expenditure between \$1 million and \$10 million?	<input type="checkbox"/> Yes – Proceed to H.	<input type="checkbox"/> No – Go to Box I.
H. Is proposed project on enumerated list in Box C? <i>*Written justification must include the following elements:</i> <ul style="list-style-type: none">Describe the harm or need to be addressed;Explain why a capital expenditure is appropriate; andCompare the proposed capital expenditure to at least two alternative capital expenditures and demonstrate why the proposed capital expenditure is superior.	<input type="checkbox"/> Yes – Record written justification* for file, but not required in Project & Expenditure Reports	<input type="checkbox"/> No – Record written justification* for file and include in Project & Expenditure Reports
I. Does the proposed project involve a capital expenditure of \$10 million or more?	<input type="checkbox"/> Yes – Record written justification* for file and include in Project & Expenditure Reports	<input type="checkbox"/> No – No further action needed

3. Premium Pay

Please provide description of project and attach any necessary documentation. Must conform with requirements in 31 CFR 35.6(c). (More details on this expenditure category are available [here](#).)

4. Water, Sewer, Stormwater Infrastructure

Please provide description of project and attach any necessary documentation. Must conform with requirements in 31 CFR 35.6(e)(1).

5. Broadband Infrastructure

Please provide description of project and attach any necessary documentation. Must conform with requirements in 31 CFR 35.6(e)(2).

6. Revenue Loss

This portion of ARP/CSLFRF funds may be used for the provision of government services. Please provide description of project and attach any necessary documentation. Note that water, sewer, stormwater, and broadband projects may be funded in this category, without having to meet all of the criteria specified in the other categories.

Key Project Dates

Due Date	Task Type	Task Description	Status
	Choose an item.		Choose an item.
	Choose an item.		Choose an item.
	Choose an item.		Choose an item.

Proposed Project Budget, delineated by Cost Item for Allowable Cost Review

U.G. Provisions	Cost Items	Estimated Amount	Necessary/ Reasonable	% Allocable	Required Documentation
200.430	Compensation		Choose an item.		
200.431	Fringe Benefits		Choose an item.		
200.475	Travel		Choose an item.		

200.439	Equipment & Other Capital		Choose an item.		
200.453	Materials & Supplies		Choose an item.		
200.318 & 200.92	Contractual Services & Subawards		Choose an item.		
200.459	Consultants / Professional Services		Choose an item.		
200.465	Occupancy (Rent & Utilities)		Choose an item.		
200.471	Telecommunications		Choose an item.		
200.473	Training & Education		Choose an item.		
200.413 (c)	Direct Administrative Costs		Choose an item.		
	Add'l Cost Item		Choose an item.		
	Total Direct Costs		Choose an item.		
200.414	Indirect Costs		Choose an item.		
Total Project Budget					

PROHIBITIONS VERIFICATION:

By checking these boxes, the [REVIEWER NAME HERE] attests that the statements are true.

- ☐ Project does not contravene the statutory purpose of ARP, including program, service, or capital expenditure that includes a term or condition that undermines efforts to stop the spread of COVID-19
- ☐ No Conflict of Interest
- ☐ Complies with all state and federal laws and local ordinance
- ☐ No pension fund deposit
- ☐ No borrowings or debt service
- ☐ No financial reserves

STOP HERE – REVIEW MOVES FORWARD ONLY IF PROJECT IS BEING RECOMMENDED TO THE BOARD OF COMMISSIONERS’ ARP COMMITTEE

Administrative Classification – to determine whether contractor/vendor OR sub-recipient/subaward, complete Attachment C. After completing Attachment C and the determination is Sub-recipient/subaward, complete Attachment D – Risk Assessment. The level of risk will determine the needed monitoring at levels described on Attachment E - Monitoring.

Administration Type	<input type="checkbox"/> In-House	<input type="checkbox"/> Contractor/Vendor	<input type="checkbox"/> Sub-Recipient/Subaward
If Contractor/Vendor or Sub-recipient, has this been verified using the Classification Checklist?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Program Sub-Recipient and/or Contractor List:

Name	Tax ID #	Completion of Classification Checklist?	Contractor or Sub-Recipient	DUNS #/UEI	Date checked SAM.gov
		Choose an item.	Choose an item.		
		Choose an item.	Choose an item.		
		Choose an item.	Choose an item.		

JUSTIFICATION AND LEGAL REVIEW FOR STATE AUTHORITY:

DRAFT 5-2-22 ARP COMMITTEE

ATTACHMENT A (PAGE 1)

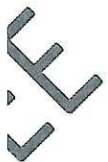
SPECIFIC ENUMERATED PROJECTS FROM THE FINAL RULE

RESPONDING TO THE PUBLIC HEALTH EMERGENCY

While the country has made tremendous progress in the fight against COVID-19, including a historic vaccination campaign, the disease still poses a grave threat to Americans’ health and the economy. Providing state, local, and Tribal governments the resources needed to fight the COVID-19 pandemic is a core goal of the Coronavirus State and Local Fiscal Recovery Funds, as well as addressing the other ways that the pandemic has impacted public health. Treasury has identified several public health impacts of the pandemic and enumerated uses of funds to respond to impacted populations.

- **COVID-19 mitigation and prevention.** The pandemic has broadly impacted Americans and recipients can provide services to prevent and mitigate COVID-19 to the general public or to small businesses, nonprofits, and impacted industries in general. Enumerated eligible uses include:
 - ✓ Vaccination programs, including vaccine incentives and vaccine sites
 - ✓ Testing programs, equipment and sites
 - ✓ Monitoring, contact tracing & public health surveillance (e.g., monitoring for variants)
 - ✓ Public communication efforts
 - ✓ Public health data systems
 - ✓ COVID-19 prevention and treatment equipment, such as ventilators and ambulances
 - ✓ Medical and PPE/protective supplies
 - ✓ Support for isolation or quarantine
 - ✓ Ventilation system installation and improvement
 - ✓ Technical assistance on mitigation of COVID-19 threats to public health and safety
 - ✓ Transportation to reach vaccination or testing sites, or other prevention and mitigation services for vulnerable populations
 - ✓ Support for prevention, mitigation, or other services in congregate living facilities, public facilities, and schools
 - ✓ Support for prevention and mitigation strategies in small businesses, nonprofits, and impacted industries
 - ✓ Medical facilities generally dedicated to COVID-19 treatment and mitigation (e.g., ICUs, emergency rooms)
 - ✓ Temporary medical facilities and other measures to increase COVID-19 treatment capacity
 - ✓ Emergency operations centers & emergency response equipment (e.g., emergency response radio systems)
 - ✓ Public telemedicine capabilities for COVID-19 related treatment

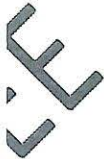
ATTACHMENT A (PAGE 2)



- **Medical expenses.** Funds may be used for expenses to households, medical providers, or others that incurred medical costs due to the pandemic, including:
 - ✓ Unreimbursed expenses for medical care for COVID-19 testing or treatment, such as uncompensated care costs for medical providers or out-of-pocket costs for individuals
 - ✓ Paid family and medical leave for public employees to enable compliance with COVID-19 public health precautions
 - ✓ Emergency medical response expenses
 - ✓ Treatment of long-term symptoms or effects of COVID-19
- **Behavioral health care, such as mental health treatment, substance use treatment, and other behavioral health services.** Treasury recognizes that the pandemic has broadly impacted Americans' behavioral health and recipients can provide these services to the general public to respond. Enumerated eligible uses include:
 - ✓ Prevention, outpatient treatment, inpatient treatment, crisis care, diversion programs, outreach to individuals not yet engaged in treatment, harm reduction & long-term recovery support
 - ✓ Enhanced behavioral health services in schools
 - ✓ Services for pregnant women or infants born with neonatal abstinence syndrome
 - ✓ Support for equitable access to reduce disparities in access to high-quality treatment
 - ✓ Peer support groups, costs for residence in supportive housing or recovery housing, and the 988 National Suicide Prevention Lifeline or other hotline services
 - ✓ Expansion of access to evidence-based services for opioid use disorder prevention, treatment, harm reduction, and recovery
 - ✓ Behavioral health facilities & equipment
- **Preventing and responding to violence.** Recognizing that violence – and especially gun violence – has increased in some communities due to the pandemic, recipients may use funds to respond in these communities through:
 - ✓ Referrals to trauma recovery services for victims of crime
 - ✓ Community violence intervention programs, including:
 - Evidence-based practices like focused deterrence, with wraparound services such as behavioral therapy, trauma recovery, job training, education, housing and relocation services, and financial assistance
 - ✓ In communities experiencing increased gun violence due to the pandemic:
 - Law enforcement officers focused on advancing community policing
 - Enforcement efforts to reduce gun violence, including prosecution
 - Technology & equipment to support law enforcement response

ATTACHMENT B (PAGE 1)

SPECIFIC ENUMERATED BENEFICIARIES AND INCOME FROM THE FINAL RULE



The pandemic caused severe economic damage and, while the economy is on track to a strong recovery, much work remains to continue building a robust, resilient, and equitable economy in the wake of the crisis and to ensure that the benefits of this recovery reach all Americans. While the pandemic impacted millions of American households and businesses, some of its most severe impacts fell on low-income and underserved communities, where pre-existing disparities amplified the impact of the pandemic and where the most work remains to reach a full recovery.

The final rule recognizes that the pandemic caused broad-based impacts that affected many communities, households, and small businesses across the country; for example, many workers faced unemployment and many small businesses saw declines in revenue. The final rule describes these as “impacted” households, communities, small businesses, and nonprofits.

At the same time, the pandemic caused disproportionate impacts, or more severe impacts, in certain communities. For example, low-income and underserved communities have faced more severe health and economic outcomes like higher rates of COVID-19 mortality and unemployment, often because pre-existing disparities exacerbated the impact of the pandemic. The final rule describes these as “disproportionately impacted” households, communities, small businesses, and nonprofits.

To simplify administration of the program, the final rule presumes that certain populations were “impacted” and “disproportionately impacted” by the pandemic; these populations are presumed to be eligible for services that respond to the impact they experienced. The final rule also enumerates a non-exhaustive list of eligible uses that are recognized as responsive to the impacts or disproportionate impacts of COVID-19. Recipients providing enumerated uses to populations presumed eligible are clearly operating consistently with the final rule.

As discussed further in the section Framework for Eligible Uses Beyond Those Enumerated, recipients can also identify other pandemic impacts, impacted or disproportionately impacted populations or classes, and responses.

However, note that the final rule maintains that general infrastructure projects, including roads, streets, and surface transportation infrastructure, would generally not be eligible under this eligible use category, unless the project responded to a specific pandemic public health need or a specific negative economic impact. Similarly, general economic development or workforce development – activities that do not respond to negative economic impacts of the pandemic but rather seek to more generally enhance the jurisdiction’s business climate – would generally not be eligible under this eligible use category.



ATTACHMENT B (PAGE 2)

Assistance to Households

Impacted Households and Communities

Treasury presumes the following households and communities are impacted by the pandemic:

- ✓

Low- or moderate income households or communities

✓

Households that experienced unemployment

✓

Households that experienced increased food or housing insecurity

✓

Households that qualify for the Children’s Health Insurance Program, Childcare Subsidies through the Child Care Development Fund (CCDF) Program, or Medicaid
- ✓

When providing affordable housing programs: households that qualify for the National Housing Trust Fund and Home Investment Partnerships Program

✓

When providing services to address lost instructional time in K-12 schools: any student that lost access to in-person instruction for a significant period of time

Low- or moderate-income households and communities are those with (i) income at or below 300 percent of the Federal Poverty Guidelines for the size of the household based on the most recently published poverty guidelines or (ii) income at or below 65 percent of the area median income for the county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines are higher than the area’s median income and using the Federal Poverty Guidelines would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.

Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community.

The income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$65,880 per year.³ In other words, recipients can always presume that a household earning below this level, or a community with median income below this level, is impacted by the pandemic and eligible for services to respond. Additionally, by following the steps detailed in the section Framework for Eligible Uses Beyond Those Enumerated, recipients may designate additional households as impacted or disproportionately impacted beyond these presumptions, and may also pursue projects not listed below in response to these impacts consistent with Treasury’s standards.



³ For recipients in Alaska, the income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$82,350 per year. For recipients in Hawaii, the income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$75,780 per year.

ATTACHMENT B (PAGE 3)

Treasury recognizes the enumerated projects below, which have been expanded under the final rule, as eligible to respond to impacts of the pandemic on households and communities:

- ✓ Food assistance (e.g., child nutrition programs, including school meals) & food banks
- ✓ Emergency housing assistance: rental assistance, mortgage assistance, utility assistance, assistance paying delinquent property taxes, counseling and legal aid to prevent eviction and homelessness & emergency programs or services for homeless individuals, including temporary residences for people experiencing homelessness
- ✓ Health insurance coverage expansion
- ✓ Benefits for surviving family members of individuals who have died from COVID-19
- ✓ Assistance to individuals who want and are available for work, including job training, public jobs programs and fairs, support for childcare and transportation to and from a jobsite or interview, incentives for newly-employed workers, subsidized employment, grants to hire underserved workers, assistance to unemployed individuals to start small businesses & development of job and workforce training centers
- ✓ Financial services for the unbanked and underbanked
- ✓ Burials, home repair & home weatherization
- ✓ Programs, devices & equipment for internet access and digital literacy, including subsidies for costs of access
- ✓ Cash assistance
- ✓ Paid sick, medical, and family leave programs
- ✓ Assistance in accessing and applying for public benefits or services
- ✓ Childcare and early learning services, home visiting programs, services for child welfare-involved families and foster youth & childcare facilities
- ✓ Assistance to address the impact of learning loss for K-12 students (e.g., high-quality tutoring, differentiated instruction)
- ✓ Programs or services to support long-term housing security: including development of affordable housing and permanent supportive housing
- ✓ Certain contributions to an Unemployment Insurance Trust Fund⁴

⁴ Recipients may only use SLFRF funds for contributions to unemployment insurance trust funds and repayment of the principal amount due on advances received under Title XII of the Social Security Act up to an amount equal to (i) the difference between the balance in the recipient's unemployment insurance trust fund as of January 27, 2020 and the balance of such account as of May 17, 2021, plus (ii) the principal amount outstanding as of May 17, 2021 on any advances received under Title XII of the Social Security Act between January 27, 2020 and May 17, 2021. Further, recipients may use SLFRF funds for the payment of any interest due on such Title XII advances. Additionally, a recipient that deposits SLFRF funds into its unemployment insurance trust fund to fully restore the pre-pandemic balance may not draw down that balance and deposit more SLFRF funds, back up to the pre-pandemic balance. Recipients that deposit SLFRF funds into an unemployment insurance trust fund, or use SLFRF funds to repay principal on Title XII advances, may not take action to reduce benefits available to unemployed workers by changing the computation method governing regular unemployment compensation in a way that results in a reduction of average weekly benefit amounts or the number of weeks of benefits payable (i.e., maximum benefit entitlement).

ATTACHMENT B (PAGE 4)

Disproportionately Impacted Households and Communities

Treasury presumes the following households and communities are disproportionately impacted by the pandemic:

- ✓ Low -income households and communities
- ✓ Households residing in Qualified Census Tracts
- ✓ Households that qualify for certain federal benefits⁵
- ✓ Households receiving services provided by Tribal governments
- ✓ Households residing in the U.S. territories or receiving services from these governments

Low-income households and communities are those with (i) income at or below 185 percent of the Federal Poverty Guidelines for the size of its household based on the most recently published poverty guidelines or (ii) income at or below 40 percent of area median income for its county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines level is higher than the area median income level and using this level would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.

Recipients can measure income for a specific household or the median income for the community, depending on whether the service they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community.

The income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$40,626 per year.⁶ In other words, recipients can always presume that a household earning below this level, or a community with median income below this level, is disproportionately impacted by the pandemic and eligible for services to respond.

⁵ These programs are Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Free- and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs, Medicare Part D Low-Income Subsidies, Supplemental Security Income (SSI), Head Start and/or Early Head Start, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Section 8 Vouchers, Low-Income Home Energy Assistance Program (LIHEAP), and Pell Grants. For services to address educational disparities, Treasury will recognize Title I eligible schools as disproportionately impacted and responsive services that support the school generally or support the whole school as eligible.

⁶ For recipients in Alaska, the income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$50,783 per year. For recipients in Hawaii, the income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$46,731 per year

ATTACHMENT B (PAGE 5)

Treasury recognizes the enumerated projects below, which have been expanded under the final rule, as eligible to respond to disproportionate impacts of the pandemic on households and communities:

- ✓ Pay for community health workers to help households access health & social services
- ✓ Remediation of lead paint or other lead hazards
- ✓ Primary care clinics, hospitals, integration of health services into other settings, and other investments in medical equipment & facilities designed to address health disparities
- ✓ Housing vouchers & assistance relocating to neighborhoods with higher economic opportunity
- ✓ Investments in neighborhoods to promote improved health outcomes
- ✓ Improvements to vacant and abandoned properties, including rehabilitation or maintenance, renovation, removal and remediation of environmental contaminants, demolition or deconstruction, greening/vacant lot cleanup & conversion to affordable housing⁷
- ✓ Services to address educational disparities, including assistance to high-poverty school districts & educational and evidence-based services to address student academic, social, emotional, and mental health needs
- ✓ Schools and other educational equipment & facilities
- ✓ Responses available to respond to impacts of the pandemic on households and communities

⁷ Please see the final rule for further details and conditions applicable to this eligible use. This includes Treasury’s presumption that demolition of vacant or abandoned residential properties that results in a net reduction in occupiable housing units for low- and moderate-income individuals in an area where the availability of such housing is lower than the need for such housing is ineligible for support with SLFRF funds.

DRAFT 5-2-22

Attachment C (Page 1)**Cumberland County Checklist to Determine if Partner Entity is a Subrecipient or Contractor Classification for Purposes of the Uniform Guidance****DEFINITIONS FROM UNIFORM GUIDANCE (2 CFR 200):**

Subrecipient: *§200.93 Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding*

Contractor: *§200.23 Contractor means an entity that receives a contract as defined in §200.22*

Contract: *§200.22 Contract means a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award.*

INSTRUCTIONS: Complete sections one and two of the checklist by marking all characteristics that apply to the outside entity. The section with the greatest number of marked characteristics indicates the likely type of relationship the entity will have with Cumberland County. On occasion there may be exceptions to the type of relationship indicated by the completed checklist. In these situations, the substance of the relationship should be given greater consideration than the form of agreement between Cumberland County and the outside entity. Section 3 should be used to provide documentation on the use of judgment in determining the proper relationship classification.

ATTACHMENT C (PAGE 2)

NAME OF OUTSIDE ENTITY:

SECTION 1 - SUBRECIPIENT. A subaward is for the purpose of carrying out a portion of a Federal award and creates a Federal assistance relationship with the subrecipient. Characteristics which support the classification of the non-Federal entity as a subrecipient include when the contractor:

- ☐ Determines who is eligible to receive what Federal assistance;
- ☐ Has its performance measured in relation to whether objectives of a Federal program were met;
- ☐ Has responsibility for programmatic decision-making;
- ☐ In accordance with its agreement, uses the Federal funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the benefit of the pass-through entity.

Entities that include these characteristics are responsible for adherence to applicable Federal program requirements specified in the Federal award.

SECTION 2 - CONTRACTOR. A contract is for the purpose of obtaining goods and services for the non-Federal entity's own use and creates a procurement relationship with the contractor. Characteristics indicative of a procurement relationship between the non-Federal entity and a contractor are when the non-Federal entity receiving the Federal funds:

- ☐ Procurement relationship
- ☐ Provides the goods and services within normal business operations;
- ☐ Provides similar goods or services to many different purchasers;
- ☐ Normally operates in a competitive environment;
- ☐ Provides goods or services that are ancillary to the operation of the Federal program.

Entities that include these characteristics are not subject to compliance requirements of the Federal program because of the agreement, though similar requirements may apply for other reasons.

SECTION 3 - USE OF JUDGMENT. (Use only when the determination cannot clearly be made using the above criteria) In determining whether an agreement between a pass-through entity and another non-Federal entity casts the latter as a subrecipient or a contractor, the substance of the relationship is more important than the form of the agreement. All the characteristics listed above may not be present in all cases, and the pass-through entity must use judgment in classifying each agreement as a subaward or a procurement contract.

Explanation of Use of Judgment Determination:

FINAL DETERMINATION:

- ☐ SUBRECIPIENT
- ☐ CONTRACTOR

Signature: _____ Date: _____

ATTACHMENT D

Subrecipient Risk Assessment Tool

Subrecipient Entity Name: _____

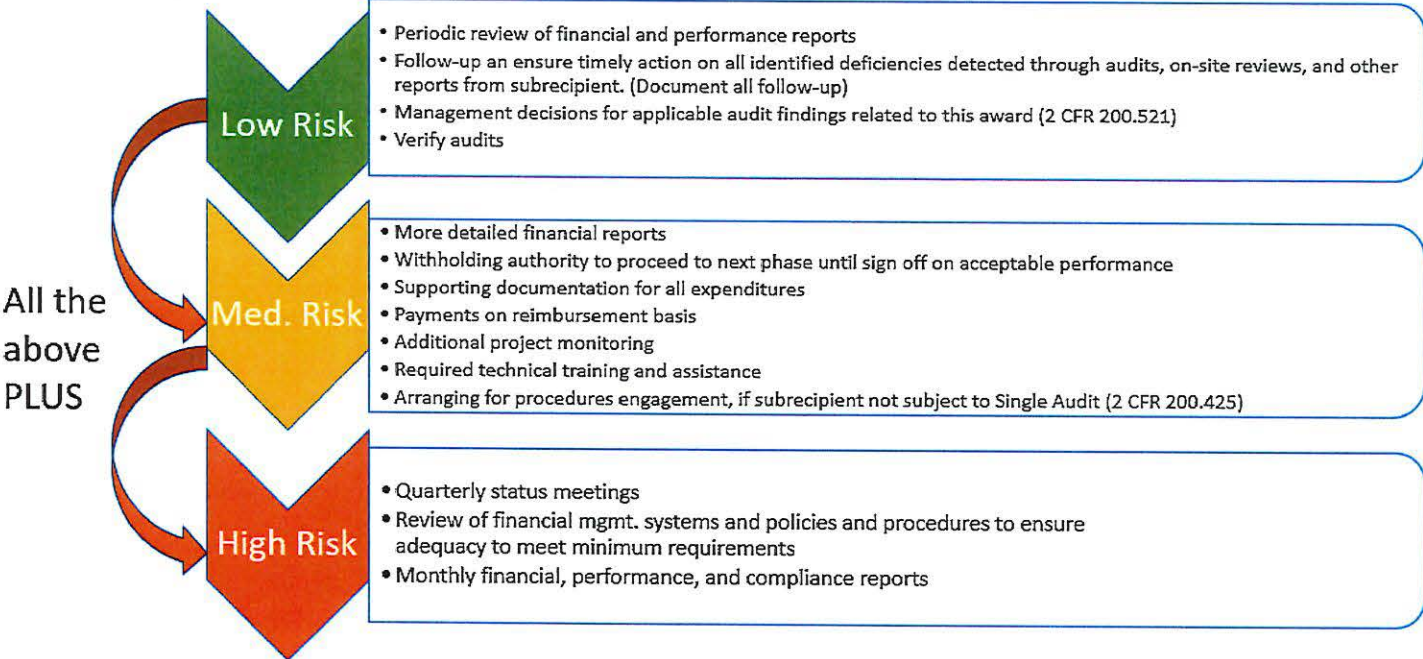
Reviewer Name: _____

Source for risk assessment determination (circle all that apply): most recent audit, org chart, staff resumes, project staff credentials, listing of entity federal awards by year, financial policies review. Place a check mark beside the applicable risk measure below.

LOW RISK	
<input type="checkbox"/>	No audit findings
<input type="checkbox"/>	Minor audit findings & assessed as low risk by auditor
<input type="checkbox"/>	Successful history with federal awards
<input type="checkbox"/>	Seasoned staff and systems
MEDIUM RISK	
<input type="checkbox"/>	Organization without prior experience with federal awards
<input type="checkbox"/>	Newer staff or systems
<input type="checkbox"/>	Limited prior audits
HIGH RISK	
<input type="checkbox"/>	No prior audits
<input type="checkbox"/>	Prior audit findings with major deficiencies/material weakness
<input type="checkbox"/>	Organization without sufficient personnel, accounting systems & internal controls

ATTACHMENT E

Monitoring



The following revised policy was approved at the _____ Board of Commissioner’s meeting.

<p>Cumberland County</p> <p>Section I – Board Approved Policies</p> <p>Subsection 10: American Rescue Plan Act of 2021</p> <p><u>Revised</u> Policy No. 10-2.10: Aid to Nonprofit Organizations Serving Residents Affected by COVID-19 Impacts</p>
--

1.0 PURPOSE

Cumberland County has received an allocation of funds from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARPACSLFRF). The Board of Commissioners approved allocating ARPA funding to nonprofit organizations that conduct programs and projects that help the community recover from and respond to COVID-19 and its negative impacts and to aid in a strong and equitable recovery.

2.0 SCOPE

The County will seek proposals from nonprofit organizations or will provide direct subawards for projects or programs to help the Cumberland County community respond to and recover from COVID-19. Proposals and subawards should align with the priorities of ARPA funding and further the County Board of Commissioners’ goals. Collaborative proposals are welcome and collaborating nonprofit organizations should select a lead entity for application submission and contracting purposes.

Funded projects must:

- Meet the eligible use of funds for Coronavirus State and Local Fiscal Recovery Funds, per U.S. Treasury guidance
- Meet the eligible use of funds per the Federal Office of Management and Budget Uniform Guidance.
- Meet a public purpose and fall within County authority to fund per NC General Statutes, to be affirmed and reviewed by the Cumberland County legal department prior to execution of a contract or funding agreement.
- Identify and directly address a need or negative impact of the COVID-19 public health emergency
- Support equitable outcomes for most impacted populations
- Leverage and align with other funding sources
- Make best use of this one-time infusion of resources
- Support evidence-based outcomes
- Provide evidence-based performance reporting regarding use of funds and project impact
- Comply with all provisions of the funding contract, including expenditure tracking and federal subrecipient monitoring include costs incurred no earlier than March 3, 2021
- All funds must be obligated by December 31, 2024
- Complete all work and fully expend all funds by December 31, 2026

3.0 STATEMENT OF THE POLICY

Cumberland County will solicit funding requests through a competitive Request for Proposal process. Proposals will be assessed by members of the Cumberland County ARPA Staff Committee using a scoring tool. [The ARPA Staff Committee may designate a Review Panel to assist with the assessment of proposals.](#) Proposals need to clearly demonstrate eligibility under ARPA guidance and must include a budget utilizing the Budget Template for ARPA Projects form.

[Note: The Board of Commissioners has the authority to subaward ARPA/SLFRF funds to nonprofit and/or other governmental entities without conducting a competitive bid process \(Reference April 4, 2022 UNC SOG Training\)](#)

Programs must be reasonably connected to a legitimate aim of government and the ultimate gain must be in the public's interest, not that of the private entity. [Bid award](#) Recommendations will be presented to the commissioners' ARP Committee. The ARP Committee funding recommendations will go to the full Board of Commissioners for approval. Once [grants/funds](#) are awarded, contracts [or subawards](#) will be established in compliance with the Fiscal Recovery Compliance and Reporting Guidance and general federal subrecipient requirements.

The ARPA Staff Committee will review, analyze, and rank [proposed all](#) submittals based on their response to the information requested. [The ARPA Staff Committee may designate a Review Panel to assist with reviewing, analyzing, and ranking the proposals submitted.](#) The selection process will include the following criteria in the evaluation of proposals.

- Amount of Funds Requested
- Recovery Fund Eligible Category
- Project Plan
- Statement of Need
- Link to COVID-19
- Population Served
- Results
- Evaluation
- [Evidence-based performance metrics](#)
- Equity Impact
- Project Partners
- Organizational Capacity
- Budget
- Special Considerations
 - Federal, State or Local Assistance Related to COVID-19 previously applied for and/or received

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4.0 IMPLEMENTATION

The Assistance to Nonprofit Organization program will be implemented internally by the County. A Cumberland County ARPA Staff Committee will vet the requests for proposals using a scoring instrument.

Recommendations for funding will be presented to the ARP Committee with final approval

| coming from the Board of Commissioners. A contractual [or subaward](#) relationship will be
| established between the County and the nonprofit to ensure compliance with county, state and
| federal guidelines._

Draft 5-2-22 ARP Committee

Implementation and enforcement of this policy shall be the responsibility of County Administration, Finance, and Legal.

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Draft 5-2-22 ARP Committee



Aid to Non-Profit Organizations RESPONSIVE PROPOSAL REVIEW GUIDELINES

The following guidelines are based on the American Rescue Plan Act of 2021- Assistance to Non-Profit Organizations Policy No. 10-2.10 as revised during the May 16 2022, Board of County Commissioner's meeting.

NOTE: A Conflict-of-Interest Disclosure Form must be completed before the review process begins IAW the County's Conflict of Interest Policy.

REVIEW GUIDELINES

1. Minimum Requirement Review – Cumberland County Purchasing will conduct an initial screening to ensure the proposal is complete/responsive.
2. Programmatic Review – The ARP Staff Committee may designate a Panel to conduct a review; complete the ARPA Project Funding Eligibility Determination Form, analyze, and rank all proposals by using a scoring tool (Attachment A) based on the below criteria.
 - Amount of Funds Requested
 - Recovery Fund Eligible Category
 - Project Plan
 - Statement of Need
 - Link to COVID-19
 - Population Served
 - Results
 - Evaluation
 - Equity Impact
 - Project Partners
 - Organizational Capacity
 - Budget
 - Special Considerations
 - Federal, State or Local Assistance Related to COVID-19 previously applied for and/or received
3. Rankings along with the proposed funding requests and ARPA Project Funding Eligibility Determination Forms completed through page 6 will be submitted to the ARPA Program

Manager to be prepped for presentation to the BOCC ARPA Committee at the next scheduled meeting.

4. The BOCC ARPA Committee members (who will be subject to completing the Conflict-of-Interest Disclosure Form IAW the County's conflict of interest policy) will take action to make recommendations for bid award based on the rankings provided by the ARPA Program Manager and overall total funding amount desired.
 - In anticipation of the bid award approval by the BOCC, the County Attorney's Office and finance staff will finalize the ARPA Project Funding Eligibility Determination Forms and will prepare contracts and/or subrecipient agreements IAW County Policy.
5. The BOCC ARPA Committee recommendations for bid award will be forwarded to the next scheduled meeting of the BOCC (who will be subject to completing the Conflict-of-Interest Disclosure Form IAW the County's conflict of interest policy) for bid award approval as a consent agenda item. At that meeting, the BOCC may take action to also designate contract/agreement signature authority to the County Manager to save time in the process of getting fully executed contracts/agreements in place.
6. If the BOCC does not designate contract/agreement signature authority, the contracts/agreements will be provided to the BOCC as a consent agenda item at a meeting after the contracts/agreements have been approved for legal sufficiency.
7. A bid award notification will be provided by purchasing staff to all proposal responders and will be posted on the County's website.

ATTACHMENT A
RFP FOR Aid to Non-Profit Organizations
RFP-22-15-CTY

Evaluation Sheet / Scoring Tool

Entity Name			
Amount of Funds Requested	\$		
Recovery Fund Eligibility Category	select one from drop down		
Project Partners	if yes, insert partners if no, insert "NA"		
Federal, State, or Local Assistance Related to COVID-19 previously applied for and/or received	yes/no (if yes, amount received) if no, insert "NA"	\$	
MEASURE	NOTES	MAX POINTS AVAILABLE	POINTS ASSIGNED
Project Plan Description		10	
Statement of Need		15	
Link to COVID-19		5	
Population Served		5	
Results		15	
Evaluation		15	
Equity Impact		15	
Organizational Capacity		10	
Budget	allowable/practical/reasonable	10	
Special Considerations		include points in measures above	
	TOTALS	100	-

American Rescue Plan (ARP) Fund 240

The Board is requested to approve Budget Ordinance Amendment B220002 to update the ARPA Grant Project Ordinance as approved by the BOC ARP Committee on May 2, 2022. This budget ordinance amendment allocates \$140,000 for the purchase of Narcan to be administered by Cape Fear Valley Hospital System, \$2,000,000 for a job training program to be administered by FTCC, and de-allocates \$250,000 originally allocated to support a homeless shelter. The net amount of the total increases/decreases are off set in the Administration - Unassigned category which has been reduced to \$2,192,726.

Details provided for the BOC ARP Committee on May 2, 2022.

DRAFT ARPA GRANT PROJECT ORDINANCE AMENDMENT				as of March 21, 2022		MAY 2022 ADJUSTMENTS	BUDGET ORDINANCE AMENDMENT B220002	
ARPA Reporting Code	Fund 240 Expenditure Category	Project Description	Cost Object	Appropriation of CSLFRF Funds	Project Allocation Total	Appropriation of CSLFRF Funds	Appropriation of CSLFRF Funds	Project Allocation Total
1.13	Public Health (2404551)	Substance Use Services: Purchase Narcan for distribution to the Sheriff's Office and County Fire Departments	Medical Supplies	\$ -	\$ -	\$ 140,000	\$ 140,000	140,000
2.2	Negative Economic Impacts (2404552)	Household Assistance: Rent, Mortgage, and Utility Aid Mortgage Assistance: Make funding available to assist residents at risk of foreclosure.	Contracted Services	2,000,000	2,000,000	-	2,000,000	2,000,000
2.2	Negative Economic Impacts (2404552)	Household Assistance: Rent, Mortgage, and Utility Aid Rental Assistance: Make funding available to assist renters at risk of eviction.	Contracted Services	1,500,000	1,500,000	-	1,500,000	1,500,000
2.10	Negative Economic Impacts (2404552)	Assistance to Unemployed or Underemployed Workers: Trade job training program in partnership with FTCC, Mid-Carolina COG - Workforce Development, and Cumberland County Schools	Contracted Services	-	-	2,000,000	2,000,000	2,000,000
1.8 2.29-2.33	Public Health (2404551)	COVID19 Assistance to Small Business (1.8) Assistance to Small Businesses (2.29-2.33)	Contracted Services	3,500,000	3,500,000		3,500,000	3,500,000
1.9 2.34	Public Health (2404551)	COVID19 Assistance to Non-Profits (1.9) Assistance to Non-Profits (2.34)	Contracted Services	3,640,000	3,640,000	(140,000)	3,500,000	3,500,000
2.15	Negative Economic Impacts (2404552)	Long-term Housing Security: Affordable Housing - New construction of a multi-family housing development in the Shaw Heights neighborhood (QCT 24.01).	Engineering/Construction	10,000,000	10,000,000		10,000,000	10,000,000
2.16	Negative Economic Impacts (2404552)	Long-term Housing Security: Services for Unhoused Persons - Planning funding for a homeless shelter to determine number of beds, who will be served, how large facility should be, construction cost, operational questions and other aspects.	Engineering/Construction	250,000	250,000	(250,000)	-	-
2.18	Negative Economic Impacts (2404552)	Housing Support: Other Housing Assistance - First-time homebuyers program	Contracted Services	2,500,000	2,500,000		2,500,000	2,500,000
5.5	Infrastructure (2404555)	Clean Water: Other Sewer Infrastructure - Construction of a sanitary sewer system to be located in the Shaw Heights neighborhood (QCT 24.01).	Engineering/Construction	12,000,000	12,000,000		12,000,000	12,000,000
5.15	Infrastructure (2404555)	Drinking Water: Other Water Infrastructure - Construction of a water system to be located in the Gray's Creek Water and Sewer District	Engineering/Construction	10,000,000	10,000,000		10,000,000	10,000,000
5.21	Infrastructure (2404555)	Broadband: Other projects Broadband expansion into underserved areas in partnership with the State of NC, and a vendor to be selected through a competitive RFP process	Contracted Services	1,000,000	1,000,000		1,000,000	1,000,000
6.1	Revenue Replacement (2404556)	Provision of Government Services Salaries and benefit costs of Public Safety Personnel	Salaries/Benefits	10,000,000	10,000,000		10,000,000	10,000,000
1.4	BOC Meeting Room	Physical plant changes to Public Facilities that respond to the COVID-19 Public Health Emergency	Engineering/Construction	3,000,000	3,000,000		3,000,000	3,000,000
7.1	Administration (2404557)	Administrative Expenses - 3.5 County positions to manage CSLFRF programs and compliance requirements. ARPA allows up to 10% of total award.	5,778,690					4,028,690
			Salaries	1,321,348			1,321,348	
			Benefits	389,281			389,281	
			Operating	125,335			125,335	
			Unassigned	3,942,726		(1,750,000)	2,192,726	
NA	Unallocated Funds	Funds to be allocated at a future date	Unallocated Funds	-	-		-	-
TOTAL				\$65,168,690	\$65,168,690	\$ -	\$65,168,690	\$65,168,690