

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 20, 2022 – 6:45 PM
117 DICK STREET, 1ST FLOOR, ROOM 118
REGULAR MEETING MINUTES

PRESENT: Commissioner Glenn Adams, Chairman
Commissioner Toni Stewart, Vice Chairman
Commissioner Jeannette Council
Commissioner Charles Evans
Amy Cannon, County Manager
Tracy Jackson, Assistant County Manager
Sally Shutt, Assistant County Manager
Brian Haney, Assistant County Manager
Rick Moorefield, County Attorney
Vicki Evans, Finance Director
Ivonne Mendez, Deputy Finance Director
Tye Vaught, Management Analyst
Brenda Jackson, ARP Program Manager
Rawls Howard, Planning and Inspections Director
Daniel Rister, Information Technology Services Deputy Director
Robert Van Geons, Fayetteville Cumberland Economic Development Corporation President/CEO
Candice H. White, Clerk to the Board
Andrea Tebbe, Deputy Clerk
Press

ABSENT: Commissioner Michael Boose
Commissioner Jimmy Keefe
Commissioner Larry Lancaster

Chairman Adams called the meeting to order and recognized in attendance Girl Scout troops from Lewis Chapel Missionary Baptist Church. Chairman Adams introduced the troop members and troop leaders.

INVOCATION / PLEDGE OF ALLEGIANCE

Commissioner Evans provided the invocation followed by the Pledge of Allegiance to the American flag led by the Girl Scout troops from Lewis Chapel Missionary Baptist Church; recitation of the Girl Scout promise and Girl Scout law followed. Chairman Adams recognized Girl Scout Ambassador Thalya Council who recently earned her Girl Scout Gold Award by renovating the Lewis Chapel Church Scout building. Following a brief video, Thayla Council shared information about her project that totaled 180 volunteer hours.

PUBLIC COMMENT PERIOD

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

Patrick Dean Mitchell – Mr. Mitchell did not appear when his name was called.

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

1. APPROVAL OF AGENDA

MOTION: Commissioner Evans moved to approve the agenda.
SECOND: Commissioner Council
VOTE: UNANIMOUS (4-0)

2. PRESENTATIONS

A. Presentation on Environmental Protection Agency (EPA) Lifetime Drinking Water Health Advisories for Four PFAS Chemicals

BACKGROUND

On June 15, 2022 the EPA issued Lifetime Drinking Water Health Advisory levels for four PFAS chemicals. A brief presentation will be provided on the revised thresholds for these compounds.

Ms. Cannon called on Sally Shutt, Assistant County Manager, who stated she will cover information from the EPA, NCDEQ and NC DHHS. Ms. Shutt also stated Ashley Curtis, Public Health Deputy Director, and Amanda Bader, Solid Waste Director, were available to respond to technical questions. Ms. Shutt stated Ms. Bader was at the National PFAS Conference in Wilmington on June 15 when the EPA Assistant Administrator for Water announced the agency’s action. Ms. Shutt provided the following PowerPoint presentation on the EPA’s Lifetime Drinking Water Health Advisories for four PFAS Chemicals.

EPA’s Final Health Advisory for GenX

- Final health advisory level for GenX – **10 ppt**
- Replaces the state’s provisional drinking water health goal of 140 ppt
- Affects the Consent Order that requires Chemours to provide whole building filtration or connection to public water for any private drinking well with a GenX concentration above a **health advisory**
- NCDEQ is directing Chemours to revise its Drinking Water Compliance Plan and Feasibility Study Report and provide whole building filtration systems or connection to public water to parties with wells testing above the EPA’s advisory of 10 ppt

EPA’s Final Health Advisory for GenX	
Prior to EPA Final Health Advisory	Qualified for
<ul style="list-style-type: none">• At or above 140 ppt or any applicable health advisory of GenX• At or above 70 ppt combined levels of PFAS compounds listed in the order• At or above 10 ppt for an individual PFAS compound listed in order	<ul style="list-style-type: none">• GAC System, municipal water or RO for each sink in the house• Three under-sink RO systems
Impact of new health advisory	
<ul style="list-style-type: none">• Above 10 ppt for GenX (DEQ estimates 1,700 additional wells will qualify)	<ul style="list-style-type: none">• Whole building filtration (GAC system or RO for each sink in house) or public water

NCDEQ Directive

DEQ letter to Chemours directs following actions by July 13, 2022:

1. Chemours must submit a report identifying affected parties entitled to public water or whole building filtration under paragraph 19 as a result of the new drinking water health advisory of 10 ppt for GenX chemicals. The report shall identify those affected parties who have previously received reverse osmosis systems pursuant to paragraph 20 of the Consent Order.
2. Chemours must submit for review and approval a draft communication to affected parties notifying them of their eligibility for whole building filtration or public water.
3. Chemours must submit a plan outlining steps and a proposed schedule, with the final scheduled deadline to occur within 90 days from receipt of the letter, for revising and supplementing Chemours’ assessment of public water feasibility for all affected parties under paragraph 19. This submittal shall include a reevaluation of areas where public water was previously determined to be infeasible based on the previously applicable GenX threshold of 140 ppt.

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4. Chemours must submit a plan for transitioning affected parties who have previously received reverse osmosis systems to public water or whole building filtration systems where required.

NCDEQ/NCDHHS Response

- Issued press release and information to coincide with EPA announcement
- Estimated 1,700 additional private well users will now be eligible for whole house filtration or connection to public water supply
- If you live near the Chemours’ facility, call Chemours at **910-678-1101** to have your drinking water well sampled or for more information
- DEQ plans to hold a community information session in July and will announce plan in coming weeks
- County website links to the information from state and federal agencies

EPA’s New Lifetime Drinking Water Health Advisories for PFAS Chemicals

Chemical	Health Advisory Level (parts per trillion)	
GenX	10 (Final)	
PFOS	.004 (Interim)	replaced 70 ppt set by EPA in 2016; current tests can only detect at 4 ppt
PFOA	.02 (Interim)	replaced 70 ppt set by EPA in 2016; current tests can only detect at 4 ppt
PFBS	2,000 (Final)	not been found in significant concentrations in sampling to date in North Carolina

- Health advisories are non-regulatory and non-enforceable
- Advisories provide technical information for developing monitoring plans, investments in treatment solutions, and future policies
- EPA’s Proposed National Primary Drinking Water Regulation for PFOA and PFOS expected to be released in the fall of 2022
- DEQ is moving to evaluate the state’s drinking water supplies based on the advisories and determine next steps in alignment with the DEQ Action Strategy for PFAS

Information for Residents

- EPA will host a webinar on **June 23 at 12 p.m. EST**
- PFAS, GenX, and Testing and Filtration fact sheets are posted on County and NCDEQ websites
- If residents have additional health-related questions, they may contact the DHHS Occupational and Environmental Epidemiology Branch at **919-707-5900**
- Call Chemours at **910-678-1101** to have your drinking water well sampled
- DEQ will hold a community meeting in July
- Look for the announcement in coming weeks

Ms. Shutt concluded her presentation and comments followed.

Chairman Adams requested removal from the consent agenda of Item 3.E. Approval of Contract with Motorola Solutions for Body Worn and In-Car Camera Equipment for separate discussion and action.

3. CONSENT AGENDA

A. Approval of Proclamation Recognizing Fayetteville Pride Fest

BACKGROUND

A request was received for a proclamation recognizing Fayetteville Pride's Annual Fest.

RECOMMENDATION / PROPOSED ACTION

Respectfully request approval of the proclamation.

COUNTY OF CUMBERLAND

NORTH CAROLINA

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PROCLAMATION

- WHEREAS the United States was founded on the ideals of equality, inclusion, and respect for all, but the realization of these ideals has been long delayed and often obtained after years of struggle, culminating in civil rights legislations or rulings for Lesbians, Gay, Bisexual, Transgender, and Queer or Questions (LGBTQ*)Americans; AND*
- WHEREAS, the month of June 2022 marks 53 years since the Stonewall uprising, wherein LGBTQ* citizens of a variety of ages and racial and ethnic backgrounds, rose up against oppressive laws and policing tactics that have since been found to be unconstitutional; AND*
- WHEREAS the Stonewall uprising is widely considered the beginnings of the modern LGBTQ* civil rights movement. LGBTQ* Pride celebrations have occurred in June, which is nationally recognized as Pride month, all around the country every year since then; AND*
- WHEREAS, Cumberland County has a diverse LGBTQ* population with a rich and varied history that includes people of all ethnicities, languages, religions, and professions; AND*
- WHEREAS everyone should be able to live a life free from fear, hatred, or discrimination, whether that it be based on race, religion, gender identity, sexual orientation, age, national origin, or veteran status; AND*
- WHEREAS the achievements of the LGBTQ* community will be celebrated in Cumberland County at Fayetteville Pride's Annual Fest on Saturday, June 25, 2022.*
- NOW, THEREFORE, We, the Board of Commissioners of Cumberland County, North Carolina, do hereby proclaim Saturday, June 25, 2022, to be Fayetteville Pride Fest in Cumberland County.*

Adopted the 20th day of June 2022.

B. Proof of Publication of Legislative Hearing June 6, 2022

BACKGROUND

The attached proof of publication in the Fayetteville Observer of notice of the legislative hearing in consideration of a moratorium or ordinance amendment for zero lot line subdivision at the meeting June 3, 2022, is placed on the agenda for the purpose of recording the described proof of publication in the minutes as a permanent record.

RECOMMENDATION / PROPOSED ACTION

No action is needed.

C. Approval to Pay Prior Year Invoice

BACKGROUND

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

Department: Internal Services
Vendor: Fayetteville Footwear
Invoice Date: June and December 2021
Total Amount: \$396.30

RECOMMENDATION / PROPOSED ACTION

Management is requesting approval to pay prior year invoices for the Internal Services department totaling \$396.30.

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D. Approval of ABC Board's Request to Adopt Cumberland County's Travel Policy

BACKGROUND

According to the attached correspondence from Paul Crenshaw, Chairman of the Cumberland County ABC Board, the ABC Board is requesting approval from the Cumberland County Board of Commissioners to adopt Cumberland County's Travel Policy No. 3-2: Travel Policy according to House Bill 1717: Modernization of the State ABC System; Section 13.

RECOMMENDATION / PROPOSED ACTION

Consider approval of the ABC Board's request to adopt Cumberland County's Travel Policy No. 3-2: Travel Policy and direct the Clerk to the Board to send to the ABC Commission written confirmation of said action and a copy of Cumberland County's Travel Policy No. 3-2: Travel Policy.

E. REMOVED FROM THE CONSENT AGENDA AND RECORDED BELOW

F. Approval of Declaration of Surplus County Property and Approval of Budget Ordinance Amendment B220267 and Authorization to Accept Insurance Settlement

BACKGROUND

DATE OF ACCIDENT: April 19, 2022

VEHICLE: 2010 Ford Crown Victoria

VIN: 2FABP7BVFX117244

FLEET#: FL425

DEPARTMENT: Sheriff's Office

SETTLEMENT OFFER: \$5,936.46

INSURANCE COMPANY: Builders Mutual

This is a total loss settlement offer.

RECOMMENDATION / PROPOSED ACTION

Risk Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus.
2. Authorize the Deputy Finance Director to accept \$5,936.43 as settlement.
3. Allow Builders Mutual to take possession of the wrecked (surplus) vehicle.
4. Approve Budget Ordinance Amendment BR#220267 recognizing the insurance settlement. Please note this amendment requires no additional county funds.

G. Acceptance of Offer to Purchase Surplus Property Located at 6230 Canadian Avenue, Fayetteville

BACKGROUND

The county acquired the real property with PIN 0442-66-7545, being Lot 143 Twin Oaks, Section 4, Unit 11, Plat Book 82, Page 116, located at 6230 Canadian Avenue, Fayetteville, described in Deed Book 6646, Page 711, at a tax foreclosure sale in 2004 for a purchase price of \$3,505.63. The property is zoned RR with a tax value of \$3,500. Based on the GIS Mapping and the tax records, there is no structure on the lot. Gladys Heredia made an offer to purchase the property for \$3,505.63. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is included in the recommendation below.

RECOMMENDATION / PROPOSED ACTION

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

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

Take notice that the board of commissioners finds the real property with PIN 0442-66-7545, being Lot 143, Twin Oaks, Section 4, Unit 11, Plat Book 82, Page 116, located at 6230 Canadian Avenue, Fayetteville, is not needed for governmental purposes and proposes to accept an offer to purchase the property for \$3,505.63. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the clerk. This procedure shall be repeated until no further qualifying upset bids are received. The board of commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

H. Approval of Budget Ordinance Amendments for the June 20, 2022 Board of County Commissioners' Agenda

BACKGROUND

General Fund 101

- 1) Register of Deeds Automation – Budget Ordinance Amendment B220462 to accept and approve a grant from the North Carolina Governor’s Office in the amount of \$2,000

The Board is requested to approve Budget Ordinance Amendment B220462 to accept and approve a grant from the North Carolina Governor’s Office in the amount of \$2,000. This grant will be used for the restoration of two register of deeds books.

Please note this amendment requires no additional county funds.

- 2) Economic Physical Development Other – Budget Ordinance Amendment B220213 to accept and approve the grant award from the North Carolina Golden Leaf Foundation in the amount of \$937,600

The Board is requested to approve Budget Ordinance Amendment B220213 to accept and approve the grant award from the North Carolina Golden Leaf Foundation in the amount of \$937,600. This grant will be used to clear and grade approximately thirty acres of the 159-acre Sand Hill Road Site for future economic development purposes.

Please note this amendment requires no additional county funds.

Capital Investment Fund 107

- 3) Capital Investment Fund –Budget Ordinance Amendment B220033 to re-appropriate \$9,812,175 for the Grays Creek Water Project

The Board is requested to approve Budget Ordinance Amendment B220033 to re-appropriate \$9,812,175 in remaining funds from the \$10,500,000 the Board of Commissioners allocated toward the Grays Creek Water Project approved at the January 6, 2020, meeting.

Please note this amendment requires appropriation of capital investment fund balance.

Intergovernmental Fund 201

- 4) Excise Tax on Deeds– Budget Ordinance Amendment B220235 to budget additional projected revenue in the amount of \$158,019

The Board is requested to approve Budget Ordinance Amendment B220235 to budget additional projected revenue in the amount of \$158,019 representing the excise tax on deeds. This projection is through the remainder of Fiscal Year 2022.

Please note this amendment requires no additional county funds.

Cumberland Industrial Center Sewer Fund 252

- 5) Cumberland Industrial Center Sewer– Budget Ordinance Amendment B220129 for the Liberty Point sewer project in the amount of \$2,541,256

The Board is requested to approve Budget Ordinance Amendment B220129 for the Liberty Point sewer project in the amount of \$2,541,256. Fayetteville Cumberland Economic Development Corporation (FCECD) was awarded a grant in the amount of \$1,946,511 from the State of North Carolina Industrial Development and the county will be accounting for this grant. Public Works Commissions will also fund \$594,745 towards this sewer project.

Please note this amendment requires no additional county funds.

Tourism Development Authority Fund 285

- 6) Tourism Development Authority - Budget Ordinance Amendment B220422 to recognize additional projected revenue in occupancy tax collections in the amount of \$423,056

The Board is requested to approve Budget Ordinance Amendment B220422 to recognize additional projected revenue in occupancy tax collections in the amount of \$423,056. Revenue projected for FY2022 is higher than the fiscal year 2022 budget.

Please note this amendment requires no additional county funds.

RECOMMENDATION / PROPOSED ACTION

Approve Budget Ordinance Amendments

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

1. Cumberland County Community Transportation 2022 System Safety Plan

BACKGROUND

The Cumberland County Community Transportation Program System Safety Plan for 2022 has been updated in order to meet requirements from the North Carolina Department of Transportation – Public Transportation Division. The purpose of the plan is to ensure that our transportation through private contractors provide safe and reliable transportation for Cumberland County residents. The plan includes six core elements: Driver/Employee Selection, Driver/Employee Training, Safety Data Acquisition/Analysis, Drug and Alcohol Abuse Programs, Vehicle Maintenance and Security.

RECOMMENDATION / PROPOSED ACTION

At the June 9, 2022 Agenda Session meeting, the Board of Commissioners approved placing the 2022 Community Transportation System Safety Plan on the June 20, 2022 Board of Commissioners meeting consent agenda for approval.

2. Community Transportation Program Contractor Bid for Services

BACKGROUND

At the May 16, 2022 Regular Meeting, the Board of Commissioners approved the bid tab for Community Transportation Program contractor services. The approval included 3 of 4 providers that submitted as part of the RFP response.

Since the Board's decision, the fourth vendor, Squared, LLC has provided clarification of their proposed rate of service. This vendor's original submittal was \$58 per trip. However, the vendor assumed the trip rate was for roundtrip costs as opposed to one-way. One way trips were specified and explained in the RFP. However, this vendor was not clear on the request. They have provided staff with an updated one-way trip rate of \$33.

Staff believes this new rate proposal of \$33 per trip is in conformance with the other three vendor's rates. If the Board of County Commissioners approve the bid proposal of this vendor, this will increase the total number of vendors providing transportation services in the County from 3 to 4 vendors for the FY23 budget year.

RECOMMENDATION / PROPOSED ACTION

At their June 9th, 2022 Agenda Session, the Board of Commissioners reconsidered and approved the bid proposal from Squared LLC at a rate of \$33 per trip and authorized the Chairman to sign the contract when pre-audited by Finance and approved for legal sufficiency.

3. ARP Committee Priority Application Funding Recommendations

BACKGROUND

The American Rescue Plan Committee met on June 6, 2022. The committee recommended Small Business Priority Funding Recommendations to be placed on the June 9, 2022 agenda for consideration.

RECOMMENDATION / PROPOSED ACTION

At the June 9, 2022 Agenda Session meeting, the Board of Commissioners approved placing the proposed Small Business Priority Funding Recommendations on the consent agenda at the June 20, 2022 Board of Commissioners meeting.

MOTION: Commissioner Council moved to approve consent agenda Items 3.A.-3.I.3. with the exception of Item 3.E. removed for separate discussion and action.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (4-0)

3.E. Approval of Contract with Motorola Solutions for Body Worn and In-Car Camera Equipment

BACKGROUND

The Cumberland County Sheriff's Office wishes to contract with Motorola Solutions, Inc to purchase body worn and in car camera equipment. The contract is based on RFP 22-10-SO approved by the BOCC on January 18, 2022.

RECOMMENDATION / PROPOSED ACTION

Approve the contract and authorize the Board Chair to sign the contract.

Chairman Adams stated although he is in favor of the contract, he wanted the item removed from the consent agenda because multiple individuals have come to Board of Commissioner meetings requesting body worn and in-car camera equipment. Chairman Adams applauded the Board of Commissioners and Sheriff Wright for hearing those individuals and acting on what they heard.

MOTION: Commissioner Council moved to approve the contract with Motorola Solutions for Body Worn and In-Car Camera Equipment and authorize the Board Chair to sign the contract.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (4-0)

4. PUBLIC HEARINGS

Amy Cannon, County Manager, explained the Board of Commissioners' procedures for public hearings.

A. Public Hearing on Proposed Economic Incentives for "Project Dogwood"

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BACKGROUND

We appreciate the Board of County Commissioners setting a public hearing for this project. In accordance with North Carolina General Statute §158-7.1(c), Public Notice was advertised on June 10.

Project Dogwood is a U.S.-based leader in the residential construction industry. They are considering vacant property on Dunn Road for a new Manufacturing facility. If selected, the proposed project would:

- Create 189 new jobs by 2027
- Pay an average wage exceeding \$45,079 per year
- Construct a new manufacturing facility of approximately 130,000 square feet
- Invest more than \$25 million in real estate improvements and equipment by 2027

The company is considering locations in South Carolina, Georgia, and other areas of North Carolina. This project would inject more than \$8.5 million of annual payroll into our community, paying wages 10 percent above our private sector average. Importantly, this project would serve as a gateway to additional development, on adjacent property, in the future. In essence, we would be creating a new industrial park on Dunn Road.

Provided the company meets the requirements for investment and job creation, we respectfully request that Cumberland County:

- Approve a local incentive grant, not to exceed \$510,000
- The incentive grant would be paid in installments over five years

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

- When complete, Cumberland County would receive more than \$210,000 in new tax revenue annually
- The City of Fayetteville would receive more than \$130,000 in new tax revenue annually
- Employee wages will contribute more than \$8,500,000 to the local economy each year

We welcome any questions you may have and respectfully request that you consider this project favorably.

RECOMMENDATION / PROPOSED ACTION

Hold the required public hearing for "Project Dogwood" and consider approval of an incentive grant not to exceed \$510,000 paid in installments over a five-year period.

Robert Van Geons, Fayetteville Cumberland Economic Development Corporation President/CEO, presented the background information recorded above and stated the proposed site for the 130,000-square-foot manufacturing plant is on Dunn Road on vacant property across from the former MJ Soffe factory. Mr. Van Geons stated developing that site would create a new industrial park and open the area to other industrial investments. Mr. Van Geons stated to receive any incentives, the company must create jobs, make the investment, pay the taxes and each year the industry will pay more taxes than they receive in the grant. Mr. Van Geons stated it is good for the public to know that nothing is fronted in these agreements. Mr. Van Geons stated once the project is complete, the company will pay \$210,000 in county taxes on the \$8.5M project. In response to a question from Chairman Adams, Mr. Van Geons stated the City of Fayetteville approved a similar incentive prorated on their tax rate for this company.

Chairman Adams opened the public hearing.

The clerk to the board advised there were no speakers.

Chairman Adams closed the public hearing.

MOTION: Commissioner Evans moved to approve an incentive grant not to exceed \$510,000 paid in installments over a five-year period.
SECOND: Commissioner Council
VOTE: UNANIMOUS (4-0)

Rezoning Cases

B. Case # ZON-22-0036: Rezoning from O&I(P)/CZ Planned Office and Institutional District/Conditional Zoning and R6A Residential District to C1(P) Planned Local Business District or to a more restrictive zoning district for two parcels on 1.11 +/- combined acres; located at 4799 & 4807 South Main Street; submitted by Clear Blue & 22 LLC/Tina Dawson Tina Dawson (owner/applicant).

Chairman Adams stated for the record that Commissioner Keefe did not own the subject property. Rawls Howard, Planning and Inspections Director, showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions. Mr. Howard stated water and sewer lines are not available near the property and the request is consistent with the adopted Southwest Land Use Plan. Mr. Howard stated Planning and Inspections staff and the Planning Board recommended approval.

In response to a question from Chairman Adams, Mr. Howard stated there are no utilities available and the property will be served by wells and septic. Mr. Howard also stated he is not aware of the presence of GenX in the area.

Chairman Adams opened the public hearing for Case # ZON-22-0036.

The clerk to the board stated there were no speakers for Case # ZON-22-0036.

Chairman Adams closed the public hearing for Case # ZON-22-0036.

MOTION: Commissioner Stewart moved to approve the rezoning request from O&I(P)/CZ Planned Office and Institutional/Conditional Zoning and R6A Residential to C1(P) Planned Local Business and find the request is consistent with the Southwest Cumberland Land Use Plan which calls for “Mixed Use Development” at this location. The request is reasonable and in the public interest as well as compatible to and in harmony with the surrounding land use activities and zoning.
SECOND: Commissioner Council
VOTE: PASSED (3-1) (Commissioners Council, Stewart and Adams voted in favor; Commissioner Evans voted in opposition)

C. Case # ZON-22-0042: Rezoning from RR Rural Residential District to R7.5 Residential District or to a more restrictive zoning district on 0.60 +/- acres; located at 3556 Camden Road EXT; submitted by Thomas Hanson (applicant) on behalf of Elizabeth Bruno (owner).

Mr. Howard showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions. Mr. Howard stated water and sewer lines are available near the subject property and the request is compliant with the adopted Southwest Cumberland Land Use Plan. Mr. Howard stated Planning and Inspections staff and the Planning Board supported the request and recommend approval.

Commissioner Evans asked Mr. Howard to explain the statement he made about sewer. Mr. Howard displayed a location map and stated to extend the sewer line would probably involve only

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a couple hundred feet and the water line sits on the street in the front of the property. Commissioner Evans inquired about sewer in the surrounding areas. Mr. Howard stated to his knowledge there are no problems.

Chairman Adams opened the public hearing for Case # ZON-22-0042.

The clerk to the board stated there are no speakers for Case # ZON-22-0042.

Chairman Adams closed the public hearing for Case # ZON-22-0042.

MOTION: Commissioner Stewart moved to approve the rezoning request from RR Rural Residential District to R7.5 Residential District. The Board finds the request is consistent with the Southwest Cumberland Land Use Plan which calls for “Medium Density Residential” at this location. The request is reasonable and in the public interest as well as compatible to and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Council

VOTE: PASSED (3-1) (Commissioners Council, Stewart and Adams voted in favor; Commissioner Evans voted in opposition)

D. Case # ZON-22-0045: Rezoning from A1 Agricultural District to R15 Residential District/ CZ Conditional Zoning or to a more restrictive zoning district on 6.00 +/- acres; located at the end of Laguardia Drive; submitted by Scott Brown (applicant) on behalf of William R. Homes, LLC (owner).

Mr. Howard stated this case was remanded to the Planning Board at the March 21, 2022 Board of Commissioners’ meeting and the applicant has now requested to change the rezoning application to a conditional zoning. Mr. Howard showed vicinity or location maps and aerial views of the subject property. Mr. Howard provided overviews of the current land uses, current zonings, and surrounding land uses and zonings as well as soil conditions. Mr. Howard stated PWC water and sewer lines are available at the end of Laguardia Drive and the request is compliant with the South-Central Land Use Plan. Mr. Howard stated the updated site plan proposes 14 residential lots as a zero-lot line subdivision development with lots ranging from 10,000 to 11,000 up to 17,000 square feet. Mr. Howard stated the setbacks are smaller with side yard setbacks being 5 feet and two lots have 15-foot side yard setbacks. Mr. Howard stated Planning and Inspections staff and the Planning Board recommend approval; whereas, when the case initially went before the Planning Board the vote was split 4-3.

Chairman Adams stated the developer does not have to extend the water and sewer lines to the subject property if the request is approved. Mr. Howard stated the Subdivision Ordinance requires the connections and the connection to water and sewer is also one of the conditions. Chairman Adams stated the ditch and retention pond sizes have been enlarged taking up common space and then there is zero-lot line. Chairman Adams also stated prior speakers expressed concerns about flooding and asked whether there had been any conversation about a solution. Mr. Howard stated there was a lot of conversation about how this particular stormwater pond could potentially help the stormwater issues in the adjacent subdivision, and a few conditions were added to that. Chairman Adams stated there is only one way in and one way out of the subdivision and during hurricanes this could pose problems for emergency management.

Chairman Adams opened the public hearing for Case # ZON-22-0045.

The clerk to the board called the following speaker for Case # ZON-22-0045.

Jimmy Ray – Mr. Ray appeared as a proponent and stated he has been building in Gray’s Creek since 2010 and found this tract in the 2015 adopted South-Central Land Use Plan. Mr. Ray pointed out how the subject property falls within all parameters of the South-Central Land Use Plan. Mr. Ray stated there are no wetlands on the site, the soils are good and there are no hydric soils. Mr. Ray stated neighbors

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whose properties butt up against the subject property voiced their concerns about flooding and drainage issues at the meeting of the Planning Board, but the flooding has nothing to do with the subject property. Mr. Ray stated he agreed at the Planning Board meeting to help alleviate their flooding by adding a ditch behind their houses that will dump into a stormwater pond that was made larger to accept their water. Mr. Ray stated if he does not develop this site, the neighbor's flooding and drainage issues will not go away. Mr. Ray stated he is asking for the Board to look favorably on his request and help these neighbors out in the process.

Chairman Adams closed the public hearing for Case # ZON-22-0045.

Chairman Adams stated the applicant must ensure that access road requirements are met in accordance with section 503 of the 2018 NC Fire Code and because he has a problem with one way in and one way out, he wants to know whether section 503 addresses that. Mr. Moorefield stated the requirements address standards for street construction but do not address the number of houses relative to access points. Mr. Howard stated the review is to determine whether the road is going to be constructed to handle the weight a fire truck or other major truck. Mr. Moorefield stated it will be a public street and constructed to DOT standards.

MOTION: Commissioner Council move to approve the rezoning request from A1 Agricultural District to R15 Residential/CZ Conditional Zoning District, and find the request is consistent with the South-Central Cumberland Land Use Plan which calls for Low Density Residential at this location. The request is reasonable and in the public interest as well as compatible to and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (4-0)

E. Case P21-36 Rehearing: Reconsideration of Case P21-36: Rezoning of 12.36+/- acres from A1 Agricultural District to C(P) Planned Commercial District or to a more restrictive zoning district, located east of Cedar Creek Road, north of Tabor Church Road, originally submitted by Bartlett Engineering & Surveying, PC (agent) and Cathy Tatum Vinson (owner). This rezoning was denied September 20, 2021, and the option holder, now owner, sued the county. This matter was sent back to the board of commissioners for rehearing pursuant to a consent order with dismissal of the lawsuit. See the attached memo for the background and recommendation.

Thomas Neville stated in light of this case being an appeal and with only four commissioners being present, he would ask that this matter be deferred so it can be presented to the full board. Chairman Adams stated he suggested this earlier to the County Attorney and asked Commissioners Council, Stewart and Evans whether they were opposed to deferring Case P21-36. Commissioner Evans stated he opposed to deferring the case.

MOTION: Commissioner Council moved to defer Case P21-36 until the Board of Commissioners' August 15, 2022 meeting.

SECOND: Commissioner Stewart

DISCUSSION: Commissioner Evans stated a quorum of the board is present and questioned what would happen at the August 15, 2022 if the same commissioners were present and whether the case would continue to get delayed until a full seven member board is present. Commissioner Evans stated it does not make sense to him, and it is not right to Mr. Neville and it is not right to this board. Commissioner Evans stated he thinks the commissioners present need to act on this case.

VOTE: PASSED (3-1) (Commissioners Council, Stewart and Adams voted in favor; Commissioner Evans voted in opposition)

Other Public Hearings

F. Consideration of the Annexation of Spring Lake to the Cumberland County Recreation Service District

BACKGROUND

The Town of Spring Lake has requested that its territory be annexed into the county's recreation service district. Extension of a county service district is a statutory process that requires the board of county commissioners to make certain findings, mail notice to every property owner in the area to be annexed and conduct a public hearing on the matter. The Town of Spring Lake has confirmed by resolution of its governing board that it did mail notice to all property owners in the town of the public hearing to be conducted by the board of commissioners on June 20, 2022, to receive comments on the proposal to extend the county recreation service district to include the Town of Spring Lake. The county's advertisement for that public hearing was published in the Fayetteville Observer June 10, 2022. The publisher's affidavit has not been received but will be recorded in the minutes of the August 1, 2022, meeting of the board. The order confirmation for the advertisement is attached.

In researching the board's minutes related to the recreation service district, the county attorney found there was not a single source of minutes containing the agreements from the towns within the county included in the county recreation service district. For that reason, the county attorney sought appropriate resolutions from each town ratifying all actions taken by their respective governing boards to be recorded in the minutes of the board of commissioners. Fayetteville and Spring Lake were the only towns not included in the creation of the county recreation service district when it was formed June 30, 1975. The Town of Hope Mills now conducts its own recreation program, levies a separate recreation tax, and is no longer in the district. The Towns of Eastover, Godwin, Hope Mills, Linden, Spring Lake, Stedman and Wade have provided resolutions either taking action or ratifying all actions taken by their respective governing boards and the board of county commissioners with respect to the towns' consent to be included in the county recreation service district. Each of the town's resolutions is attached as a permanent record to be recorded in the minutes of this meeting. The Town of Falcon did not respond to the request for a resolution.

The county has not directly provided any recreation services since the county and City of Fayetteville entered into an interlocal agreement January 5, 2004, to consolidate the county's recreation department into the city's recreation department with the city to manage and provide all recreation services within the county recreation service district. The county is obligated to allocate all the proceeds from the county recreation service district tax to the city for this purpose. Because the Town of Spring Lake has an existing recreation department with employees and facilities, it is necessary for the town to enter into a separate interlocal agreement with the City of Fayetteville with respect to the town's employees and recreation assets.

RECOMMENDATION / PROPOSED ACTION

After the public hearing June 20, 2022, if the board wishes to annex the Town of Spring Lake into the county recreation service district, it may do so by adopting the resolution recorded below.

Cumberland County Board of Commissioners
Resolution Annexing the Territory of the Town of Spring Lake into the
Cumberland County Recreation Service District and Ratifying all Actions Taken by the Board of
Commissioners and the Governing Boards of the Towns Included in the District

Whereas, the Cumberland County Recreation Service District was created June 30, 1975, as a county wide district to include all municipalities within the county except the City of Fayetteville and the Town of Spring Lake; and

Whereas, the City of Fayetteville and the county entered an interlocal agreement January 5, 2004, to consolidate the county's recreation department into the city's recreation department with the city to manage and provide all recreation services within the county recreation service district, and the county to allocate all the proceeds from the county recreation service district tax to the city for this purpose; and

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Whereas, the Town of Hope Mills has withdrawn from the county recreation service district, in accordance with the resolution attached hereto; and

Whereas, the Town of Spring Lake now wishes to be annexed into the county recreation service district, in accordance with the resolution attached hereto; and

Whereas, the Town of Linden now wishes to ratify and confirm its consent to be included in the into the county recreation service district in accordance with the resolution attached hereto; and

Whereas, the Towns of Eastover, Godwin, Stedman, and Wade have each ratified all actions taken by their respective governing boards and the board of commissioners regarding the county recreation service district, in accordance with the resolutions attached hereto, for the purpose of establishing a permanent record of the actions of the governing boards with respect to the county recreation service district; and

Whereas, the Town of Falcon did not provide a resolution but will continue to be part of the county service district in accordance with the original action by the board of county commissioners.

Be it hereby resolved; the Cumberland County Board of Commissioners finds the following:

(1) The eastern boundaries of the Town of Spring Lake (the “Town”) and its boundaries with the unincorporated areas lying within its corporate limits are contiguous to the Cumberland County Recreation Service District (the “District”) with at least one eighth of the town’s aggregate external boundary coincident with the existing boundary of the District, as shown on the attached GIS map which shows the corporate limits of the Town and the tax districts designated as Manchester and Westarea being within the District.

(2) The Town’s governing board has determined the Town requires the services of the District and has requested the board of commissioners to annex its territory to the District, in accordance with the resolution of the Town attached hereto.

(3) The board of commissioners concurs with the determination of the Town’s governing board and agrees to annex the Town to the District.

(4) The Town caused notice of the public hearing advertised by the county for June 20, 2022, to be mailed to all property owners in the Town, in accordance with the Town’s resolution attached hereto. The publisher’s order confirmation for the county’s advertisement of the public hearing is attached hereto. The publisher’s affidavit will be included in the agenda of the August 1, 2022, meeting as a record for the minutes.

(5) The county attorney reports that the annexation of the territory of the Town meets the standards of N.C.G.S. § 153A-303. Extension of service districts, and the board of commissioners accepts that report.

(6) The county attorney reports that the report required by N.C.G.S. § 153A-303 was available for public inspection in the Office of the Clerk to the Board for at least two weeks prior to the public hearing on this matter.

After consideration of the comments received at the public hearing and based on the foregoing findings, the board of commissioners further resolves:

(7) The territory of the Town of Spring Lake shall be annexed into the District effective July 1, 2022, with recreation services to be provided by the City of Fayetteville in accordance with the interlocal agreement between the city and the county dated January 5, 2004, all further amendments and operational agreements associated with that agreement, and in accordance of any agreement between the Town and the City of Fayetteville.

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(8) Be it further resolved that the board of commissioners ratifies and affirms all actions taken by it and the governing boards of each of the towns with respect to the county recreation service district as expressed in the resolutions of each of the towns attached hereto, to the end that effective July 1, 2022, the Cumberland County Recreation Service District shall include all of the county's jurisdiction and the jurisdiction of each of the towns within the county except the City of Fayetteville and the Town of Hope Mills, with recreation services to be provided to the District by the City of Fayetteville in accordance with the interlocal agreement between the city and the county dated January 5, 2004, all further amendments and operational agreements associated with that agreement, and in accordance of any agreement between the any of the towns and the City of Fayetteville.

Adopted June 20, 2022

Mr. Moorefield presented the background information recorded above and referenced the resolutions provided as attachments. (See Attachment A.) Mr. Moorefield stated research showed there was not a single source of minutes containing the agreements from the towns within the county included in the county recreation service district and he sought appropriate resolutions from each town ratifying all actions taken by their respective governing boards to be recorded in the minutes of the board of commissioners.

Mr. Moorefield stated to establish a service district is a statutory process and all the statutory requirements that must be met have been met. Mr. Moorefield stated a report on the annexation of Spring Lake to the Cumberland County recreation service district is required by statute and was filed with the Clerk to the Board on June 3, 2022. (See Attachment B.) Mr. Moorefield stated the Town of Spring Lake clerk mailed notices of the county commissioners' public hearing to all property owners in the Town of Spring Lake and the public hearing was also advertised in *The Fayetteville Observer*. Mr. Moorefield stated should the resolution be adopted, the annexation will become effective July 1, 2022, or the start of the fiscal year, which is a statutory requirement.

Chairman Adams opened the public hearing.

The clerk to the board called the following speaker:

Fredricka Sutherland – Ms. Sutherland appeared as a proponent and former Spring Lake Alderwoman and expressed concern that low-income youths would not have easy access to recreation programs because fees had not been discussed. She also expressed concern about the status of the current recreation facility. Ms. Sutherland asked that Spring Lake have a seat at the table and a voice on recreation issues.

Chairman Adams closed the public hearing.

Chairman Adams asked whether the Town of Spring Lake held a public hearing. Mr. Moorefield stated he did not think so. Mr. Moorefield also stated existing assets are an important issue for Spring Lake and its citizens and it is his understanding from discussions with the interim town manager that the Town of Spring Lake has also been in discussions with the City of Fayetteville to enter into agreements to address their employees, their assets and equipment to make those things are covered.

MOTION: Commissioner Stewart moved to adopt the Resolution Annexing the Territory of the Town of Spring Lake into the Cumberland County Recreation Service District and Ratifying all Actions Taken by the Board of Commissioners and the Governing Boards of the Towns Included in the District.
SECOND: Commissioner Council
VOTE: UNANIMOUS (4-0)

5. ITEMS OF BUSINESS

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A. Consideration of Designating a Voting Delegate to the 2022 NACo Annual Conference

BACKGROUND

The 2022 NACo Annual Conference will be held July 21-24, 2022 in Adams County, Colorado. Cumberland County has paid its NACo membership dues and has at least one paid registrant for the conference.

Should the Board of Commissioners wish to participate in NACo's annual election of officers, national policy agenda, and other association business, the Board will need to designate a voting delegate who will be authorized to cast votes at the annual business meeting on Sunday, July 24, 2022.

A voting delegate must be designated by Monday, July 18, 2022. NACo did not request the designation of an alternate voting delegate.

RECOMMENDATION / PROPOSED ACTION

Designate a voting delegate to the 2022 NACo Annual Conference and business meeting.

MOTION: Commissioner Council moved to designate Chairman Adams as the voting delegate and Vice Chairwoman Stewart as the alternate voting delegate, if necessary.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (4-0)

B. Consideration of Granting Easements to the City for Traffic Control Device and Pedestrian Crosswalk Improvements Adjoining Hillsboro Street

BACKGROUND

The City of Fayetteville is requesting easements on both sides of the southern-most driveway from Hillsboro Street into the DSS parking lot. The project consists of upgrading the traffic signals to include pedestrian signals and crosswalks. These easements are needed to relocate the signal poles currently in place. The easements contain approximately 1077.16 square feet at 1225 Ramsey Street and approximately 1705.33 square feet at 840 Hillsboro Street. The affected parcels are 0438-50-0407, and 0438-51-2393. The proposed easement, Exhibit Maps and Memorandum from the City Attorney are attached.

RECOMMENDATION / PROPOSED ACTION

The county attorney recommends granting of the proposed easements to the City of Fayetteville for the upgrading of the current signal poles to include pedestrian signals and crosswalks and authorize the chair to sign the easement documents.

MOTION: Commissioner Council moved to grant the proposed easements to the City of Fayetteville for the upgrading of the current signal poles to include pedestrian signals and cross walks and authorize the chair to sign the easement documents.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (4-0)

C. Consideration of Resolution to Lease Certain Real Property to the Vision Resource Center, Inc.

BACKGROUND

The Board adopted its required resolution of intent at its May 16, 2022 meeting. Pursuant to G.S. 160A-272, the notice of intent was advertised in the Fayetteville Observer on May 23, 2022. The publisher's affidavit is attached. Adoption of the following resolution will authorize the chairman to execute the lease. Also attached is a copy of the proposed lease and the organization's non-profit status with the North Carolina Secretary of State.

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RECOMMENDATION / PROPOSED ACTION

Adopt the following Resolution:

The Cumberland County Board of Commissioners finds:

The real property located at 2736 Cedar Creek Road, Fayetteville, (the Alphin House) will not be needed for government purposes for the term proposed for the lease of the property to the Vision Resource Center, Inc.;

The Board adopted a resolution of intent to lease the property described herein at its regular meeting held May 16, 2022; and

The notice of intent to lease the property was advertised in the Fayetteville Observer on May 23, 2022.

BE IT THEREFORE RESOLVED that the chairman is authorized to execute a lease to the Vision Resource Center, Inc., a non-profit corporation, for that property consisting of 2,752 feet of space located at 2736 Cedar Creek Road, Fayetteville, NC, for a term of not more than three (3) years commencing on July 1, 2022, at an annual rental rate of TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400.00), and payable in monthly rent of TWO HUNDRED DOLLARS (\$200.00).

MOTION: Commissioner Stewart moved to authorize the Chairman to execute a lease to the Vision Resource Center, Inc., a non-profit corporation, for that property consisting of 2,752 feet of space located at 2736 Cedar Creek Road, Fayetteville, NC, for a term of not more than three (3) years commencing on July 1, 2022, at an annual rental rate of TWO THOUSAND FOUR HUNDRED DOLLARS (\$2,400.00), and payable in monthly rent of TWO HUNDRED DOLLARS (\$200.00).

SECOND: Commissioner Council

VOTE: UNANIMOUS (4-0)

D. Consideration of ARP Committee Recommendations

BACKGROUND

The ARP Committee is scheduled to meet on Monday, June 20, 2022 immediately preceding the 6:45 p.m. Board Meeting. The following items will be considered at the 5:30 p.m. meeting:

- Small Business Priority Application Funding Recommendations
- Recruitment and Retention Recommendation
- Consideration of Required ARPA Subaward Policy
- ARPA Project Ordinance Revision

RECOMMENDATION / PROPOSED ACTION

Consider ARP Committee recommendations from their June 20, 2022 meeting.

Ms. Cannon presented the background information recorded above and called on Brenda Jackson, ARP Program Manager, to present the ARP Committee recommendations. Ms. Jackson stated the Small Business Economic Assistance Program's application process has been ongoing, 160 have been received and 50 have received funding priority. Ms. Jackson stated at the June 9, 2022 Agenda Session meeting, the ARP Committee made recommendations for 8 small businesses totaling \$217,572 in funding, which were approved as consent agenda items at this meeting. Staff conducted site visits to confirm each business's operating address and ensured NC Secretary of State filings were current for corporations and limited liability companies. Ms. Jackson stated application review has continued and presented the following two additional small businesses for consideration of ARP funding.

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Elite Facilities, LLC

Requested Funding: \$48,000

Recommended Funding: \$29,000

LMI FTE positions retained: 2

LMI FTE positions created: 1

Elite Facilities, LLC is a gym facility that contains exercise equipment, tables, chairs, and a smoothie bar selling power blend flavors. The business has been in operations in Cumberland County since October 2020. services offered include physical fitness, body enhancement, physical strength, personal training, and nutritional sessions. In March of 2020, Governor Cooper mandated that indoor facilities like gyms/fitness centers would temporarily close to slow the spread of the COVID-19 virus caused a reduction in participants attending the gym. The mandate profoundly affected the owner as a new business.

MOTION: Commissioner Evans moved to approve \$29,000 in ARP funding for Elite Facilities, LLC.

SECOND: Commissioner Council

VOTE: UNANIMOUS (4-0)

H3 Cleaning Solutions, LLC

Requested Funding: \$50,000

Recommended Funding: \$29,500

LMI FTE positions retained: 2

LMI FTE positions created: 3

H3 Cleaning Solutions, LLC has operated in Cumberland County since April 2015. The business provides janitorial services to office buildings, banks, schools, and churches. Business loss contracts due to the mandatory closing of facilities and/or the reduction in building occupancy due to remote work. When existing building closed due to COVID-19 mandates, the owner divided hours of employees among the remaining contract maintain their employment. This meant having to retrain employees based on the type of cleaning required for the business site.

MOTION: Commissioner Evans moved to approved \$29,500 in ARP funding for H3 Cleaning Solutions, LLC.

SECOND: Commissioner

VOTE: UNANIMOUS (4-0)

Brian Haney, Assistant County Manager, presented recommendations to use ARP funds to provide retention incentives for county employees with the aid of the following PowerPoint presentation.

Background

- Pay not competitive with market
- No mechanism to move employees through grades
- Most employees near minimum of grade, regardless of tenure
- **Employee Vacancy:** 22.75% of positions vacant as 6/20/22
- **Turnover Rate:** 25.54% currently

Recommended FY 2023 Budget includes:

- 4% COLA for employees
- Increases for law enforcement and detention employees
- Funding for Compensation Study in FY 2023 to help address recruitment and retention issues going forward

Mr. Haney stated the Compensation Study will take time and in order to help retain our existing employees and prevent the County's vacancy rate from continuing to increase, staff recommends providing retention incentives for County employees in order to help stem the tide of employee turnover and vacancies until the recommendations from the compensation study and other strategies can be implemented. Mr. Haney reviewed the following and stated staff

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recommendations do not include County Management, including the County Manager and Assistant County Managers, who will not receive the incentive.

Staff Recommendations

Use portion of County ARP funds to provide Retention Incentives for County employees

- \$4,000 paid throughout FY 2023 for qualifying employees in pay status as of July 5, 2022
 - \$1,500 in July 22 payroll
 - \$1,000 in December
 - \$1,500 in June 2023
- \$1,000 for employees in a pay status after July 5 through Nov. 1, 2022
 - Paid in June 2023 if still with County

Part-time employees receive pro-rated amount

Mr. Haney stated staff considered several alternative scenarios such as limiting these incentives to departments and/or positions with higher turnover rates and recommending tiered incentives based on annual employee salary; however, staff believe the county's vacancy rates have been and will continue to be fluid between departments. Mr. Haney displayed and reviewed graphs depicting vacancy rate by grade and vacant positions and filled positions by grade. Mr. Haney stated providing different levels of incentives for different departments or employees may exacerbate the problem among those departments and employees who may feel their loyalty to the County is of less value than their coworkers. Mr. Haney stated the county's pay is not competitive with the market in terms of where the positions are graded and in terms of where employees are in pay grade. Mr. Haney stated county employees are also feeling the pain of 8.5% inflation and rising prices and are actively being recruitment at all levels.

Mr. Haney reviewed Cost Projections and Available Funding:

Maximum Cost: \$8,176,292.49

- Includes FICA, Retirement, Worker's Comp, County 401K
- Will be reduced through additional turnover

Available Funding: \$8,200,000

- Remaining freed-up ARP Revenue Replacement Capacity

Mr. Haney stated ARP authorizes the use of funds to provide worker retention incentives; however, staff consulted with the County's legal staff, as well as with the UNC School of Government and the North Carolina Association of County Commissioners, and the consensus has been that simply providing evidence of the County's increased turnover and vacancy rates, even where extreme, is not sufficient justification to provide retention incentives broadly. Mr. Haney stated the U.S. Treasury's Final Rule does provide jurisdictions with the ability to claim a standard allowance for revenue loss of \$10 million in order to free up General Fund money for ARP-enabled projects without triggering federal eligibility and reporting requirements. Mr. Haney stated Cumberland County has done this and currently has \$8.2 million in freed-up revenue replacement capacity that can be used to provide these retention incentives.

Mr. Haney stated the ARP Committee met prior to this meeting to move this recommendation forward for consideration which will allow the county to begin making employees aware of these incentives that can be issued with the July 22, 2022 payroll. Mr. Haney stated if approved, a budget amendment will be brought before the board in August for consideration.

Mr. Moorefield stated for clarification the County Attorney and Clerk to the Board are also excepted from receiving the incentives.

MOTION: Commissioner Stewart moved to approve retention incentives for county employees by providing employees who are in a pay status as of July 5, 2022 with up to \$4,000 in one-time retention incentives, distributed in three payment across FY23, with \$1,500 paid out on July 22, 2022, \$1,000 paid out in December and \$1,500 paid out in June 2023. The incentives will be prorated for part-time employees actively employed by the county at the time an incentive is paid out. Any employees hired after July 5, 2022 through November 1, 2022 will receive a retention incentive of \$1,000 if they are still employed with the county in June

2023. The County Manager, Assistant County Managers, County Attorney and Clerk to the Board will not receive the incentives.

SECOND: Commissioner Council

VOTE: UNANIMOUS (4-0)

Vicki Evans, stated adoption of Policy Number 3-12: Policy for Subaward and Monitoring for expenditures for ARPA, is required before Cumberland County can enter into a subaward agreement in which the funding sources are ARP/CSLFRF funds. Ms. Evans stated the policy provides definition to distinguish between a subrecipient and contractor, it describes how the county determines an entity is a subrecipient or contractor, sets out criteria about conducting a risk assessment on awarding funds to a proposed recipient and lays out parameters to monitor subrecipients based on their level of risk.

MOTION: Commissioner Stewart moved to approve Policy Number 3-12: Policy for Subaward and Monitoring for expenditures for ARPA.

SECOND: Commissioner Council

VOTE: UNANIMOUS (4-0)

Ms. Evans stated ARPA Project Ordinance Revision 220652 is an amendment that allocates \$874,000 for behavioral health services expenditure category for Cape Fear Valley to provide a community paramedic program and \$250,000 for Fayetteville State University to provide advisory services, education, entrepreneurial summits and expos to businesses. Ms. Evans stated this \$1,124,00 assignment was offset by decreasing the administrative unassigned amount by \$1,124,000.

Chairman Adams stated the board of commissioners sits on the Cape Fear Valley Health System Board of Trustees and he sits on the FSU Board of Trustees, which should not pose a conflict under the new law. Mr. Moorefield confirmed that to be correct.

MOTION: Commissioner Stewart moved to approve ARPA Project Ordinance Revision 220652 to create a line-item budget for the Cape Fear Valley Health System Community Paramedic Program and the Fayetteville State University Innovation and Entrepreneur Hub.

SECOND: Commissioner Council

VOTE: UNANIMOUS (4-0)

6. NOMINATIONS

A. Transportation Advisory Board (3 Vacancies)

Commissioner Stewart nominated Carla Smith for the category of Mid-Carolina Council of Governments Director or Designee; Amber Gulch for the category of Aging Program Representative; and Deloma Graham for the category of MPO Representative.

B. Fayetteville Area Convention and Visitors Bureau Board of Directors (1 Vacancy)

Commissioner Stewart nominated Lily Schmidt for the category of Hotels/Motels Under 100 Rooms Representative.

7. APPOINTMENTS

A. Animal Services Board

MOTION: Commissioner Stewart moved to appoint Dennis Patterson to the Animal Services Board.

SECOND: Commissioner Council

VOTE: UNANIMOUS (4-0)

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B. Board of Adjustment

MOTION: Commissioner Stewart moved to appoint Linda Amos to the Board of Adjustment.
SECOND: Commissioner Council
VOTE: UNANIMOUS (4-0)

C. Fayetteville-Cumberland Parks and Recreation Advisory Board

MOTION: Commissioner Stewart moved to appoint Harold Smelcer and Carl Blue to the Fayetteville-Cumberland Parks and Recreation Advisory Board.
SECOND: Commissioner Council
VOTE: UNANIMOUS (4-0)

8. CLOSED SESSION

A. Personnel Matter(s) Pursuant to NCGS 143.318.11(a)(6)

MOTION: Commissioner Council moved to go into closed session for Personnel Matter(s) Pursuant to NCGS 143.318.11(a)(6).
SECOND: Commissioner Stewart
VOTE: UNANIMOUS (4-0)

MOTION: Commissioner Stewart moved to come out of closed session.
SECOND: Commissioner Council
VOTE: UNANIMOUS (4-0)

MOTION: Commissioner Stewart moved to adjourn.
SECOND: Commissioner Council
VOTE: UNANIMOUS (4-0)

There being no further business, the meeting adjourned at 9:05 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board

GOVERNING BOARD OF THE TOWN OF HOPE MILLS**R2022-17 A RESOLUTION RATIFYING ALL PRIOR ACTIONS TAKEN BY THE
GOVERNING BOARDS OF CUMBERLAND COUNTY AND THE TOWN OF HOPE
MILLS
TO REMOVE THE TOWN OF HOPE MILLS FROM THE
CUMBERLAND COUNTY RECREATION SERVICE DISTRICT**

Whereas, Cumberland County created a recreation service district July 1, 1975, to provide parks and recreation services countywide except in the City of Fayetteville and the Town of Spring Lake; and

Whereas, the governing boards of the Towns of Hope Mills and Wade agreed that the Towns of Hope Mills and Wade be included in the county recreation service district and those towns were included in the district at the time the district was created; and

Whereas, the governing board of the Town of Stedman agreed that the Town of Stedman be included in the county recreation service district and the Board of County Commissioners took action to include it April 1, 1976; and

Whereas, the governing boards of the Towns of Falcon and Godwin agreed that the Towns of Falcon and Godwin be included in the county recreation service district and the Board of County Commissioners took action to include those towns April 20, 1976; and

Whereas, effective July 1, 2004, Cumberland County and the City of Fayetteville consolidated the provision of parks and recreation services by their respective parks and recreation departments into a single parks and recreation system known as the Fayetteville/Cumberland Regional Parks and Recreation Department to be managed and operated solely by the City of Fayetteville in accordance with the policies and procedures of the City of Fayetteville, with all employees being employees of the City of Fayetteville; and

Whereas, in accordance with the consolidation into the Fayetteville/Cumberland Regional Parks and Recreation Department, the county obligated to annually remit the tax proceeds from the county recreation service district to the City of Fayetteville for the provision of recreation services in the county recreation service district; and

Whereas, after the consolidation of the county recreation department into the Fayetteville/Cumberland Regional Parks and Recreation Department, the governing boards of the county and the Town of Hope Mills agreed that the Town of Hope Mills would undertake the provision of all recreation facilities and programs within the Town of Hope Mills and the Town of Hope Mills has provided its own recreation services and programs since then; and

Whereas, the Town of Hope Mills now confirms that it has withdrawn its agreement to be included in the county recreation district, and

Whereas, the Town of Spring Lake now agrees to be included in the county's recreation service district; and

Whereas, the Town of Linden now agrees to be included in the county's recreation service district; and

BE IT HEREBY RESOLVED, the governing board of the Town of Hope Mills ratifies all prior actions taken by the governing boards of Cumberland County and the Town of Hope Mills for the town to withdraw its agreement to be included in the county recreation service district and for the county to accept the town's withdrawal from the county recreation service district.

BE IT FURTHER RESOLVED, this resolution, together with the resolutions of each other town included in the county's recreation service district, shall be incorporated into the minutes of a meeting of the Board of County Commissioners as a permanent record of the actions taken by the governing boards referenced herein.

Adopted May 16, 2022.

Town of Hope Mills

By:

Jackie Warner
Mayor Jackie Warner

Attest:

Jane G. Starby
Town Clerk



Resolution (2022) 6

RESOLUTION BY THE BOARD OF ALDERMEN OF THE TOWN OF SPRING LAKE AGREEING THE TOWN OF SPRING LAKE BE INCLUDED IN THE CUMBERLAND COUNTY RECREATION SERVICE DISTRICT

WHEREAS, Cumberland County created a recreation service district July 1, 1975, to provide parks and recreation services countywide except in the City of Fayetteville and the Town of Spring Lake; and

WHEREAS, the governing boards of the Towns of Hope Mills and Wade agreed that the Towns of Hope Mills and Wade be included in the county recreation service district and those towns were included in the district at the time the district was created; and

WHEREAS, the governing board of the Town of Stedman agreed that the Town of Stedman be included in the county recreation service district and the Board of County Commissioners took action to include it April 1, 1976; and

WHEREAS, the governing boards of the Towns of Falcon and Godwin agreed the Towns of Falcon and Godwin be included in the recreation service district and the Board of County Commissioners took action to include those towns April 20, 1976; and

WHEREAS, effective July 1, 2004, Cumberland County and the City of Fayetteville consolidated the provision of parks and recreation services by their respective parks and recreation departments into a single parks and recreation system known as the Fayetteville/Cumberland Regional Parks and Recreation Department to be managed and operated solely by the City of Fayetteville in accordance with the policies and procedures of the City of Fayetteville, with all employees being employees of the City of Fayetteville; and

WHEREAS, in accordance with the consolidation into the Fayetteville/Cumberland Regional Parks and Recreation Department, the county obligated to annually remit the tax proceeds from the county's recreation service district to the City of Fayetteville for the provision of recreation services in the county's recreation service district; and

WHEREAS, after the consolidation of the county recreation department into the Fayetteville/Cumberland Regional Parks and Recreation Department, the governing boards of the county and the Town of Hope Mills agreed that the Town of Hope Mills would undertake the provision of all recreation facilities and programs within the Town of Hope Mills and the Town of Hope Mills has provided its own recreation services and programs since then; and

WHEREAS, the Town of Spring Lake now agrees to be included in the county recreation service district.

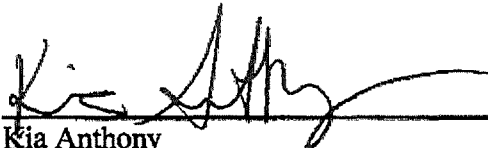
BE IT HEREBY RESOLVED, the governing board of the Town of Spring Lake requests the Cumberland County Board of Commissioners to include the Town of Spring Lake in the county recreation service district for the provision of parks and recreation services by the Fayetteville/Cumberland Regional Parks and Recreation Department, subject to such further terms and conditions with respect to the town's recreation personnel, equipment and facilities as may be agreed upon between the Town of Spring Lake and the City of Fayetteville, by and through its Fayetteville/Cumberland Regional Parks and Recreation Department, to be effective July 1, 2022.

BE IT FURTHER RESOLVED, the Town Clerk of the Town of Spring Lake has certified to the governing board that notice of the public hearing on the extension of the county recreation service district to include the Town of Spring Lake was mailed on or before May 23, 2022, to each owner of property in the Town of Spring Lake as of January 1, 2022, according to the tax records of Cumberland County.


BE IT FURTHER RESOLVED, this resolution, together with the resolutions of every other town included in the county recreation service district, shall be incorporated into the minutes of a meeting of the Board of County Commissioners as a permanent record of the actions taken by the governing boards referenced herein.

Adopted this 13 day of June 2022.




Kia Anthony
Mayor

ATTEST:


Melissa Pereira, CMC
Town Clerk

RESOLUTION NO. 2022-03
RESOLUTION AGREEING THE TOWN OF LINDEN BE INCLUDED
IN THE CUMBERLAND COUNTY RECREATION SERVICE DISTRICT

WHEREAS, Cumberland County created a recreation service district July 1, 1975, to provide parks and recreation services countywide except in the City of Fayetteville and the Town of Spring Lake; and

WHEREAS, the governing boards of the Towns of Hope Mills and Wade agreed that the Towns of Hope Mills and Wade be included in the county recreation service district and those towns were included in the district at the time the district was created; and

WHEREAS, the governing board of the Town of Stedman agreed that the Town of Stedman be included in the county recreation service district and the Board of County Commissioners took action to include it April 1, 1976; and

WHEREAS, the governing boards of the Towns of Falcon and Godwin agreed the Towns of Falcon and Godwin be included in the recreation service district and the Board of County Commissioners took action to include those towns April 20, 1976; and

WHEREAS, effective July 1, 2004, Cumberland County and the City of Fayetteville consolidated the provision of parks and recreation services by their respective parks and recreation departments into a single parks and recreation system known as the Fayetteville/Cumberland Regional Parks and Recreation Department to be managed and operated solely by the City of Fayetteville in accordance with the policies and procedures of the City of Fayetteville, with all employees being employees of the City of Fayetteville; and

WHEREAS, in accordance with the consolidation into the Fayetteville/Cumberland Regional Parks and Recreation Department, the county obligated to annually remit the tax proceeds from the county's service district to the City of Fayetteville for the provision of recreation services in the county's recreation service district; and

WHEREAS, after the consolidation of the county recreation department into the Fayetteville/Cumberland Regional Parks and Recreation Department, the governing boards of the county and the Town of Hope Mills agreed that the Town of Hope Mills would undertake the provision of all recreation facilities and programs within the Town of Hope Mills and the Town of Hope Mills has provided its own recreation services and programs since then; and

WHEREAS, the Town of Spring Lake now agrees to be included in the county's recreation service district; and

WHEREAS, the Town of Linden now agrees to be included in the county's recreation service district.

BE IT HEREBY RESOLVED, the governing board of the Town of Linden agrees the Cumberland County Board of Commissioners include the Town of Linden in the county's recreation service district for the provision of parks and recreation services by the Fayetteville/Cumberland Regional Parks and Recreation Department, subject to such further

terms and conditions with respect to the town's recreation personnel, equipment and facilities as may be agreed upon between the Town of Linden and the City of Fayetteville, by and through its Fayetteville/Cumberland Regional Parks and Recreation Department, to be effective July 1, 2022.

BE IT FURTHER RESOLVED, this resolution, together with the resolutions of every other town included in the county recreation service district, shall be incorporated into the minutes of a meeting of the Board of County Commissioners as a permanent record of the actions taken by the governing boards referenced herein.

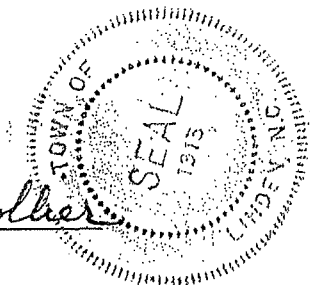
Adopted April 19, 2022.

Town of Linden

By:

Frances B. Collier

Mayor Frances B. Collier



Attest:

Kimberly J. Turner

Town Clerk



TOWN *of* EASTOVER

**3863 Dunn Road
Eastover, North Carolina, 28312**

910-323-0707

www.eastovernmc.com

910-323-2640 Fax

GOVERNING BOARD OF THE TOWN OF EASTOVER

RESOLUTION RATIFYING ALL PRIOR ACTIONS TAKEN BY THE GOVERNING BOARDS OF CUMBERLAND COUNTY AND THE TOWN OF EASTOVER TO INCLUDE THE TOWN OF LINDEN AND TOWN OF SPRING LAKE IN THE CUMBERLAND COUNTY RECREATION SERVICE DISTRICT

Whereas, Cumberland County created a recreation service district July 1, 1975, to provide parks and recreation services countywide except in the City of Fayetteville and the Town of Spring Lake; and

Whereas, the governing boards of the Towns of Hope Mills and Wade agreed that the Towns of Hope Mills and Wade be included in the county recreation service district and those towns were included in the district at the time the district was created; and

Whereas, the governing board of the Town of Stedman agreed that the Town of Stedman be included in the county recreation service district and the Board of County Commissioners took action to include it April 1, 1976; and

Whereas, the governing boards of the Towns of Falcon and Godwin agreed that the Towns of Falcon and Godwin be included in the county recreation service district and the Board of County Commissioners took action to include those towns April 20, 1976; and

Whereas, effective July 1, 2004, Cumberland County and the City of Fayetteville consolidated the provision of parks and recreation services by their respective parks and recreation departments into a single parks and recreation system known as the Fayetteville/Cumberland Regional Parks and Recreation Department to be managed and operated solely by the City of Fayetteville in accordance with the policies and procedures of the City of Fayetteville, with all employees being employees of the City of Fayetteville; and

Whereas, in accordance with the consolidation into the Fayetteville/Cumberland Regional Parks and Recreation Department, the county obligated to annually remit the tax proceeds from the county's recreation service district to the City of Fayetteville for the provision of recreation services in the county's recreation service district; and

Whereas, after the consolidation of the county recreation department into the Fayetteville/Cumberland Regional Parks and Recreation Department, the governing boards of the county and the Town of Hope Mills agreed that the Town of Hope Mills would undertake the provision of all recreation facilities and programs within the Town of Hope Mills and the Town of Hope Mills has provided its own recreation services and programs since then; and

Whereas, the Town of Spring Lake now agrees to be included in the county recreation service district; and

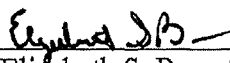
Whereas, the Town of Linden now agrees to be included in the county recreation service district.

BE IT HEREBY RESOLVED, the governing board of the Town of Eastover ratifies all prior actions taken by the governing boards of Cumberland County and the Town of Eastover to include the Town of Linden and the Town of Spring Lake in the county recreation service district for the provision of parks and recreation services by the Fayetteville/Cumberland Regional Parks and Recreation Department.

BE IT FURTHER RESOLVED, this resolution, together with the resolutions of each other town included in the county recreation service district, shall be incorporated into the minutes of a meeting of the Board of County Commissioners as a permanent record of the actions taken by the governing boards referenced herein.

Adopted May 10, 2022.

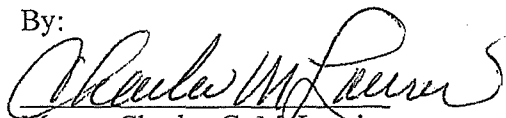
Attest:


Elizabeth S. Bass, Town Clerk



Town of Eastover

By:


Mayor, Charles G. McLaurin

GOVERNING BOARD OF THE TOWN OF GODWIN

RESOLUTION RATIFYING ALL PRIOR ACTIONS TAKEN BY THE GOVERNING BOARDS OF CUMBERLAND COUNTY AND THE TOWN OF HOPE MILLS AND WADE TO INCLUDE THE TOWN OF GODWIN IN THE CUMBERLAND COUNTY RECREATION SERVICE DISTRICT

Whereas, Cumberland County created a recreation service district July 1, 1975, to provide parks and recreation services countywide except in the City of Fayetteville and the Town of Spring Lake; and

Whereas, the governing boards of the Towns of Hope Mills and Wade agreed that the Towns of Hope Mills and Wade be included in the county recreation service district and those towns were included in the district at the time the district was created; and

Whereas, the governing board of the Town of Stedman agreed that the Town of Stedman be included in the county recreation service district and the Board of County Commissioners took action to include it April 1, 1976; and

Whereas, the governing boards of the Towns of Falcon and Godwin agreed that the Towns of Falcon and Godwin be included in the county recreation service district and the Board of County Commissioners took action to include those towns April 20, 1976; and

Whereas, effective July 1, 2004, Cumberland County and the City of Fayetteville consolidated the provision of parks and recreation services by their respective parks and recreation departments into a single parks and recreation system known as the Fayetteville/Cumberland Regional Parks and Recreation Department to be managed and operated solely by the City of Fayetteville in accordance with the policies and procedures of the City of Fayetteville, with all employees being employees of the City of Fayetteville; and

Whereas, in accordance with the consolidation into the Fayetteville/Cumberland Regional Parks and Recreation Department, the county obligated to annually remit the tax proceeds from the county's recreation service district to the City of Fayetteville for the provision of recreation services in the county's recreation service district; and

Whereas, the Town of Spring Lake now agrees to be included in the county's recreation service district; and

Whereas, the Town of Linden now agrees to be included in the county's recreation service district.

BE IT HEREBY RESOLVED, the governing board of the Town of Godwin ratifies all prior actions taken by the governing boards of Cumberland County and the Town of Hope Mills and Wade to include the Town of Godwin in the county's recreation service district for the

provision of parks and recreation services by the Fayetteville/Cumberland Regional Parks and Recreation Department.

BE IT FURTHER RESOLVED, this resolution, together with the resolutions of each other town included in the county recreation service district, shall be incorporated into the minutes of a meeting of the Board of County Commissioners as a permanent record of the actions taken by the governing boards referenced herein.

Adopted May 16, 2022.



Town of Godwin
By:

Mayor Willie Kuntz

Attest:

Jacqueline Cooper-Kelley
Town Clerk

GOVERNING BOARD OF THE TOWN OF STEDMAN

**RESOLUTION RATIFYING ALL PRIOR ACTIONS TAKEN BY THE GOVERNING
BOARDS OF CUMBERLAND COUNTY AND THE TOWN OF STEDMAN
TO INCLUDE THE TOWN OF STEDMAN IN THE
CUMBERLAND COUNTY RECREATION SERVICE DISTRICT**

Whereas, Cumberland County created a recreation service district July 1, 1975, to provide parks and recreation services countywide except in the City of Fayetteville and the Town of Spring Lake; and

Whereas, the governing boards of the Towns of Hope Mills and Wade agreed that the Towns of Hope Mills and Wade be included in the county recreation service district and those towns were included in the district at the time the district was created; and

Whereas, the governing board of the Town of Stedman agreed that the Town of Stedman be included in the county recreation service district and the Board of County Commissioners took action to include it April 1, 1976; and

Whereas, the governing boards of the Towns of Falcon and Godwin agreed that the Towns of Falcon and Godwin be included in the county recreation service district and the Board of County Commissioners took action to include those towns April 20, 1976; and

Whereas, effective July 1, 2004, Cumberland County and the City of Fayetteville consolidated the provision of parks and recreation services by their respective parks and recreation departments into a single parks and recreation system known as the Fayetteville/Cumberland Regional Parks and Recreation Department to be managed and operated solely by the City of Fayetteville in accordance with the policies and procedures of the City of Fayetteville, with all employees being employees of the City of Fayetteville; and

Whereas, in accordance with the consolidation into the Fayetteville/Cumberland Regional Parks and Recreation Department, the county obligated to annually remit the tax proceeds from the county's recreation service district to the City of Fayetteville for the provision of recreation services in the county's recreation service district; and

Whereas, after the consolidation of the county recreation department into the Fayetteville/Cumberland Regional Parks and Recreation Department, the governing boards of the county and the Town of Hope Mills agreed that the Town of Hope Mills would undertake the provision of all recreation facilities and programs within the Town of Hope Mills and the Town of Hope Mills has provided its own recreation services and programs since then; and

Whereas, the Town of Spring Lake now agrees to be included in the county recreation service district; and

Whereas, the Town of Linden now agrees to be included in the county recreation service district.

BE IT HEREBY RESOLVED, the governing board of the Town of Stedman ratifies all prior actions taken by the governing boards of Cumberland County and the Town of Stedman to include the Town of Stedman in the county recreation service district for the provision of parks and recreation services by the Fayetteville/Cumberland Regional Parks and Recreation Department.

BE IT FURTHER RESOLVED, this resolution, together with the resolutions of each other town included in the county recreation service district, shall be incorporated into the minutes of a meeting of the Board of County Commissioners as a permanent record of the actions taken by the governing boards referenced herein.

Adopted May 12, 2022.

Town of Stedman
By:

Martin L. Jones
Mayor Martin L. Jones

Attest:

Christy Horne
Town Clerk

GOVERNING BOARD OF THE TOWN OF WADE

**RESOLUTION RATIFYING ALL PRIOR ACTIONS TAKEN BY THE GOVERNING
BOARDS OF CUMBERLAND COUNTY AND THE TOWN OF WADE
TO INCLUDE THE TOWN OF WADE IN THE
CUMBERLAND COUNTY RECREATION SERVICE DISTRICT**

Whereas, Cumberland County created a recreation service district July 1, 1975, to provide parks and recreation services countywide except in the City of Fayetteville and the Town of Spring Lake; and

Whereas, the governing boards of the Towns of Hope Mills and Wade agreed that the Towns of Hope Mills and Wade be included in the county recreation service district and those towns were included in the district at the time the district was created; and

Whereas, the governing board of the Town of Stedman agreed that the Town of Stedman be included in the county recreation service district and the Board of County Commissioners took action to include it April 1, 1976; and

Whereas, the governing boards of the Towns of Falcon and Godwin agreed that the Towns of Falcon and Godwin be included in the county recreation service district and the Board of County Commissioners took action to include those towns April 20, 1976; and

Whereas, effective July 1, 2004, Cumberland County and the City of Fayetteville consolidated the provision of parks and recreation services by their respective parks and recreation departments into a single parks and recreation system known as the Fayetteville/Cumberland Regional Parks and Recreation Department to be managed and operated solely by the City of Fayetteville in accordance with the policies and procedures of the City of Fayetteville, with all employees being employees of the City of Fayetteville; and

Whereas, in accordance with the consolidation into the Fayetteville/Cumberland Regional Parks and Recreation Department, the county obligated to annually remit the tax proceeds from the county's recreation service district to the City of Fayetteville for the provision of recreation services in the county's recreation service district; and

Whereas, after the consolidation of the county recreation department into the Fayetteville/Cumberland Regional Parks and Recreation Department, the governing boards of the county and the Town of Hope Mills agreed that the Town of Hope Mills would undertake the provision of all recreation facilities and programs within the Town of Hope Mills and the Town of Hope Mills has provided its own recreation services and programs since then; and

Whereas, the Town of Spring Lake now agrees to be included in the county recreation service district; and

Whereas, the Town of Linden now agrees to be included in the county recreation service district.

BE IT HEREBY RESOLVED, the governing board of the Town of Wade ratifies all prior actions taken by the governing boards of Cumberland County and the Town of Wade to include the Town of Wade in the county recreation service district for the provision of parks and recreation services by the Fayetteville/Cumberland Regional Parks and Recreation Department.

BE IT FURTHER RESOLVED, this resolution, together with the resolutions of each other town included in the county recreation service district, shall be incorporated into the minutes of a meeting of the Board of County Commissioners as a permanent record of the actions taken by the governing boards referenced herein.

Adopted May 10, 2022.

Town of Wade

By:

Joseph Dixon

Mayor Joseph Dixon

Attest:

Cindy Buckett

Town Clerk

Report on the Annexation of Spring Lake to the Cumberland County Recreation Service District

This report is given as information for a public hearing to be held June 20, 2022, to consider this matter. It was also required by statute be filed with the Clerk on June 3, 2022. No action is needed.

The Local Government Commission has advised the county manager that it is directing the Town of Spring Lake to seek that its territory be annexed into the county's recreation service district. Extension of a county service district is a statutory process that requires the board of county commissioners to make certain findings, mail notice to every property owner in the area to be annexed and conduct a public hearing on the matter. The Town of Spring Lake has confirmed to the county attorney that it did mail notice to all property owners in the town of the public hearing to be conducted by the board of commissioners on June 20, 2022, to receive comments on the proposal to extend the county recreation service district to include the Town of Spring Lake. The county's advertisement for that public hearing is to be published in the *Fayetteville Observer* June 10, 2022.

In researching the board's minutes related to the recreation service district, the county attorney found there was not a single source of minutes containing the agreements from the towns within the county included in the county recreation service district. For that reason, the county attorney sought appropriate resolutions from each town ratifying all actions taken by their respective governing boards to be recorded in the minutes of the board of commissioners. Fayetteville and Spring Lake were the only towns not included in the creation of the county recreation service district when it was formed June 30, 1975. The Town of Hope Mills now conducts its own recreation program, levies a separate recreation tax, and is no longer in the district.

The county has not directly provided any recreation services since the county and City of Fayetteville entered into an interlocal agreement January 5, 2004, to consolidate the county's recreation department into the city's recreation department with the city to manage and provide all recreation services within the county recreation service district. The county is obligated to allocate all the proceeds from the county recreation service district tax to the city for this purpose. Because the Town of Spring Lake has an existing recreation department with employees and facilities, it is necessary for the town to enter into a separate interlocal agreement with the City of Fayetteville with respect to the town's employees and recreation assets.

After the public hearing June 20, 2022, if the board wishes to annex the Town of Spring Lake into the county recreation service district, it may do so by adopting the resolution set out below. The resolution language will be changed if each of the towns does not submit the resolution requested by the county attorney. Only the Exhibit of the GIS map is attached at this time because all the other documents have not been received.

Cumberland County Board of Commissioners
Resolution Annexing the Territory of the Town of Spring Lake
Into the Cumberland County Recreation Service District

Whereas, the Cumberland County Recreation Service District was created June 30, 1975, as a county wide district to include all municipalities within the county except the City of Fayetteville and the Town of Spring Lake; and

Whereas, the City of Fayetteville and the county entered into an interlocal agreement January 5, 2004, to consolidate the county's recreation department into the city's recreation department with the city to manage and provide all recreation services within the county recreation service district, and the county to allocate all the proceeds from the county recreation service district tax to the city for this purpose; and

Whereas, the Town of Hope Mills has withdrawn from the county recreation service district, in accordance with the resolution attached hereto; and

Whereas, the Town of Spring Lake now wishes to be annexed into the county recreation service district, in accordance with the resolution attached hereto; and

Whereas, each of the other towns in the county recreation service district has ratified all actions taken by their respective governing boards and the board of commissioners regarding the county recreation service district, in accordance with the resolutions attached hereto.

Be it hereby resolved; the Cumberland County Board of Commissioners finds the following:

(1) The eastern boundaries of the Town of Spring Lake (the "Town") and its boundaries with the unincorporated areas lying within its corporate limits are contiguous to the Cumberland County Recreation Service District (the "District") with at least one eighth of the town's aggregate external boundary coincident with the existing boundary of the District, as shown on the attached GIS map which shows the corporate limits of the Town and the tax districts designated as Manchester and Westarea being within the District.

(2) The Town's governing board has determined the Town requires the services of the District and has requested the board of commissioners to annex its territory to the District, in accordance with the resolution of the Town attached hereto.

(3) The board of commissioners concurs with the determination of the Town's governing board and agrees to annex the Town to the District.

(4) The Town caused notice of the public hearing advertised by the county for June 20, 2022, to be mailed to all property owners in the Town, in accordance with the resolution attached hereto. The publisher's order confirmation for the county's advertisement of the public hearing is attached hereto. The publisher's affidavit will be included in the agenda of the August 1, 2022, meeting.

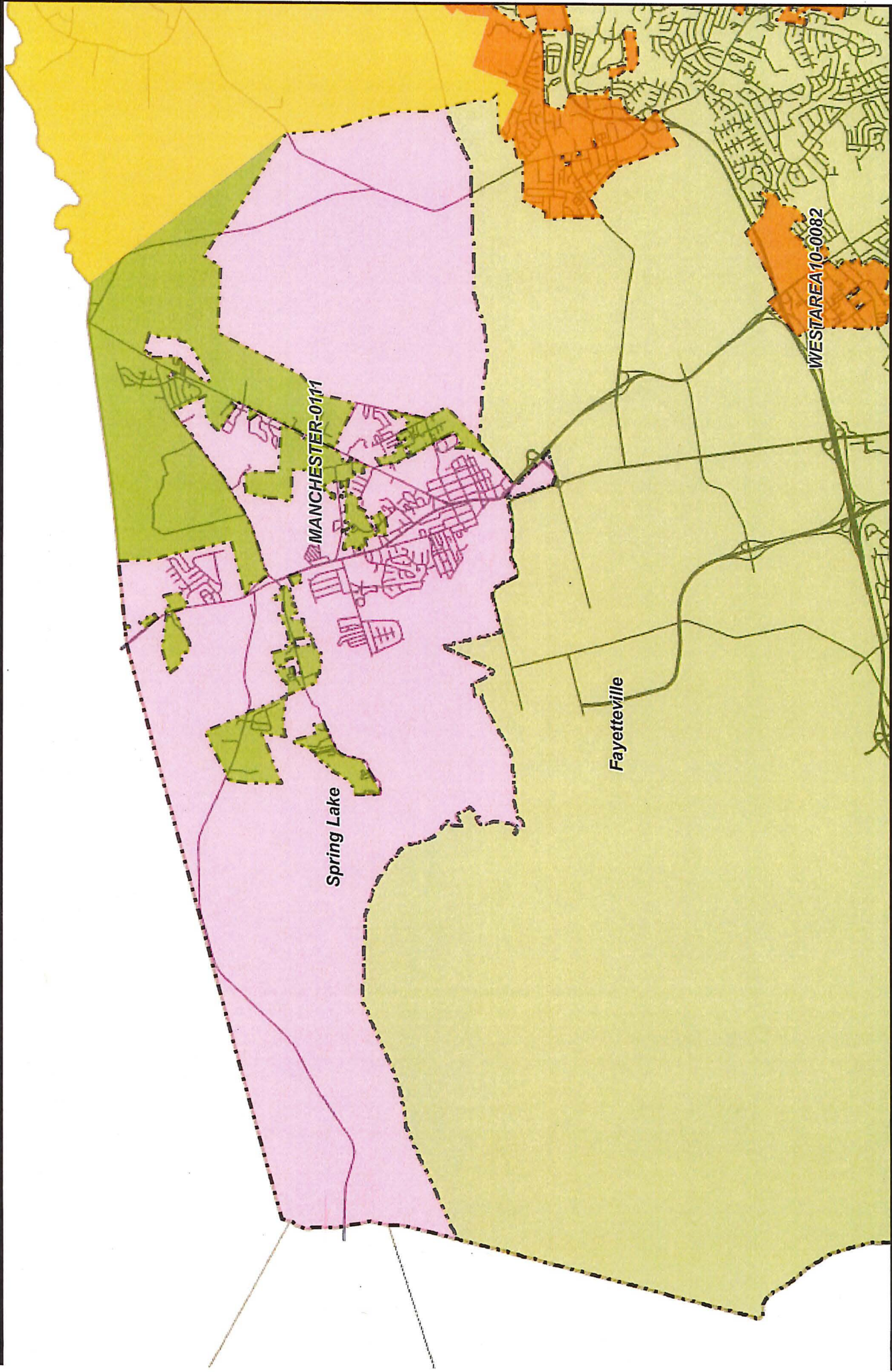
(5) The county attorney reports that the annexation of the territory of the Town meets the standards of N.C.G.S. § 153A-303. Extension of service districts and the board of commissioners accepts that report.

(6) The county attorney reports that the report required by N.C.G.S. § 153A-303 was available for public inspection in the Office of the Clerk to the Board for at least two weeks prior to the public hearing on this matter.

After consideration of the comments received at the public hearing and based on the foregoing findings, the board of commissioners further resolves:

(7) The territory of the Town shall be annexed into the District effective July 1, 2022, with recreation services to be provided by the City of Fayetteville in accordance with the interlocal agreement between the city and the county dated January 5, 2004, all further amendments and operational agreements associated with that agreement, and in accordance of any agreement between the Town and the City of Fayetteville.

Adopted June 20, 2022.



THE COUNTY OF CUMBERLAND AND ITS GIS DEPARTMENT DISCLAIMS
ACCOUNTABILITY FOR THIS PRODUCT AND MAKES NO WARRANTY
EXPRESSED OR IMPLIED CONCERNING THE ACCURACY THEREOF.
RESPONSIBILITY FOR INTERPRETATION OF THIS PRODUCT LIES WITH
THE USER.

Current Time: 6/1/2022 3:29 PM



Tax Districts	
MANCHESTER	WESTAREA
WESTAREA10	Spring Lake
City Limits	
Fayetteville	Streets