

CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 15, 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 Michael Boose
Commissioner Jeannette Council
Commissioner Charles Evans
Commissioner Jimmy Keefe
Commissioner Larry Lancaster
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
Faith Phillips, Public Library Director
Tye Vaught, Chief of Staff
Noah Johnson, NCACC Strategic Program Coordinator
Rawls Howard, Planning and Inspections Director
David Moon, Planning and Inspections Deputy Director
Daniel Rister, Information Technology Services Deputy Director
Candice H. White, Clerk to the Board
Andrea Tebbe, Deputy Clerk
Press

Chairman Adams called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

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

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:

Savona Aekins – Ms. Aekins did not appear when her name was called.

Barbara Black – Ms. Black stated she was present to advocate for Opioid Settlement Funds for Myrover-Reese Fellowship Homes, Inc. whose mission is to provide a safe and supportive environment for those seeking recovery from alcohol and other drugs based on a 12 Step Program. Ms. Black explained how the funding would be utilized if received and thanked the Board for its consideration.

LaMar Williams, Jr. – Mr. Williams stated he lives east of the river and has realized water can be quite valuable when one has contaminated well water. Mr. Williams stated he lives in close proximity to five water hydrants and asked the county not to leave pockets with no access to water.

Dixon Soffee – Mr. Soffee appeared as the Board chair for Myrover-Reese Fellowship Homes, Inc. and stated 75% of their residents suffer from opioid addiction. Mr. Soffee stated Myrover-Reese Fellowship Homes, Inc. is a residential substance abuse facility and provides transitional housing so as opposed to spendings funds to build residential facilities, Mr. Soffee asked the county to consider partnering with Myrover-Reese Fellowship Homes, Inc. and use the funds to operate the facility.

Mike Watters – Mr. Watters of Gray’s Creek Residents United Against PFAS and stated Chemours is suing the EPA because it issued an updated advisory in June for the amount of PFAS in drinking water, lowering the maximum for GenX from 140 parts per trillion to 10 ppt. Mr. Watters stated there are 7 water groups and 5 individuals signing on to intervene in that lawsuit. Mr. Watters named some of the individuals and stated they will continue to fight for people on both sides of the river and asked the Board of Commissioners to keep the pressure on DEQ because DEQ should be enforcing N.C. groundwater standards and pushing Chemours to pay.

Jamie White – Ms. White stated she lives in Gray’s Creek, her water was tested by Chemours and DEQ, and it is contaminated with both PFAS and GenX. Ms. White stated her family has been qualified since 2018 for a granular activated carbon (GAC) system but has yet to receive one. Ms. White stated her family of five is still being delivered bottled water, but it is not enough water, and she has to make trips to Chemours to get more water. Ms. White stated her family needs the Board of Commissioners’ help to pressure DEQ to get her family the GAC they qualified for over 4 years ago.

Debra Stewart - Ms. Stewart stated she lives in Gray’s Creek, has PFAS and GenX contamination and although the GAC and RO are fine, a whole home solution is needed. Ms. Stewart stated if a resident has a garden or livestock, it will burn out the pump and they need water run to them so they can continue with the lives they have chosen which is to raise farm animals, to raise a garden and to live in the country. Ms. Stewart stated many residents and animals are suffering ill effects from the contaminated water.

Chilleko Hurst – Mr. Hurst stated justice should be 12 months out of a year. Mr. Hurst stated some people are afraid to call law enforcement when their family members are suffering from mental health issues out of fear they may be assaulted or killed by overzealous individuals. Mr. Hurst also stated N. C. is one of the only states in this country that still has the Black literacy test.

Chairman Adams requested the removal from the agenda of Item 8.A. Closed Session for Economic Development Matter(s) Pursuant to NCGS 143.318.11(a)(4) because he was informed by Robert Van Geons, Fayetteville Cumberland Economic Development Corporation CEO/President, the closed session was no longer needed.

1. APPROVAL OF AGENDA

MOTION: Commissioner Evans moved to approve the agenda with the removal of Item 8.A. Closed Session for Economic Development Matter(s) Pursuant to NCGS 143.318.11(a)(4).

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

Chairman Adams recognized Commissioner Evans for receiving the Frederick Douglass award from the North Carolina Association of Black County Officials during the NCACC’s 115th Annual Conference in Cabarrus County.

2. PRESENTATIONS

A. Fort Bragg Garrison Command

BACKGROUND

Colonel (COL) John Wilcox assumed garrison command of Fort Bragg on June 24, 2022. He graduated from The Virginia Military Institute and earned his commission in the Military Police Corps in 1999.

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

COL Wilcox volunteered to join Special Operations Civil Affairs in 2007. His most recent assignment was as deputy chief of staff G-5 for U.S. Army Special Operations Command in 2021. He holds master's degrees from the Naval Postgraduate School and the Army War College.

COL Wilcox will provide an update on matters related to Fort Bragg.

RECOMMENDATION / PROPOSED ACTION

For information purposes only.

Chairman Adams welcomed Colonel John Wilcox who thanked Cumberland County for its support of the military men and women who serve daily and take great pride in being part of the community. Colonel Wilcox offered comments about Ft. Bragg and the community, the renaming of Ft. Bragg to Ft. Liberty, and thanked Cumberland County for being such a good neighbor.

3. CONSENT AGENDA

- A. Approval of August 1, 2022 Regular Meeting Minutes
- B. Approval of Proclamation Recognizing George W. Breece

BACKGROUND

An earlier request was received for a proclamation recognizing George W. Breece for his years of dedicated service to the community and proclaiming the 26th of May 2022 as "George Breece Day". The event at which the earlier proclamation was to have been presented was postponed and a request was subsequently received for a revised proclamation proclaiming the 20th day of July 2022 as "George Breece Day". The revised proclamation will be presented by Chairman Adams during the Greater Fayetteville Chamber's virtual 2022 Annual Awards being held August 23, 2022.

RECOMMENDATION / PROPOSED ACTION

The Board of Commissioners is respectfully requested to consider approval of the revised proclamation.

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, George W. Breece has given back to our community, state and military through civic involvement for over five decades; AND

WHEREAS, George joined the United States Army in 1967 and served our country for three years during the Vietnam War; AND

WHEREAS, George has served in the North Carolina House of Representatives, where his committee work focused on Rules, Finance, and Election Laws and where the Speaker of the House appointed him to represent the North Carolina House at the National Conference of State Legislators' Committee on Campaign Ethics and Finance; AND

WHEREAS, George is the founding Executive Director for the National Association for the Advancement of Orthotics and Prosthetics (NAAOP) in Washington, DC where for more than thirty-five years the NAAOP has been a strong voice on Capitol Hill for quality orthotic and prosthetic patient care; AND

WHEREAS, George's years of dedicated and outstanding service to Cumberland County and the region includes his involvement as a member or chairman of countless boards and

committees and his assuming leadership roles such as CEO of the Greater Fayetteville Chamber of Commerce; AND

WHEREAS, George has been recognized for a number of prestigious public awards and designations to include but not limited to The Order of the Long Leaf Pine Award for North Carolina, the Fort Bragg Good Neighbor Award, the Department of the Army's Patriotic Civilian Service Award, the Department of the Army's Commanders Award for Public Service, and locally the Cumberland County Cares Award and Methodist University's Greater Good Award; AND

WHEREAS, the boardroom in the Crown Coliseum was named in his honor by the Cumberland County Board of Commissioners at the end of George's four years as chairman of the Cumberland County Civic Center Commission.

NOW, THEREFORE, We, the Cumberland County Board of Commissioners, do hereby recognize and applaud the invaluable service of George W. Breece and proudly proclaim the 20th day of July 2022 as "George W. Breece Day" in Cumberland County.

Presented this 23rd day of August 2022.

C. Approval of Proclamation for Purple Heart Recipients

BACKGROUND

A request was received for a proclamation for Purple Heart recipients. The proclamation will be presented to the Purple Heart recipients at the Sandhills Purple Heart Dinner on August 20, 2022.

RECOMMENDATION / PROPOSED ACTION

The Board of Commissioners is respectfully requested to consider approval of the proclamation.

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, the Purple Heart medal, an American decoration that is awarded in the name of the President of the United States, is the oldest military decoration in the world in present use; and

WHEREAS, the Purple Heart was established by General George Washington at Newburgh, New York, on August 7, 1782, during the Revolutionary War, as an incentive to the Continental Army; and

WHEREAS, the Purple Heart is awarded directly or posthumously to members of the Armed Forces who are wounded, or die from wounds received, in armed conflict with an enemy force or while held by an enemy force as a prisoner of war, or are wounded or killed as a result of friendly fire, or as otherwise designated by the President of the United States; and

WHEREAS, the Purple Heart may also be awarded to a civil or foreign service employee from a U. S. Government Agency or Department attached to a military unit performing intelligence, counter-terrorist, or other duties, with the military unit wounded by international terrorists; and

WHEREAS, a new design of the Purple Heart medal was issued on February 22, 1932; and

WHEREAS, the recipients of the Purple Heart have known the meaning of sacrifice in the preservation of the United States of America and the preservation of national interests at home and abroad; and

WHEREAS, the sacrifices made on our behalf will forever be an inspiration to all citizens of Cumberland County, North Carolina; and

WHEREAS, Cumberland County, North Carolina was proclaimed a Purple Heart County on August 7, 2012 and pledges its ongoing commitment to and support for the men and women who so honorably serve our nation.

NOW, THEREFORE, BE IT PROCLAIMED, that the Cumberland County Board of Commissioners hereby salutes the valiant men and women who are recipients of the Purple Heart and recognizes the support and sacrifice of their loved ones.

Presented this 20th day of August 2022.

- D. Approval of Resolution for Designation of First and Last Week of August as World Breastfeeding Week and Black Breastfeeding Week

BACKGROUND

World Breastfeeding Week and Black Breastfeeding Week are globally and nationally celebrated the first and last week of every August. Both campaigns increase the awareness that breastfeeding gives babies a healthy start in life. Research supports that breastfeeding lowers a baby's risk of certain infections and diseases; such as, ear infections, asthma, childhood obesity, eczema, diabetes, and other conditions, etc. Black Breastfeeding Week also seeks to highlight the racial disparities that exist among black mothers and to encourage and empower diversity within the lactation community.

The Public Health Department is recognized as a "Breastfeeding Friendly Business" and a "Breastfeeding Workplace".

The Health Department educates local businesses about the importance of adopting breastfeeding friendly policies; as well as assisting local business/organizations in obtaining the Breastfeeding Friendly designation awards and supports local breastfeeding community organizations. Social media campaigns, Health Department educational resources and breastfeeding programs will be held to continue to spread awareness and educate the public about the importance of breastfeeding community support.

RECOMMENDATION / PROPOSED ACTION

Recommend approval that the first and last week in August 2022 be designated for World Breastfeeding Week and Black Breastfeeding Week in Cumberland County.

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, August is National Breastfeeding Month and World Breastfeeding Week is celebrated August 1-7, followed by Black Breastfeeding Week August 25-31; and

WHEREAS, breastfeeding gives babies a healthy start in life with research suggesting breastfeeding lowers a baby's risk of certain infections and diseases, including ear infections, asthma, childhood obesity, eczema, diabetes and other conditions; and

WHEREAS, the Cumberland County Department of Public Health promotes breastfeeding through the Women, Infants and Children's Program (WIC), Children 's Health Clinic and the Health Education Section by providing breastfeeding education to prenatal women and support to help mothers meet their breastfeeding goals; and

WHEREAS, the Health Department is recognized as a "Breastfeeding Friendly Business" and a "Breastfeeding Friendly Workplace" by the North Carolina Breastfeeding Coalition; and

WHEREAS, Health Department employees are encouraged to provide their infants with breastmilk and are given time and space to express milk during the workday for the infant's first year of life; and

WHEREAS, the Health Department is working together with community partners to "Empower Parents and Enable Breastfeeding" in Cumberland County through education, advocacy and support.

NOW, THEREFORE, the Cumberland County Board of Commissioners declares Cumberland County a "Breastfeeding Friendly Community. "

Adopted this 15th day of August 2022

E. Approval of Sole Source Purchase of Software for Tax Administration Department

BACKGROUND

Funds in the amount of \$27,744.00 were appropriated in the Tax Administration Department fiscal year 2023 budget to purchase a Commercial Mortgage-Backed Securities (CMBS) data and software license. This purchase will provide Cumberland County with data and information that will be used to assist in the development of valuation models for commercial property for the 2025 Revaluation, as well as for additional support in any value appeals.

Due to TreppLoan's unique affiliation with Trepp, Inc, it has access to proprietary information. Trepp, Inc. curates CMBS loan data along with federally backed agency loan data as well as Corporate Real Estate Collateralized Loan Obligations (CLO's) to create industry benchmarks and market trends across all of these data sources. Specific analytics at the individual loan level include loan terms, loan rates, loan to value metrics, debt coverage ratios, underwriting data including property income and expenses, appraisal values and capitalization rates. This data can be visually summarized and mapped, based on neighborhood, city, county MSA or state level. The data is also easily accessible through reports or downloaded to excel.

TreppLoan provides not only the data, but also provides the ability to track data on a large number of properties and is searchable by property size, type, geography, etc. Basically, this will provide the Tax Administration Department access to financial information of companies that are mortgage backed or secured, appraisal information if there had been an appraisal, income expense data and more. This data is "real time" submitted by the individual companies in securing a loan. This data has not been found to be offered by other companies. TreppLoan is also unique in that it provides clients the ability to upload their property information and run Trepp's data analytics and benchmarking side by side with Trepp's data to further enhance the Assessment process.

TreppLoan is a sole source service distributed by Trepp, Inc. TreppLoan is licensed directly by institutions from Trepp, Inc. A quote has been submitted in the amount of \$119,580.11 for a total contract of four (4) years: \$27,744.00 for the first year, \$29,131.20 for the second year, \$30,587.76 for the third year, and \$32,117.15 for the fourth year.

RECOMMENDATION / PROPOSED ACTION

Finance and Purchasing staff recommends that the Board of Commissioners:

1. Approve utilizing the sole source bid exception for TreppLoan, CMBS data and software license, distributed by Trepp, Inc. based on North Carolina General Statute 143-129 (e) (6) (ii), as product is available from only one source.
2. Delegate authority to the County Manager to approve the contract with Trepp, Inc.

F. Approval of FY2022-2023 Tax Levy Charge to the Collector

BACKGROUND

In accordance with NCGS 105-321(b) before delivering the tax receipts to the Tax Collector in any year, the Board of County Commissioners shall adopt and enter into its minutes an order directing the Tax Collector to collect the taxes charged in the tax records and receipts.

RECOMMENDATION / PROPOSED ACTION

A copy of the order must be delivered to the Collector at the time the tax receipts are delivered to him. Propose that the Board approve the levy and charge the Collector with the responsibility to collect the taxes.

MEMORANDUM

TO: Joseph R. Utley, Jr., Tax Administrator
FROM: Board of County Commissioners
DATE: August 15, 2022
RE: FY2022-2023 Tax Charge

State of North Carolina

County of Cumberland and all Municipalities through Inter-Local Agreement

To the Tax Collector of the County of Cumberland and Municipalities through Inter-Local Agreement.

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of Tax Administration and in the tax receipts herewith delivered to you, in the amounts and from taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Cumberland and Municipalities through Inter-Local Agreement, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.
Witness my hand and official seal, this 15th day of August 2022.

2022-2023 LEVY						
AUTHORITY	CC LEVY	LATE LIST	PUBLIC SERVICE	PUBLIC SERVICE LATE LIST	CC LEVY & PUBLIC SERVICE LEVY	TOTAL CC LEVY, PS LEVY & LATE LIST
BEAVER DAM	175,804.93	350.85	-	-	175,804.93	176,155.58
BETHANY	332,052.79	357.37	-	-	332,052.79	332,410.16
BONNE DOONE	4,358.85	-	-	-	4,358.85	4,358.85
COTTON	1,352,084.09	3,811.54	-	-	1,352,084.09	1,355,895.63
CUMBERLAND RD PD	845,076.76	330.38	-	-	845,076.76	845,407.14
EASTOVER FIRE	358,941.05	1,048.75	-	-	358,941.05	357,892.83
GODWIN-FALCON FIRE	120,135.32	318.80	-	-	120,135.32	120,454.12
GRAYS CREEK	1,208,025.21	788.80	-	-	1,208,025.21	1,208,793.81
LAFAYETTE VILLAGE	5.52	-	-	-	5.52	5.52
LAKE RIM	8,705.58	38.42	-	-	8,705.58	8,743.98
MANCHESTER	91,101.88	73.90	-	-	91,101.88	91,175.78
PEARCE'S MILL	1,038,120.06	1,023.83	-	-	1,038,120.06	1,039,143.89
SPECIAL FIRE	-	-	-	-	-	-
STEDMAN FIRE	187,713.28	90.57	-	-	187,713.28	187,803.85
STONEY POINT	1,279,741.38	430.99	-	-	1,279,741.38	1,280,172.37
VANDER FIRE	1,223,799.37	1,013.81	-	-	1,223,799.37	1,224,812.98
WADE FIRE	125,899.18	107.73	-	-	125,899.18	125,898.91
WESTAREA FIRE	1,435,805.72	358.11	-	-	1,435,805.72	1,435,961.83
WESTAREA STATION 10	271,071.17	142.42	-	-	271,071.17	271,213.59
FIRE DIST SUBTOTAL	2,854,841.30	10,083.50	-	-	2,854,841.30	2,864,193.40
EASTOVER	599,215.23	318.20	-	-	599,215.23	599,531.43
EASTOVER-VANDER	22,089.28	9.20	-	-	22,089.28	22,098.48
FALCON	33,399.85	28.58	-	-	33,399.85	33,428.23
FAYETTEVILLE	83,577,881.28	40,557.05	-	-	83,577,881.28	83,618,418.33
STORM WATER	11,351,016.00	-	-	-	11,351,016.00	11,351,016.00
FAYET SOLID WASTE	13,907,250.00	-	-	-	13,907,250.00	13,907,250.00
REVITALIZATION	148,446.46	142.37	-	-	148,446.46	148,588.83
GODWIN	18,941.43	4.45	-	-	18,941.43	18,945.88
HOPE MILLS TOWN	5,143,756.35	3,368.87	-	-	5,143,756.35	5,147,125.22
HOPE MILLS REFUSE	1,536,768.00	-	-	-	1,536,768.00	1,536,768.00
HOPE MILLS STORM WATER	934,092.00	-	-	-	934,092.00	934,092.00
LINDEN TOWN	24,020.86	176.25	-	-	24,020.86	24,197.11
SPRING LAKE	2,682,806.79	1,976.75	-	-	2,682,806.79	2,684,783.54
SPRING LAKE REFUSE	810,009.00	-	-	-	810,009.00	810,009.00
SL STORM WATER	294,882.00	-	-	-	294,882.00	294,882.00
STEDMAN TOWN	304,279.52	248.73	-	-	304,279.52	304,528.25
WADE TOWN	111,049.00	77.89	-	-	111,049.00	111,126.89
CITY SUB-TOTALS	101,299,882.83	48,984.34	-	-	101,299,882.83	101,346,787.17
COUNTY WIDE RECREATION	170,155,281.35	130,398.17	-	-	170,155,281.35	170,285,679.52
HM RECREATION	3,571,474.88	3,596.08	-	-	3,571,474.88	3,575,070.94
SOLID WASTE	559,104.87	366.33	-	-	559,104.87	559,471.20
SUB TOTAL	180,245,241.06	134,380.36	-	-	180,245,241.06	180,380,361.86
CHAND TOTAL	291,399,885.81	191,328.42	-	-	291,399,885.81	291,591,194.23

Note: Special Fire is now part of the fire district known as Fire Service District.

G. Approval of Declaration of Surplus County Property, Budget Ordinance Amendment #230122 and Authorization to Accept Insurance Settlement

BACKGROUND

DATE OF ACCIDENT: JUNE 27, 2022
VEHICLE: FORD T-350 TRANSIT

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VIN: 1FTBW2ZG6JKA07088
FLEET#: FL1801
DEPARTMENT: Sheriff's Office
SETTLEMENT OFFER: \$42,902.50
INSURANCE COMPANY: TRAVELERS

This is a total loss settlement offer.

RECOMMENDATION / PROPOSED ACTION

Management recommends that the Board of Commissioners:

1. Declare the vehicle described above as surplus.
2. Authorize the Deputy Finance Director to accept \$42,902.50 (\$43,902.50 - \$1,000 deductible) as settlement.
3. Allow Travelers to take possession of the wrecked (surplus) vehicle.
4. Approve Budget Ordinance Amendment BR# 230122 to recognize the insurance settlement.

Please note this amendment requires no additional county funds.

H. 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: Governing Body
Vendor: Professional Development Academy, LLL
Invoice Date: March 26, 2021
Total Amount: \$1,645.00

RECOMMENDATION / PROPOSED ACTION

Management is requesting approval to pay prior year invoices for the Governing Body totaling \$1,645.00.

I. Approval of Proposed Additions to the State's Secondary Road System

BACKGROUND

The North Carolina Department of Transportation has received petitions requesting that the following streets be placed on the State's Secondary Road System. NCDOT has investigated the streets and their findings are that the below listed streets are eligible for addition to the State's Secondary Road System. (See attachment.)

- Tenaille Street
- Coupure Way
- Leah Street
- Banquett Lane

RECOMMENDATION / PROPOSED ACTION

Based on the NCDOT's recommendation that the above-named streets be placed on the State's Secondary Road System, the action being requested is for approval.

J. Approval of Budget Ordinance Amendments for the August 15, 2022 Board of County Commissioners' Agenda

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BACKGROUND

General Fund 101

- 1) Library Grants – Budget Ordinance Amendment B230036 to recognize endowment funds from Cumberland County Foundation Inc. in the amount of \$13,970

The Board is requested to accept and approve Budget Ordinance Amendment B230036 to recognize endowment funds from Cumberland County Foundation Inc. in the amount of \$13,970. These funds will be used at the donor's request for books and audiovisual materials, reading programs and to support library programs.

Please note this amendment requires no additional county funds.

NC Elderly Handicap Transportation Fund 277/General Fund 101

- 2) Community Transportation/General Fund – Budget Ordinance Amendment B230256 to recognize funding from the Mid-Carolina Agency on Aging in the amount of \$11,221

The Board is requested to accept and approve Budget Ordinance Amendment B230256 to recognize funding from the Mid-Carolina Agency on Aging in the amount of \$11,221. The FY23 award is \$269,971 and the amount that was budgeted for FY23 is \$258,750, a difference of \$11,221. The required match to the general fund for the additional funding is \$1,122. These funds are to be utilized for the general and medical transportation for the elderly.

Please note that this amendment requires appropriation of general fund balance in the amount of \$1,122.

Parks and Recreation Fund 250

- 3) Parks and Recreation – Budget Ordinance Amendment B230320 to budget two new projects for FY23 in the amount of \$180,000

The Board is requested to approve Budget Ordinance Amendment B230320 to budget for two new projects for FY23 in the amount of \$180,000. These projects entail playground replacement at the Stedman Recreation Center and Pine Forest Recreation Center. Each project will be budgeted for \$90,000.

Please note this amendment requires no additional county funds.

REGARDING THE FOLLOWING ITEMS #4-#19 PLEASE NOTE:

Each fiscal year County departments may have projects that have been approved and initiated but were not complete by the fiscal year end (6/30/22) or items ordered that had not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2022 budget; however, the money was not spent by June 30, 2022.

The following amendments seek to bring those funds forward from FY 2022 into the current fiscal year, allowing departments to complete and pay for these projects and items. These revisions are not using 'new' funds but are recognizing the use of FY22 funds in FY23.

General Fund 101

- 4) Administration – Budget Ordinance Amendment B230921 to re-appropriate FY22 funds in the amount of \$4,134

The Board is requested to approve Budget Ordinance Amendment B230921 to re-appropriate FY22 funds in the amount of \$4,134. These funds are for furniture in the budget division that was purchased in FY22 but not received until FY23.

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- 5) Facilities Maintenance – Budget Ordinance Amendment B230282 to re-appropriate FY22 funds in the amount of \$5,000

The Board is requested to approve Budget Ordinance Amendment B230282 to re-appropriate FY22 funds in the amount of \$5,000. This amount represents the valve replacement that was purchased in FY22 but not received until FY23 for the Headquarters Library.

- 6) Landscaping – Budget Ordinance Amendment B230165 to re-appropriate FY22 funds in the amount of \$53,015

The Board is requested to approve Budget Ordinance Amendment B230165 to re-appropriate FY22 funds in the amount of \$53,015. This amount represents equipment that was approved during the FY22 budget process but will not be received until FY23 due to supply chain issues.

- 7) Register of Deeds Automation – Budget Ordinance Amendment B230302 to re-appropriate FY22 grant funds in the amount of \$2,000

The Board is requested to approve Budget Ordinance Amendment B230302 to re-appropriate FY22 grant funds in the amount of \$2,000. These funds were approved at the June 20, 2022 Board of Commissioners meeting and will be used for the restoration of two register of deeds books.

- 8) General Government Other – Budget Ordinance Amendment B230131 to re-appropriate FY22 funds in the amount of \$47,900 for consultants

The Board is requested to approve Budget Ordinance Amendment B230131 to re-appropriate FY22 funds in the amount of \$47,900. These funds are for the executive search firms for an Assistant County Manager and Chief Diversity Office.

- 9) Health Department – Budget Ordinance Amendment B230005 to re-appropriate FY22 grant funds in the amount of \$26,857

The Board is requested to approve Budget Ordinance Amendment B230005 to re-appropriate FY22 grant funds from the American Public Health Association in the amount of \$26,857. These funds were approved at the September 7, 2021 Board of Commissioners meeting and will be utilized to address local barriers to healthy food access. The project will focus on reducing adult and childhood obesity by improving access to healthy foods in Cumberland County.

- 10) Health Department – Budget Ordinance Amendment B230007 to re-appropriate FY22 funds in the amount of \$6,701

The Board is requested to approve Budget Ordinance Amendment B230007 to re-appropriate FY22 funds in the amount of \$6,701 from Cumberland County Foundation Inc. These funds were approved at the September 7, 2021 Board of Commissioners meeting and will be utilized to meet needs identified by the Child Fatality Prevention Taskforce.

- 11) Department of Social Services – Budget Ordinance Amendment B230141 to re-appropriate FY22 funds in the amount of \$425,000

The Board is requested to approve Budget Ordinance Amendment B230141 to re-appropriate FY22 funds in the amount of \$425,000. These funds are for the audiovisual equipment for the conference room at Department of Social Services and were approved in FY22.

- 12) Library – Budget Ordinance Amendment B230003 to re-appropriate FY22 funds in the amount of \$28,817

The Board is requested to approve Budget Ordinance Amendment B230003 to re-appropriate FY22 funds in the amount of \$28,817. These funds are for books ordered in the amount of \$24,632 and audiovisual materials in the amount of \$4,185 during FY22 but not received until FY23.

13) Library – Budget Ordinance Amendment B230004 to re-appropriate FY22 funds in the amount of \$15,997

The Board is requested to approve Budget Ordinance Amendment B230004 to re-appropriate FY22 funds in the amount of \$15,997. These funds are for chairs for the North Regional Library and Spring Lake Library that were ordered during FY22 but will not be received until FY23.

Capital Investment Fund 107

14) Capital Investment Fund – Budget Ordinance Amendment B230090 to re-appropriate FY22 funds in the amount of \$2,313,459

The Board is requested to approve Budget Ordinance Amendment B230090 to re-appropriate FY22 funds in the amount of \$2,313,459. These funds are needed to complete various maintenance and repair projects along with various capital investment projects that were budgeted but not completed in FY22.

Capital Investment Fund 107/General Fund 101

15) Capital Investment Fund/General Fund – Budget Ordinance Amendment B230010 to re-appropriate FY22 funds in the amount of \$324,623

The Board is requested to approve Budget Ordinance Amendment B230010 to re-appropriate FY22 funds in the amount of \$324,623. These funds are needed to complete vehicle and equipment purchases that were delayed due to supply chain issues. These purchases were approved during the FY22 budget process. This revision also includes a transfer from the capital investment fund to the general fund where the FY23 vehicles are budgeted.

Cumberland Industrial Center Sewer Fund 252

16) Cumberland Industrial Center Sewer – Budget Ordinance Amendment B230088 to re-appropriate FY22 funds in the amount of \$2,531,134

The Board is requested to approve Budget Ordinance Amendment B230088 to re-appropriate FY22 funds in the amount of \$2,531,134. These funds were approved at the June 20, 2022 Board of Commissioners meeting for the Liberty Point sewer project.

Crown Center Fund 600

17) Crown Center – Budget Ordinance Amendment B230101 to re-appropriate FY22 funds in the amount of \$84,496

The Board is requested to approve Budget Ordinance Amendment B230101 to re-appropriate FY22 funds in the amount of \$84,496. These funds are needed to complete the various projects that were budgeted but not completed in FY22.

NORCRESS Water and Sewer Fund 605

18) NORCRESS Water and Sewer – Budget Ordinance Amendment B230102 to re-appropriate FY22 funds in the amount of \$275,530

The Board is requested to approve Budget Ordinance Amendment B230102 to re-appropriate FY22 funds in the amount of \$275,530. These funds are needed to complete the engineering services that were budgeted but not completed in FY22.

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Solid Waste Fund 625

19) Solid Waste – Budget Ordinance Amendment B230309 to re-appropriate FY22 funds in the amount of \$957,833

The Board is requested to approve Budget Ordinance Amendment B230309 to re-appropriate FY22 funds in the amount of \$957,833. These funds are needed to complete various projects, a vehicle purchase, and equipment that were budgeted but not completed or received in FY22.

RECOMMENDATION / PROPOSED ACTION

Approval of Budget Ordinance Amendments

MOTION: Commissioner Council moved to approve consent agenda Items 3.A.-3.J.19.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

4. PUBLIC HEARINGS

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

Rezoning Cases

A. Case P21-36 Rehearing: 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. This case was properly noticed and placed on the agenda of the June 20, 2022, meeting. At the June 20 meeting, the applicant requested the matter be deferred and the board deferred it to August 15, 2022.

Memorandum from County Attorney Rick Moorefield to the Board of Commissioners on the Agenda of the June 20, 2022 Meeting of the Board of Commissioners Regarding the Rehearing of Case P21-36 :

BACKGROUND

This case was deferred from the August 2021 meeting to the September 20, 2021, meeting. At that time, it was a request for rezoning of a 12.36-acre parcel from A1 Agricultural to C(P) Planned Commercial. The rezoning was recommended by planning staff on the basis that it was consistent with the Southeastern Cumberland Land Use Plan because it was within a commercial node within close proximity of the existing intersection. The joint planning board had followed the staff recommendation for approval. The board of commissioners denied the rezoning on a finding that it was not consistent with the Southeastern [sic] Cumberland Land Use Plan and denial of the request was reasonable and in the public interest because the area was flood prone and this would increase the flooding. Cedar Run Capital, LLC, had an option on the property and has now acquired it. Cedar Run is the party that sued the county on the denial of the rezoning. The parties entered a consent order for the matter to be sent back to the board of commissioners for reconsideration and to allow Cedar Run Capital, LLC, to modify its request to a conditional zoning request if it chose to do so. It was not reheard by the joint planning board. Although it was not required by the consent order, the county attorney advised planning staff to repost the property, notice the adjoining landowners and advertise the legislative hearing for this matter on September 20, 2022. Planning staff reported to the county attorney that the notice and advertising was done.

The board should rehear this matter and consider any further information presented by the proponents and the opponents to the rezoning. If the board determines the rezoning request is inconsistent with the Southeast Cumberland Land Use Plan (2017) (the "Plan"), it is important

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that the board state the reason for finding the inconsistency. Under the description of “commercial nodes” in the Plan, planning staffs’ conclusion that sites within close proximity of the intersection are in the commercial node is not necessarily warranted.

Every page of the Southeast Cumberland Land Use Plan (2017) which references “Rural Center” or “node” is attached and discussed as follows:

At page 95, the Plan encourages the development of small commercial “Rural Centers” that would generally be located in nodes at intersections. The ordinary dictionary meaning of “at” is “expressing location in a particular place.” The Plan language literally means locations in the intersection, which would require frontage on both intersecting streets.

At page 104, the Plan recommends that commercial entities be located at major intersections or in concentrated nodes. It describes this as the beginnings of a “Rural Center” which should initially be approximately three acres in size. With this language, the Plan’s recommendation is for commercial development at major intersections or in concentrated nodes, with no description of where the node was to be located.

At page 111, the Plan recommends designating two commercial nodes with one at the intersection of Tabor Church/Stedman-Cedar Creek Road and Cedar Creek Road and with these nodes proposed to initially be three to five acres in size. Although the Plan also states commercial nodes would be “Rural Centers” in the Cumberland County Land Use Policies Plan; the language in the Plan for all of the recommendations for commercial nodes and Rural Centers is copied from the Cumberland County Land Use Policies Plan. There is no further guidance in the policies document.

Page 112 is the land use plan map showing the two commercial nodes as red dots.

Planning staff relied on the enlarged portion of the Plan identified as Exhibit D on page 5 of the September 20, 2021, agenda materials to find the proposed development was consistent with the Plan. Five pages from that planning staff report are attached. There is no language in the Plan that describes the commercial node sufficiently to overlay it this way. The county attorney calculated there is approximately 38 acres in the parcels within the quadrant of the node in which the subject property is located. With that, the entire node contains approximately 152 acres. It is reasonable for the board to conclude that the Plan adopted by the board did not contemplate that a small “Rural Center” initially developed to contain three to five acres could be expanded to cover this much area.

RECOMMENDATION/PROPOSED ACTION:

The county attorney advises the board, after rehearing this matter, to vote to either approve or deny the rezoning request using the form of the following appropriate motions:

FORM OF MOTION TO APPROVE:

In the rehearing of Case P21-36, I move to approve the rezoning request for _____ acres of the subject property from A1 Agricultural District to C(P) Planned Commercial District (or the appropriate conditional zoning if requested) and find the request consistent with the Southeast Cumberland Land Use Plan, adopted 2017, because the subject property is within reasonable proximity of an intersection designated as a commercial node in the plan. The request is reasonable and in the public interest because without public water and sewer the intensity of the commercial development will be limited, and this small commercial development enhances the Rural Center development envisioned by the plan for this commercial node to serve the surrounding community.

FORM OF MOTION TO DENY:

In the rehearing of Case P21-36, I move to deny the rezoning request for _____ acres of the subject property from A1 Agricultural District to C(P) Planned Commercial District (or, the appropriate conditional zoning if requested) and find the request inconsistent with the Southeast Cumberland Land Use Plan, adopted 2017, because the subject property is not located at the intersection designated as a commercial node by the plan. Denial of the request is reasonable and in the public interest because expansion of the commercial node to parcels beyond those located at the intersection greatly increases commercial development beyond the three to five acres the

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plan contemplates for the initial commercial node and diminishes the rural character and zoning benefits to all the adjoining parcels not located at the intersection.

Rick Moorefield, County Attorney, referenced his June 20, 2022 memorandum to the Board of Commissioners recorded above regarding the rehearing of Case P21-36 and stated this case was deferred from the August 2021 meeting to the September 20, 2021 meeting and at that time it was a request for rezoning of a 12.36-acre parcel from A1 Agricultural to C(P) Planned Commercial. Mr. Moorefield stated the rezoning was recommended by Planning staff on the basis that it was consistent with the Southeastern Cumberland Land Use Plan because it was within a commercial node within close proximity of the existing intersection; the intersection of Tabor Church Road and Cedar Creek Road. Mr. Moorefield stated the Board of Commissioners denied the rezoning on a finding that it was not consistent with the Southeastern Cumberland Land Use Plan and denial of the request was reasonable and in the public interest because the area was flood prone and this would increase the flooding. Mr. Moorefield stated Cedar Run Capital, LLC has acquired the property since that time and is the party that sued the county on the denial of the rezoning and entered a consent order for the matter to be sent back to the Board of Commissioners for rehearing, following which Cedar Run Capital, LLC dismissed the lawsuit. Mr. Moorefield stated as part of the consent order, Cedar Run Capital, LLC could modify its request to a conditional zoning request if it chose to do so. Mr. Moorefield stated the request for a conditional zoning will be presented during this meeting.

Rawls Howard, Planning and Inspections Director, provided the original presentation that 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 there is no water or sewer so the property will have to rely on septic and there is the presence of hydric inclusion soils. Mr. Howard stated the intent is for small scale retail or a dollar store. Mr. Howard also stated the subject property is designated as within a commercial node or Rural Center and the request for C(P) is considered consistent with the adopted Southeastern Cumberland Land Use Plan. Mr. Howard stated Planning and Inspections staff recommended approval and the Planning Board recommended approval with a 9-0 vote.

Mr. Moorefield stated one of the issues before the Board of Commissioners was that the subject property is designated as being within a Rural Center. Mr. Moorefield referred to the Southeast Cumberland Land Use Plan (2017) which references “Rural Center” or “node” and reviewed the pages within the Plan enumerated in his memo recorded above. Mr. Moorefield also explained what Planning staff relied on to find the proposed development consistent with the Plan. Mr. Moorefield stated he calculated each area within the four quadrants of the intersection at about 38 acres which would total over 150 acres. Mr. Moorefield stated the literal language makes it 3-5 acres at the intersection; however, the subject property is 12 acres removed from the intersection and was described by Mr. Howard as being in close proximity. Mr. Moorefield stated when evaluating this request, the Board of Commissioners needs to keep in mind what it intended in the Plan; was the intersection to be a 150-acre circle or a small area at the intersection.

Chairman Adams opened the public hearing for Case P21-36.

The clerk to the board called the following speakers for Case P21-36:

Attorney Thomas Neville – Attorney Neville appeared as a proponent and stated the Superior Court order allowed the applicant to add conditions and to be clear, the desired intent is only to develop 2.2 acres of the entire tract and the ask is that it be treated as a zoning condition. Attorney Neville stated the proposed business is a Family Dollar and it would have a greater grocery component as well as the retail component and would fit the need of the rural area. Attorney Neville stated a Dollar General is the closest store and it is five miles to another retail store. Attorney Neville stated as a rural resident himself, these stores are used quite a bit. Attorney Neville stated in order not to get straddled with what a node is or is not, it makes perfect sense to preserve rural character by developing along major

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highways, corridors and intersections thereby saving the remaining countryside. Attorney Neville stated the subject property will be developed by his client in some manner and to allow the proposed retail being requested for only 2.2 acres will have a lesser impact on septic, water and other considerations than to develop the property to the fullest extent as residential.

Amanda Madeira – Ms. Madeira appeared as a proponent and real estate manager for Family Dollar and Dollar Tree. Ms. Madeira explained the process used to find a need not being met and a location that would help the underserved. Ms. Madeira stated this will be a combo store of a Family Dollar combined with a Dollar Tree and will carry grocery items as well as retail items. Ms. Madeira stated the combo store will bring jobs to the community and keep competitors honest. Ms. Madeira further explained the combo concept and stated it will provide basic needs for the community.

Robert Bartlett – Mr. Bartlett appeared as a proponent and engineer for the project site and stated he wanted to clear up some of the concerns regarding stormwater and flooding. Mr. Bartlett stated the conditional zoning being requested is to develop 2.2 acres of the site and the remaining acreage would remain undeveloped and undisturbed. Mr. Bartlett displayed a posterboard drawing of a Stormwater Control Measure (SCM) and stated it has been designed, calculated to state and county requirements, and will reduce the peak flow runoff; all the water from the building and parking lot will run through the SCM which will result in less peak flow runoff than is currently present. Mr. Bartlett stated the site can be developed residential as currently zoned and runoff from impervious areas such as rooftops and driveways will be greater than the proposed development; the difference would also be that there would be no SCM to reduce peak flow runoff which will increase with residential development. Mr. Bartlett stated there will also be limited use of the well and septic with the proposed development and the state recognizes it would be the same as for a two-bedroom house.

Vickie Mullins – Ms. Mullins appeared as an opponent and stated she lives in Cedar Creek. Ms. Mullins stated the creek on the map used to be Dudley Pond and it flooded the entire area to include the church cemetery. Ms. Mullins stated a year ago it got turned back into wetlands and the creek runs behind Cedar Creek Baptist Church. Ms. Mullins stated the presence of GenX is bad enough and the site is not actually on the corner as is in the Plan but is up from it. Ms. Mullins stated the acreage is only 9.81 acres, not 12 acres. Ms. Mullins stated the Dollar General is already in the area and is broken into all the time and cannot get workers.

There being no further speakers, Chairman Adams closed the public hearing for Case P21-36.

In response to a question from Commissioner Keefe, Mr. Bartlett stated in all cases, the SCM will mitigate a 100-year storm event and the property is less susceptible to flooding with the SCM than without it, even when considering the impervious areas and the parking lot. Mr. Bartlett stated there is more water running off the site for over a slower period of time. Commissioner Keefe asked whether the entire property was 9 or 12 acres. Attorney Neville stated according to their survey, it was 9 acres, and stated the 12 acres came from the Planning Department that possibly took it from the deed. Attorney Neville stated regardless, the proposed development is only for 2.2 acres and the remaining acreage can remain A1 or be designated as open or green space, whatever the Board instructs.

MOTION: Commissioner Keefe moved in the rehearing of Case P21-36, to approve the conditional rezoning request for 2.2 acres of the subject property from A1 Agricultural District to C(P) Planned Commercial District with the remaining acreage remaining open space, and find the request consistent with the Southeast Cumberland Land Use Plan, adopted 2017, because the subject property is within reasonable proximity of an intersection designated as a commercial node in the plan. The request is reasonable and in the public interest because without public

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water and sewer the intensity of the commercial development will be limited, and this small commercial development enhances the Rural Center development envisioned by the plan for this commercial node to serve the surrounding community.

SECOND: Commissioner Boose

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

MOTION: Commissioner Stewart moved in the rehearing of Case P21-36, to deny the rezoning request for 2,2 acres of the subject property from A1 Agricultural District to C(P) Planned Commercial District (or, the appropriate conditional zoning if requested) and find the request inconsistent with the Southeast Cumberland Land Use Plan, adopted 2017, because the subject property is not located at the intersection designated as a commercial node by the plan. Denial of the request is reasonable and in the public interest because expansion of the commercial node to parcels beyond those located at the intersection greatly increases commercial development beyond the three to five acres the plan contemplates for the initial commercial node and diminishes the rural character and zoning benefits to all the adjoining parcels not located at the intersection.

SECOND: Commissioner Evans

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

B. Case ZON-22-0046: Rezoning from A1 Agricultural District to R20 Residential District or to a more restrictive zoning district on 1.40 +/- acres; located at 654/658 Magnolia Church Road, submitted by Todlen Enterprises I LLC (owner/applicant).

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 not available near the property and the request is consistent with the adopted Stedman Area Land Use Plan. Mr. Howard stated the intent of the property owner is to remove the existing manufactured homes and replace them with a duplex. Mr. Howard stated Planning and Inspections staff and the Planning Board unanimously recommended approval.

Commissioner Keefe asked how two houses could be placed on A1. Mr. Howard stated the assumption is they are probably prior to zoning and have been there for a long time based on the history that is available. Commissioner Keefe asked whether three houses could be placed on the 1.40 acre property if zoned R20. Mr. Howard stated that was correct; there could be three homes with R20 zoning but in talking with environmental health, setbacks and what would be allowed for 2 units on septic may be limiting when it comes to the process for pulling permits. Commissioner Keefe asked whether a duplex was considered multi-family. Mr. Howard stated there is no multi-family per se in the zoning ordinance but there is allowance for certain types of residential based off of square footage.

Chairman Adams opened the public hearing for Case ZON-22-0046.

The clerk to the board stated there were no speakers for Case ZON-22-0046.

Chairman Adams closed the public hearing for Case ZON-22-0046.

MOTION: Commissioner Lancaster moved in Case ZON-22-0046 to approve the rezoning request from A1 Agricultural District to R20 Residential District and find the request is consistent with the Stedman Area Land Use Plan which calls for “Suburban Density Residential” at this location. The request is reasonable and in

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the public interest as well as compatible to and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Council

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

C. Case ZON-22-0047: Rezoning from A1 Agricultural District to R40 Residential District or to a more restrictive zoning district for 35.83 +/- acres; located adjacent to Wade Stedman Road and Royal Williams Road; submitted by M.A.P.S. Surveying LLC Michael Adams (applicant) on behalf of Wayne T. Younts Realty & Construction Inc (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 lines are available near the property, septic will likely be required, the subject property is currently vacant, and the intent of the property owner is to create single family residential subdivision is consistent with the adopted Eastover Land Use Plan which calls for rural density residential at this location. Mr. Howard stated Planning and Inspections staff recommended approval and the Planning Board recommended approval by a split vote of 4 to 3.

Commissioner Boose posed questions about Bonita Farms. Stan Crumpler, Chairman of the Joint Planning Board, stated his guess is Bonita Farms is 10 to 12 years old, he goes by it enough to be familiar with the property, and individuals spoke at the meeting of the Joint Planning Board and stated they had stormwater issues. Commissioner Keefe asked whether all of the land was buildable. Mr. Howard stated it is hard to say at this time. Commissioner Keefe asked whether a site plan had been submitted. Mr. Howard responded as of Friday, August 12 at 5:0 p.m. no site plan had been submitted.

Chairman Adams opened the public hearing for Case ZON-22-0047.

The clerk to the board called the following speakers for Case ZON-22-0047:

Michael Adams – Mr. Adams appeared as a proponent and stated he is the surveyor for the property and there is a plan; the entire parcel is about 62 acres, Mr. Younts had put 12 2-acre lots to the south that have already been approved and he is working on the erosion control plan for those. Mr. Adams stated he has an approved plan to come in on the dirt road, pave the road all the way down, and there will be a road basically down the middle ending in a cul de sac. Mr. Adams stated there are 19 lots right now that received approval last year. Mr. Adams stated on the northwest side of the road are 2 to 3 acre lots due to the soils. Mr. Adams stated the roads will be DOT and an engineer is getting the appropriate approvals and will address stormwater. Mr. Adams stated the cost has gone up considerably and Mr. Younts is asking for 5 more lots to go with the 19 that have already been approved.

Chairman asked if there would be one way in and one way out to which Mr. Adams responded in the affirmative.

Robin Bridges – Ms. Bridges appeared as an opponent, referenced two emails she sent to the Board of Commissioners and provided pictures of flooding on Bonita Farms. Ms. Bridges stated her first objection was the impact on traffic followed by the impact on infrastructure and the impact on farming. Ms. Bridges referenced pages of the Land Use Plan and stated development is desired that preserves the rural character, which R40 does not, and Bethany would object to the additional driveways. Ms. Bridges stated Mr. Younts' adjacent Phase I property was inspected again by DEQ and found to be in violation and asked the Board to deny the rezoning

of an area already prone to difficulty by a building who does not comply with the law.

Ellen Starling – Ms. Starling appeared as an opponent, stated she lives directly behind the subject property and on average, about 14 cars go up and down the road daily. Ms. Starling stated the biggest issue is drainage and she has not seen a plan in place; it currently drains directly onto her land and then goes down to her father's land. Ms. Starling stated this is a huge issue that cannot be controlled agriculturally but once someone disturbs the ground, they become responsible for the drainage and where the water is going to go. Ms. Starling spoke to impervious areas created by development, the increase in traffic resulting from the development and the risk posed by the dangerous curve along the roadway. Ms. Starling also pointed out no one spoke with her family as alleged by Mr. Younts.

Chairman Adams closed the public hearing for Case ZON-22-0047.

MOTION: Commissioner Council moved to in Case ZON-22-0047 to deny the rezoning request from A1 Agricultural District to R40 Residential District, and find the request is not consistent with the Eastover Area Land Use Plan, is not in harmony with the surrounding land use activities and zoning, and is not reasonable or in the public interest because of flooding of the property and the amount of water standing after it rains.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0)

D. Case ZON-22-0049: Rezoning from RR Rural Residential District, A1 Agricultural District, and M1(P) Planned Light Industrial District to A1 Agricultural District or to a more restrictive zoning district on 32.88 +/- acres; located at 480 N. Plymouth Street; submitted by Roman & Cynthia Price (owners/applicant).

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 a water line is located in the northeast corner of the property and sewer lines are not available near the subject property. Mr. Howard stated the intent is to construct a house and have self-contained, owner-run, owner-occupied operations such as dog kennel, sawmill and family cemetery plot, all of which are allowed under A1 zoning district for about 32.88 acres. Mr. Howard stated the request is not compliant with the adopted Eastover Land Use Plan because the future land use classification is suburban density residential; however, the request would be compatible to and in harmony with the surrounding land use activities and zoning. Mr. Howard stated Planning and Inspections staff recommend approval and the Planning Board recommended approval by a unanimous vote.

Commissioner Evans asked whether anyone from the church spoke. Mr. Howard stated nothing has been received from the church and no one from the church came before the Planning Board to speak on the case. Commissioner Evan asked Mr. Howard whether he knew the name of the church. Mr. Howard stated he did not know the name of the church. Chairman Adams inquired about houses in surrounding properties zoned A1. Mr. Howard stated there may be a few houses but for the most part, those areas are wooded.

Chairman Adams opened the public hearing for Case ZON-22-0049.

The clerk to the board stated there were no speakers for Case ZON-22-0049.

Chairman Adams closed the public hearing for Case ZON-22-0049.

MOTION: Commissioner Council moved to in Case ZON-22-0049 to approve the rezoning request from RR Rural Residential District, A1 Agricultural District and M1(P)

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Planned Light Industrial District to A1 Agricultural District, and find the request is not consistent with the Eastover Area Land Use Plan which calls for Suburban Density Residential at this location. However, the Board finds that the request:

1. Is an amendment to the adopted, current Eastover Area Land Use Plan, and that the Board of Commissioners should not require any additional request or application for amendment to said map;
2. Would promote larger lots sizes than what the plan calls for, and
3. Is reasonable and in the public interest because the uses allowed in the A1 Agricultural District would be compatible to and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Lancaster

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

E. Case ZON-22-0050: Rezoning from R6 Residential District to C(P) Planned Commercial District or to a more restrictive zoning district on 0.22 +/- acres; located at 809 Katie Street; submitted by Rudy McMillian (applicant) on behalf of Majestic Mobility, LLC (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 the intent is to expand the existing home on the site and move his office into the home while expanding his business next door. Mr. Howard stated water and sewer lines are available along the frontage of Katie Street and the request is not consistent with the adopted Southwest Land Use Plan. Mr. Howard stated Planning staff had concerns about the intensity of uses allowed in the C(P) district given the surrounding development patterns and street network and worked with the applicant to amend his request. Mr. Howard stated the applicant agreed in writing to change his request to the O&I designation because it would allow him to do what he wanted to do. Mr. Howard stated Planning staff and the Planning Board recommended denial of the C(P) Planned Commercial District and approval of the O&I Office and Institutional District.

Chairman Adams opened the public hearing for Case ZON-22-0050.

The clerk to the board called the following speaker for Case ZON-22-0050:

Rudy McMillian – Mr. McMillian appeared as a proponent and stated he has been in business since 1994. Mr. McMillian stated he is passionate about what he does and does it right. Mr. McMillian stated he purchased the piece of property in order to maintain the integrity of the community and he wants it rezoned correctly. Mr. McMillian stated he did not have a problem with the alternative recommendation to O&I for this investment piece of property because he wants it done right.

Chairman Adams closed the public hearing for Case ZON-22-0050.

MOTION: Commissioner Stewart moved to in Case ZON-22-0050 to deny the rezoning request from R6 Residential District to C(P) Planned Commercial District and approve rezoning to the O&I Office and Institutional District. The Board finds the O&I designation is consistent with the Southwest Cumberland Area Land Use Plan which calls for “Mixed Use Development” at this location and is reasonable and in the public interest as this district is compatible to and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (7-0) (Commissioner Council was out of the room when the vote was taken.

F. Case ZON-22-0051: Rezoning from A1 Agricultural District to RR Rural Residential District or to a more restrictive zoning district on 0.55 +/- acres; located at 5855 State Road; submitted by Robert McLean (applicant) on behalf of Marcus McLean (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 the parcel is currently vacant and the intent of the property owner is to rezone to put a home on the site. Mr. Howard stated water and sewer lines are not available near the subject property and the request is not consistent with the adopted South Central Area Land Use Plan because it calls for lower density than what the applicant proposed for this location. Mr. Howard stated Planning staff recommended approval, the Planning Board recommended approval by a unanimous vote, although there was some concern about mobile homes on this particular piece of property. Mr. Howard stated a mobile home can be put on property under A1 and RR but the setbacks under A1 compared to RR would be fairly restrictive as to where it could be placed on the site.

Commissioner Keefe asked what could be done under RR that could not be done under A1, what would be the reason to request rezoning to RR. Mr. Howard stated A1 and RR are fairly similar but setbacks would be the reason for RR in order to put something on a small site; A1 contemplates 2 acre minimum lot sizes. David Moon, Planning and Inspections Deputy Director, stated the applicant could not get a building permit under A1 zoning and is requesting RR to bring the site into conformance with the zoning. Commissioner Keefe stated because this is a vacant lot, there is no way anything could be built on the site until the zoning is changed. Mr. Howard confirmed that to be correct under the current A1 zoning.

In response to a question posed by Chairman Adams, Mr. Howard stated the existing plan for low density residential contemplates more intensive and denser type lots and suburban density residential would be half-acre to one-acre lots or the larger lots. Mr. Howard stated if approved, it is a statutory requirement that the South-Central Area Land Use Plan would change for that 0.55 acre lot. Commissioner Keefe stated the larger situation is that every one of the A1 lots are out of compliance and if destroyed, the owners could not rebuild their homes unless they request rezoning to RR.

Chairman Adams opened the public hearing for Case ZON-22-0051.

The clerk to the board called the following speakers for Case ZON-22-0051:

Angela Griffin – Ms. Griffin appeared as an opponent and stated she and her sisters want any homes placed on the small parcel of land to be compatible with the homes that are currently there because it located close to her childhood home. Ms. Griffin stated all the residents along the street have resided there since 1969, are the original owners and are a tight knit group that has raised their families and are now retired. Ms. Griffin stated their homesteads are their most valuable assets. Ms. Griffin stated everyone wants to be assured manufactured homes will not be allowed on the subject property because it would undercut the value of the homes and the land and asked that a condition for the same be added.

Gary McLean – Mr. McLean appeared as an opponent and expressed concern about manufactured homes. Mr. McLean stated residents have experienced issues with decreased water pressure and to bring in two manufactured homes would add to the problem. Mr. McLean stated residents do not want manufactured homes in the area because it would depreciate their property values.

Anne Ferguson – Ms. Ferguson appeared as an opponent and stated she owns and resides in the property next door to the subject property. Ms. Ferguson stated she was opposed to the rezoning because this has always been a gardening spot, she

only wants homes that are comparable to hers and the other residents and hopes they do not place a manufactured home on the property.

Although he had not signed up to speak, Chairman Adams allowed Greg McLean to speak.

Greg McLean – Mr. McLean appeared as a proponent and stated he was representing his son, Marcus McLean. Mr. McLean stated the Fergusons have been his neighbors for his entire life, he has lived on Braxton Road since 1955, and everyone is a tight knit bunch. Mr. McLean stated it has been a garden spot for many years and stated the last thing he would do is to put a manufactured home beside Ms. Ferguson. Mr. McLean stated the individual interested in purchasing the lot also lives on Braxton Road, is a general contractor and is planning on building a home for his father. Mr. McLean stated the reason for the rezoning is so he can get a building permit and so the zoning would be proper. Mr. McLean stated regardless of whether the rezoning is approved, there will not be a manufactured home on the lot.

Chairman Adams closed the public hearing for Case ZON-22-0051.

Chairman Adams asked Mr. Greg McLean whether he would be amenable to conditional rezoning. Rick Moorefield, County Attorney, asked Mr. Greg McLean, as his son's representative, whether he had the authority to make a decision on a conditional rezoning and if so, whether he would consent to RR conditional zoning prohibiting the location of a modular or manufactured home on the property. Mr. Greg McLean responded in the affirmative.

MOTION: Commissioner Keefe moved to in Case ZON-22-0051 to approve the rezoning request from A1 Agricultural District to RR/CZ Rural Residential Conditional Zoning with a condition prohibiting the location of a modular or manufactured home on the property, and find the request is not consistent with the South-Central Area Land Use Plan which calls for "Low Density Residential" at this location. However, the Board finds that the request:

1. Is an amendment to the adopted, current South-Central Area Land Use Plan, and that the Board of Commissioners should not require any additional request or application for amendment to said map;
2. Promotes larger lots sizes than what the plan calls for, and
3. Is reasonable and in the public interest because the uses allowed in the RR Rural Residential District would be compatible to and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

G. Case ZON-22-0052: Rezoning from RR/CZ Rural Residential Conditional Zoning District to R6A Residential District or to a more restrictive zoning district on 7.50 +/- combined acres; located at 106 Buckner Street; submitted by Gary Futch (applicant) on behalf of Carolyn, Steven, and Larry Strawbridge, Tracey Roberts, and Wesley Carroll (owners).

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 the intent is for a manufactured home park and the zoning is coming back to the Board after having been approved for RR/CZ from R6A in 2019. Mr. Howard stated PWC water and sewer lines are available near the property. Mr. Howard stated the request is not consistent with the adopted Vander Land Use Plan which designates the property as R20, RR, R20A, R30 and R30A with minimum square footage of about 20,000 square feet. Mr. Howard stated should the request be approved, the motion would include language to amend the plan. Mr. Howard stated Planning staff recommended denial as applied for

and the Planning Board unanimously recommended approval to put zoning for the property back to where it was in 2019.

In response to a question posed by Commissioner Keefe, Mr. Howard stated in 2019 the intent for the rezoning from R6A to RR/CZ was to place an RV park on the subject property; however, those plans fell through and now they wish to rezone the subject property back to R6A to market it for manufactured homes.

Chairman Adams opened the public hearing for Case ZON-22-0052.

The clerk to the board called the following speaker for Case ZON-22-0052:

Gary Futch – Mr. Futch appeared as a proponent and stated he represents the owners. Mr. Futch explained the reason for the rezoning to RR/CZ in 2019 for an RV Park and stated someone is currently looking at the property for year 2023 and 2024 manufactured homes and meet all of the current guidelines such as paving the dirt roads. Mr. Futch stated affordable low-income housing is needed due to increases in rent and people are having a hard time finding a place to live in this community.

Chairman Adams closed the public hearing for Case ZON-22-0052.

MOTION: Commissioner Keefe moved to in Case ZON-22-0052 to approve the rezoning request from RR/CZ Rural Residential Conditional Zoning District to R6A Residential District, and find the request is not consistent with the Vander Area Land Use Plan which calls for “Suburban Density Residential” at this location. However, the Board finds that the request:

1. Is an amendment to the adopted, current Vander Area Land Use Plan, and that the Board of Commissioners should not require any additional request or application for amendment to said map;
2. Will assign the parcel back to the zoning designation at the time of the plan’s adoption, and
3. Is reasonable and in the public interest because the uses allowed in the R6A Residential District would be compatible to and in harmony with the surrounding land use activities and zoning.

SECOND: Commissioner Stewart

VOTE: UNANIMOUS (7-0)

Chairman Adams recessed the meeting for a short break following which he reconvened the meeting.

5. ITEMS OF BUSINESS

- A. Report on the National Flood Insurance Program (NFIP) Community Rating System (CRS) Annual Recertification Progress Report

BACKGROUND

Cumberland County participates in the National Flood Insurance Program’s (NFIP) Community Rating System (CRS). The CRS is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. The County’s participation allows those that are required to have flood insurance to receive discounted insurance premium rates.

Cumberland County currently has a class rating of 8 which allows property owners to receive a 10% discount off their insurance premiums for policies within the Special Flood Hazard Area (SFHA).

As part of the County’s annual recertification process, the Engineering & Infrastructure Department is required to provide an update on each action item related to floodplain management

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outlined within the Cumberland County Multi-Jurisdictional Hazard Mitigation Plan. Another requirement involves presenting this progress report to the governing board. The progress report is being provided as an attachment to this memo.

RECOMMENDATION / PROPOSED ACTION

Staff recommends that the report be received and placed on the August 15, 2022 Board of Commissioners' Meeting agenda as a consent item.

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

MOTION: Commissioner Boose moved to receive the National Flood Insurance Program (NFIP) Community Rating System (CRS) Annual Recertification Progress Report.
SECOND: Commissioner Council
VOTE: UNANIMOUS (7-0)

B. Consideration of Partial Certification of Section 2 of NORCRESS Permit of the I-95 Widening Project

BACKGROUND

The Public Utilities Department has been working with North Carolina Department of Transportation (NCDOT) in regards to the widening of I-95. NCDOT, at their expense, is relocating sanitary sewer mains owned by NORCRESS. This process has various forms and certifications that will require signature authorization in order to keep the project moving. Attached is the partial certification of Section 2 of the NORCRESS permit that needs to be signed in order to put the completed section of the sewer pipe in service.

RECOMMENDATION / PROPOSED ACTION

Staff recommends that the item be placed on the August 15, 2022, Board of Commissioners' agenda and NORCRESS Governing Board agenda as a consent item.

Mr. Walker presented the background information recorded above and stated all of the work for the I-95 widening project will be funded by NCDOT.

MOTION: Commissioner Council moved to approve the partial certification of Section 2 of the NORCRESS permit of the NCDOT I-95 widening project.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

C. Consideration of Recommended Uses of Opioid Settlement Funds Based Upon Community Engagement

BACKGROUND

In July 2021, Attorney General Josh Stein announced a historic \$26 billion agreement that will help bring desperately needed resources to communities harmed by the opioid epidemic. A Memorandum of Agreement (MOA) between the State and local government directs how opioid settlement funds are distributed and used in our state. Before spending settlement funds, every local county or municipality must first select which opioid mitigation strategies they would like to fund (Option A or Option B Strategies). Cumberland County is set to receive \$16,989,930 over 18 years. The total amount of the spring and summer 2022 payments is \$1,788,318. During the last two months, Cumberland County Department of Public Health staff have conducted four

community meetings, key stakeholder meetings, and a community survey to get feedback on the use of funds. Recommended use of the funds are included.

RECOMMENDATION / PROPOSED ACTION

Consider the following recommendations for the use of opioid settlement funds

1. Initially, utilize up to \$800,000 in “Spring 2022” and “Summer 2022” payments to fund multi-year pilot projects that align with Option A Strategies,
2. Allocate \$10,000 to \$70,000 in funding for the purchase of Narcan and Syringe Service Programs (Strategies 7 and 9),
3. Implement a \$200,000 multi-year pilot project to support Medication Assisted Treatment (MAT) in Cumberland County Detention Center (Strategy 11),
4. Explore options to construct and/or lease a physical space for a Residential Substance Use Facility, a Recovery Community Centers (RCC), and transitional housing.

OPIOID SETTLEMENT FUNDS RECOMMENDATIONS

Total Funding Available Funding for Spring 2022 and Summer 2022 Payments: \$1,788,318

During the August 8th Commission Meeting we will recommend the Cumberland County Commissioners approve the following recommendations for approval on the August 15th consent agenda.

Short-Term Opportunities to fund Option A Strategies

- 1. Initially, utilize up to \$800,000 in “Spring 2022” and “Summer 2022” payments to fund multi-year pilot projects that align with Option A Strategies**

Initiate a Request for Proposal (RFP) process to receive projects in each of four key areas:

- Early intervention (Strategy 6)
- Evidence-based addiction treatment for the uninsured and underinsured (Strategy 2)
- Programs to support people in treatment and recovery (Strategies 3, 4, 5, and 12)
 - Recovery support services
 - Recovery housing
 - Employment related services
 - Reentry services
- Criminal justice diversion programs (Strategy 10)

To effectively address opioid use, programs and services that address treatment, prevention, and recovery are needed. At least one project should be funded in each of the four areas. Submitted projects should require multisector partnerships. Beyond making referrals, funded agencies should be required to collaborate, at the organizational level, to assure services deduplication and coordination of services. This assures services are comprehensive and will improve the overall system of available services from early intervention, treatment, and recovery. The review panel should include individuals with lived experience with opioid use disorder. The RFP process can be initiated within two months. Funding from future “Summer” payments, can be used for ongoing support, dependent on program and service early outcomes.

- 2. Allocate \$10,000 to \$70,000 in funding for the purchase of Narcan and Syringe Service Programs (Strategies 7 and 9).**

Vital Strategies is providing funding and technical assistance to North Carolina localities for the next five years for counties that select Option A Strategies Naloxone Distribution (Strategy 7) and Syringe Service programs (Strategy 9). Vital Strategies will provide matching funds ranging from \$10,000 to \$70,000 for counties investing in these two strategies for up to three years. In turn, Cumberland County would commit to continued funding of at least 75% of their initial investment via the opioid settlement dollars for the duration of the 18-year period. This approach would leverage additional funds for Cumberland County and invest in strategies long-term that require multiple years to see change in health outcomes.

Syringe Service programs can quickly distribute Narcan and harm reduction supplies.

Narcan can be purchased by the Health Department to leverage public health pricing and distributed to both community members and partner agencies, as needed. Narcan can also be used to support the forthcoming Narcan vending machine at the Detention Center.

1. Implement a \$200,000 multi-year pilot project to support Medication Assisted Treatment (MAT) in Cumberland County Detention Center (Strategy 11)

Medication Assisted Treatment (MAT) is the use of three medications (methadone, buprenorphine, or naltrexone) approved by the Food and Drug Administration (FDA) for treatment of opioid use disorder. MAT combines counseling and behavioral therapies. For example, funding could support maintenance of MAT for detainees taking prescribed medications for opioid use disorder before their detention.

We will explore opportunities for MAT to be provided by the current jail health partner and/or to initiate an RFP process to identify a treatment provider. MAT is not currently provided in Detention Center. On average there are 30 detainees on detox protocols each month.

These recommendations would support \$1,070,000 in Option A projects. Remaining balance would be \$718,318.

Long-Term Opportunities

2. Explore options to construct and/or lease a physical space for a Residential Substance Use Facility, a Recovery Community Centers (RCC), and transitional housing.

These are projects that were consistently recommended by the community. These projects are large scale and require capital expenditures and the use of multiple years of funding and/or funding from other resources to support construction, renovation, and/or lease agreements. Prior to allocating a specific amount these projects, we recommend exploring the cost, possible locations, sustainability, and other resources needed beyond the capital costs.

Residential Substance Use

Capital expenditures for facilities that offer MAT is allowable under Option A. Currently, there are no non-medical community residential treatment facilities in Cumberland County that would meet the Medicaid and Division of Health Service Regulation (DSHR) requirements. Beginning July 1, 2022, Medicaid will cover residential treatment costs for individuals enrolled. Covering the cost of treatment for uninsured and uninsured is an allowable cost under option A.

Recovery Community Centers

Recovery Communities have been implemented in Asheville and Raleigh. Recovery Communities present opportunities to house in a single space and allow co-located agencies to provide services including peer support groups, re-entry programs, job readiness training and professional education, access to health and social services. The space is designed to be safe and free of judgement and stigma. Capital expenditures to construct space is not allowable under the MOU and other funding resources need to be leveraged.

Transitional Housing

Providing stable housing is fundamental to establishing quality of life and empowering people who use to reduce the harms of drugs. Transitional housing options are limited, particularly for those without a payor source. Constructing or buying and renovating a building to provide transitional housing and related support services is not an allowable capital expenditure under the MOU and other funding resources need to be leveraged.

Dr. Jennifer Green, Public Health Director, provided the following PowerPoint presentation titled “Opioid Settlement Funds Review of Feedback”.

Opioid Settlement Funds

- \$26 billion agreement that will help communities harmed by the opioid epidemic
- A Memorandum of Agreement between the State and local government directs how opioid settlement funds are distributed

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- 18 Year payment to Cumberland County government: \$16,989,930
- Spring and Summer 2022 payments: \$1,788,318
- 18 Year payment to City of Fayetteville: \$1,994,964
- MOA offers local governments two options:
- Option A: a local government may fund one or more strategies from a shorter list of evidence-based, high impact strategies to address the epidemic
 - Collaborative strategic planning is included
- Option B: a local government may fund one or more strategies from a longer list of strategies after engaging in a collaborative strategic planning process involving a diverse array of stakeholders
- Local government approves the amount of funds for each strategy

Option A – High Impact Opioid Abatement Strategies

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

Use of Settlement Funds – Option B

Treatment

- A. Treat opioid use disorder
- B. Support people in treatment and recovery
- C. Connect people who need help to the help they need
- D. Address the needs of criminal justice involved persons
- E. Address the needs of pregnant or parenting women and their families, including babies with neonatal abstinence syndrome

Prevention

- F. Prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids
- G. Prevent misuse of opioids
- H. Prevent overdose deaths and other harms (harm reduction)

Other Strategies

- I. First responders
- J. Leadership, planning and coordination
- K. Training
- L. Research

Review of Feedback Process

May 2022-July 2022

- 1:1 and Group Stakeholder Meetings
- 4 Community Meetings
 - Fayetteville, Spring Lake, Hope Mills and Eastover
- Online Community Survey
 - 169 Responses
- Written feedback from community members
- Key Questions
 - Which Option A strategies are currently being implemented?
 - What specific programs are being implemented? By whom?

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- Where is there opportunity for alignment of strategies?
- Prioritization of strategies

Soliciting Input: Stakeholder and Community Meetings

Justice Services Advisory Council (JSAC)

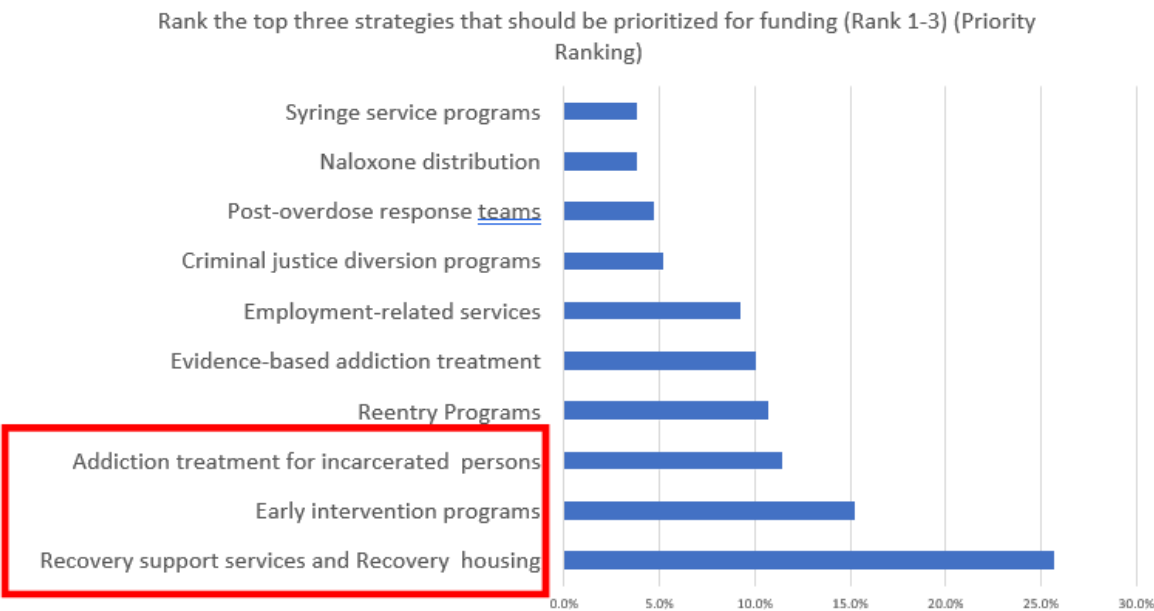
- ✓ Cumberland County Sheriff
- ✓ Mayors’ Coalition Meeting
- ✓ Crisis Collaborative
- ✓ Juvenile Crime Prevention Council
- ✓ Cumberland-Fayetteville Opioid Response Team
- ✓ SMART Recovery Groups (individuals with lived experience)
- ✓ Military Public Health Partnership Meeting
- ✓ Behavioral Health Providers

Results

Key Stakeholder Meetings

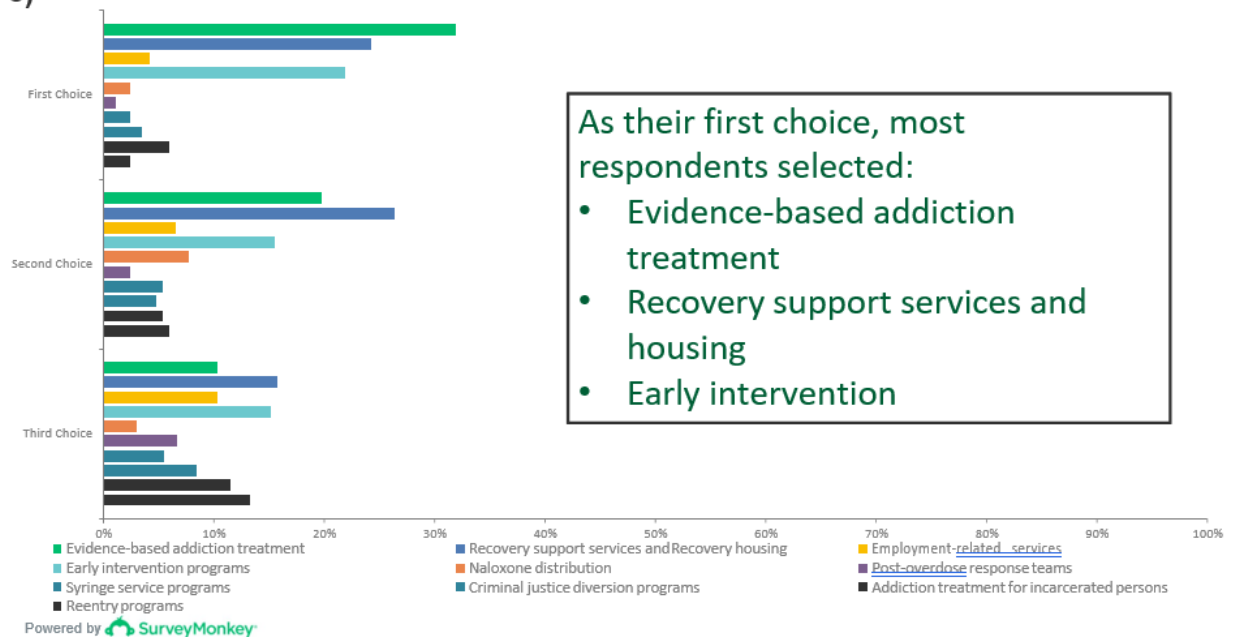
- Due to the dynamics of each meeting, each group used a different method to prioritize strategies
- Recovery support services and housing were identified as priorities in nearly all meeting meetings
- The importance of early intervention was noted, coupled with addiction treatment and other services
- Although not prioritized in the top three, Narcan was identified as life-saving and critical in all meetings

Community Meetings



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Q10: Rank the top three strategies that should be prioritized for funding (Rank 1-3)



Examples of Ideas from the Community

- Enhancing Smart Recovery Groups
- Collegiate Recovery and Recovery High Schools
- Opioid Court
- Enhancing Post Overdose Response Teams (PORT)
- Military Liaison
- Transportation to services
- Securing space to expand local options for:
 - Detox and treatment
 - Transitional house
 - Recovery Community Center
- Data sharing
- Enhanced coordination with criminal justice system
- Youth Mental Health First Aid

Key Themes

- Nearly all Option A strategies are currently being implemented in Cumberland County, but need more capacity
 - MAT is not currently being offered in Cumberland County Detention Center
- Communication and coordination of services at the organizational level is needed
 - Recovery Communities and other models of co-located services are needed
 - Multi-sector partnerships are needed
- In other areas (treatment/long-term detox), residents leave the county to get services
- Transitional housing support is critical for the success of individuals in treatment and recovery

Key Takeaways

- To make progress, services are needed along the continuum: Prevention □ Treatment □ Recovery
 - More than one pathway to recovery
- In most, but not all, sessions providing MAT was seen as integral to recovery
- Involvement of court system, law enforcement, and the sheriff's office is an opportunity to intervene with services
 - Overdose is particularly at higher risk when leaving incarceration
 - Prevent ongoing cycling through criminal justice system
 - ADA protects individuals who are taking legally prescribed medication to treat their opioid use disorder

Recommendations

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- Spring and Summer 2022 payments: \$1,788,318
- Complete Local Spending Authorization Report within 90 days of the passage of a budget or resolution/ordinance authorizing the expenditures of opioid settlement funds
 - Detail total funds allocated for each strategy

Recommendation #1

- **Utilize up to \$800,000 in “Spring 2022” and “Summer 2022” payments to initiate an RFP process for multi-year pilot projects**
 - Early intervention (Strategy 6)
 - Evidence-based addiction treatment (Strategy 2)
 - Programs to support people in treatment and recovery (Strategies 3, 4, 5, and 12)
 - Criminal justice diversion programs (Strategy 10)
- Fund at least one project in each area
- Require multi-sector partnerships and collaboration at the organizational level between projects
- Representation from individuals with lived experience on the review panel

Recommendation #2

- **Allocate \$10,000 to \$70,000 in funding for the purchase of Narcan and Syringe Service Programs (Strategies 7 and 9)**
- Vital Strategies will provide matching funds ranging from \$10,000 to \$70,000 for counties investing in these two strategies for up to 3 years
- Cumberland County would commit to continued funding of at least 75% of their initial investment via the opioid settlement dollars for the duration of the 18-year period

Dr. Green stated if the Board of Commissioners adopt Recommendation #2, it will also need to take action to allocate \$10,000 to \$70,000 in funding for the purchase of Narcan and Syringe Service Programs.

Recommendation #3

- **Implement a \$200,000 multi-year pilot project to support Medication Assisted Treatment (MAT) in Cumberland County Detention Center (Strategy 11)**
- Explore opportunities for MAT to be provide through the current jail health provider or initiate an RFP process.
- Funding could support maintenance and/or initiation of MAT
- Relaunch of Jail Health Committee Meeting

Recommendation #4

- **Explore options to construct and/or lease a physical space for:**
 - **Residential Substance Use Facility**
 - **Recovery Community Centers (RCC)**
 - **Transitional housing**
- Capital expenditures, including construction, explicitly allowable under the MOU for the treatment of opioid use disorder only
- Will need to use multiple years of funding
- Explore other funding streams to support capital projects unrelated to treatment

Motion Recommendation

- Move to approve the use of spring 2022 and summer 2022 opioid settlement payments as presented in recommendations 1-4

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

MOTION: Commissioner Stewart moved to approve Recommendation #1, Recommendation #2 and allocate \$70,000 for the purchase of Narcan and Syringe Service Programs, and Recommendation #3.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (7-0)

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D. Consideration of ARP Committee Business Application Funding Recommendations

BACKGROUND

After successfully completing steps 1-4 of the Small Business Economic Assistance Program's application process, staff recommends approval of these listed small businesses to receive Coronavirus State and Local Fiscal Recovery Funds. Each application has been reviewed objectively and has submitted appropriate documents or records that show that the business possesses a reasonable capacity to use the recommended award in a fiscally responsible manner and perform a public purpose. Staff's recommendations total \$1,031,353 and are contingent on the successful execution of a contract with the County. Staff have conducted site visits to confirm each business's operating address and ensure NC Secretary of State filings were current for corporations and limited liability companies.

RECOMMENDATION / PROPOSED ACTION

At the August 5, 2022 ARP Committee meeting, the ARP Committee recommended placing the proposed Small Business Funding Recommendations as an Item of Business at the August 15, 2022 Board of Commissioners meeting.

**ARP SMALL BUSINESS ECONOMIC ASSISTANCE PROGRAM
ARP Staff Committee Funding
Recommendations As of July 28, 2022**

Grand Total Funding Recommendations: \$1,031,353

Priority Group – Businesses that identified as receiving no prior funding:

- **NinaCarolHair, Sole Proprietor**
 - The business provides services to individuals suffering from hair loss. The business partners with the Veterans Affairs (VA) by making cranial prostheses (wigs) and providing hair treatments specifically designed for patients who have hair loss because of alopecia, chemotherapy, etc. The business states that they were impacted by COVID-19 due to Governor's mandatory closing of hairstylist/hair loss specialist.
 - Requested: \$25,000 for Payroll
 - Recommendation: \$25,000 for Payroll related to retaining 1 LMI and hiring 2 LMI employees
- **Atlas Tax Preparer**
 - The business assists customers with the preparation of business and personal tax returns. Applicant states they service audits, amendments, payment plans, extensions, etc. During the off-season, the company mainly focuses on bookkeeping services. Due to the widespread effects of COVID, the business operated virtually, and due to the extent of personal information being given, many people weren't comfortable sending their paperwork virtually. In that case, the applicant states they saw a decline in business.
 - Requested: \$35,000 for Back Rent & Employee Hire
 - Recommendation: \$15,000 to hire 1 LMI employee
- **XPO Nails**
 - Business states they are a personal care spa and nail salon where men and women come for self-love. The owner shut the business down for about four months due to COVID-19 restrictions by the Governor. The business lost revenue

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while supporting their workforce due to the shut down and increased expense for protective equipment for COVID-19 mitigation when they reopened.

- Requested: \$50,000 for Operational Cost & Lost Wages
- Recommendation: \$25,000 for Operational Costs related to hiring 3 LMI Employees

- **Elegance Weddings & Events, Sole Proprietor**

- Elegance Wedding is a full-scale wedding and event planning company that provides consulting, decorating, and event setup services. They oversee the production of weddings and events hosted by businesses or third parties. COVID-19 has impacted the industry since the start of the pandemic. The owner had a large wedding planned for May 2020 that had to be postponed until August 2020
- Requested: \$50,000
- Recommendation: \$4,500 Payroll
- LMI: Retain 1 LMI (owner) position

Secondary Group – Businesses that identified as receiving prior funding assistance:

- **Sonoran, LLC – Action**

- The business provides janitorial services, including stripping and waxing floors and carpet cleaning. The company suffered a considerable reduction in the number of employees due to the pandemic. Business is rebuilding staff capacity.
- Prior Funding: \$125,000 SBA Paycheck Protection Grant
- Requested: \$50,000 Payroll
- Recommendation: \$50,000 to retain 10 LMI and hire 10 LMI employees

- **Rapid Response Asset Management Group, LLC**

- Rapid Response Asset Management Group, LLC is a restaurant that sells burgers. The business provides 20 different burger types and believes one burger is a meal. When the Governor closed down, restaurant sales decreased to 65%. Business states lost business and if not for the PPP loan, they would have shut down.
- Prior Funding: \$36,000 SBA Paycheck Protection Program & Small Business Resiliency Grant
- Requested: \$50,000
- Recommendation: \$50,000 Payroll & Occupancy
- LMI: Retain 7 LMI and create 7 LMI positions

- **Bilingual Therapy Services, PLLC**

- Bilingual Therapy Services, PLLC provides therapeutic and diagnostic Speech Therapy services for children up to 18 years old with communication, feeding, and other disorders. The business specializes in high-quality bilingual therapy for Spanish-speaking and/or bilingual children. The company closed its office and services for three weeks but continued to pay Payroll. Purchased laptop to provide services virtually due to COVID restrictions related to home-based delivery for patients suitable for virtual service delivery.
- Prior Funding: \$90,602 Small Business Assistance, Paycheck Protection Program & NC Center for Economic Empowerment & Development
- Requested: \$50,000
- Recommendation: \$50,000 Payroll & Occupancy
- LMI: Retain 8 LMI positions

- **Latin Cuisine Restaurant, LLC**

- Latin Cuisine Restaurant serves customers authentic and delicious Latin food.

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Business closed for several weeks based on the Government's COVID-19 orders. They reopened, and the cost of materials and other services increased due to COVID-19, impacting their bottom line. Business took out a loan from CEED to continue their operations.

- Prior Funding: \$37,829 SBA Paycheck Protection Program & NC Center for Economic Empowerment & Development
- Requested: \$50,000
- Recommendation: \$50,000 Payroll, Occupancy & Operating Expenses
- LMI: Retain 1 LMI and create 1 LMI positions

- **Pierro's Italian Bistro, Inc**

- Pierro's Italian Bistro is a full-service upscale food and beverage establishment specializing in Italian Cuisine, steaks, seafood, and pasta in historic downtown Fayetteville. They offer full-service catering on and off-site. When COVID-19 first started in March of 2020, the business closed the restaurant for in-house dining and reopened with 50% seating capacity due to COVID-19 restrictions.
- Prior Funding: \$734,7000 Economic Injury Disaster Loan & SBA Paycheck Protection Program
- Requested: \$50,000
- Recommendation: \$23,000 Payroll & Training/Recruitment
- LMI: Retain 32 LMI and create 8 LMI positions

- **Winterbloom, LLC**

- Known as Winterbloom Tea House, the business is a café specializing in tea and various cocktails. Their customer profile consists of a broad demographic of loyal customers. The company temporarily closed due to COVID-19 but maintained its staff and payroll even after reopening and experiencing declining sales even after SBA Paycheck Protection Program funding was depleted. Funding would allow the business to provide competitive pay and create more jobs.
- Prior Funding: \$23,073 SBA Paycheck Protection Program
- Requested: \$50,000
- Recommendation: \$47,695 Payroll & Occupancy
- LMI: Create 4 LMI positions

- **Marcus Doss Salon LLC**

- Marcus Doss Salon LLC offers cranial prosthetic wigs for patients that suffer from medical conditions such as alopecia, cancer, and other conditions associated with hair loss. On government VA Hospital provider list for cranial prosthetics. The salon closed for two months due to mandates related to COVID-19. The Paycheck Protection Program loan helped to maintain employees on Payroll, but the funds have been depleted, and employees have been laid off again.
- Prior Funding: \$10,000 SBA Paycheck Protection Program Loan
- Requested: \$16,000
- Recommendation: \$8,000 Payroll
- LMI: Retain 2 LMI and create 1 LMI positions

- **Ashby's Menswear LLC**

- Ashby's Menswear is a clothing store offering professional attire at work and church. The business closed for several months in early 2020 due to COVID-19 mandates. They reopened with reduced sales due to COVID restrictions. Company maintained the same level of employees while the store was open. Paycheck Protection Program loans contributed significantly to employee retention.
- Prior Funding: \$86,752 Paycheck Protection Program Loans & City of Fayetteville
- Requested: \$50,000
- Recommendation: \$50,000 Payroll & Occupancy

- LMI: Retain 3 LMI
- **Chapman Management Company DBA It Takes a Village Child Care & Education Center and Southern Healthcare Network**
 - Chapman Management is an S-Corporation Chapman Management doing business as (DBA) It Takes a Village Child Care & Educational Center, a 24-hour childcare center, and Southern Healthcare Network, a transportation services for ambulatory and non-ambulatory. The business closed for seven months to prevent the spread of COVID-19 and saw a 40% reduction in income and monthly attendance when it reopened.
 - Prior Funding: \$88,250 Paycheck Protection Program Loan, of which \$39,000 Loan Forgiveness for both DBA entities -- Chapman Management Company DBA Southern Healthcare Network and It Takes a Village Child Care & Education Center.
 - Requested: \$50,000
 - Recommendation: \$15,000 Payroll for It Takes a Village Child Care & Education Center
 - Recommendation: \$15,000 for Payroll for Southern Healthcare Network
 - LMI: Retain 5 LMI and create 3 LMI positions
- **Prima Elements LLC**
 - Prima Elements LLC is a holistic wellness and nutritious food and supply establishment whose core services are yoga, meditation, sound therapy, coaching, and Reiki. Provide a diverse menu of natural, fresh juices, essentials and CBD oils, and a small nutritious vegan lunch. Business temporarily closed based on CDC guidelines related to COVID-19. Reopened after three months but operated under minimal staffing and reduced customer volume.
 - Prior Funding: \$8,000 SBA Paycheck Protection Program Loans
 - Requested: \$50,000
 - Recommendation: \$44,328 Payroll & Occupancy
 - LMI: Create 2 LMI and retain 2 LMI positions
- **Outsydaz NC LLC**
 - Outsydaz is a rental facility that seats or serves an average of more than 700 individuals within the grounds of the facility per day of operation. The facility is open to the public for artistic presentations, live or recorded musical exhibitions, theatrical performances, and films. Closed for 11 months due to COVID-19 and various mandates. Loss of revenues and employees when reopened.
 - Prior Funding: \$500,000 Economic Injury Disaster Loan
 - Requested: \$50,000
 - Recommendation: \$50,000 Payroll & Occupancy
 - LMI: Create 5 LMI and retain 5 LMI positions
- **III Ville Barbershop LLC**
 - The III Ville Barbershop gives military and civilian customers haircuts to ensure they look and feel nice. Businesses impacted by COVID-19 mandates and restrictions have caused a reduction in customers and reduced business hours.
 - Prior Funding: \$10,000 Economic Injury Disaster Loan
 - Requested: \$10,000
 - Recommendation: \$10,000 Payroll & Occupancy
 - LMI: Retain 1 LMI positions
- **Stuart Williams Stables Inc DBA Williams Carpet Care**
 - Stuart Williams Stables doing business as Williams Carpet Care, is a floor cleaning, water extractions, mitigation, and air duct cleaning service. Works with residential and commercial property owners. Water extractions were considered essential during the COVID-19 mandated shutdown; however, the cleaning requests fell

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dramatically to 70%, experienced staffing shortage, and the cost of sanitizing and COVID-19 PPE increased over the past two years.

- Prior Funding: \$110,000 SBA Paycheck Protection Program
- Requested: \$67,000
- Recommendation: \$32,000 Payroll & Occupancy
- LMI: Create 1 LMI and retain 8 LMI positions

- **Speediprint Inc**

- Speediprint provides printing services and contracts postal services. Provides printed products such as business forms, envelopes, and funeral and memorial programs to various businesses and funeral homes throughout the county. The contract post office provides mail services such as stamps and postage for items to be mailed. Due to a reduction in business related to COVID-19, the company closed one of two locations to reduce overhead costs.
- Prior Funding: \$131,937 Economic Injury Disaster Loan & SBA Paycheck Protection Program Loan
- Requested: \$45,830.40
- Recommendation: \$45,830 Payroll & Occupancy
- LMI: Retain 5 LMI positions

- **ShineLight Inc**

- ShineLight Inc provides behavioral healthcare, group homes, and healthcare provider for people with Autism and/or developmental disabilities. Business remained open throughout the pandemic. Due to COVID-19 restrictions, the reduced census in group homes decreased revenues. The company experienced a staffing shortage due to the daily risk of COVID-19.
- Prior Funding: \$235,000 SBA Paycheck Protection Program
- Requested: \$50,000
- Recommendation: \$50,000 Payroll
- LMI: Create 15 LMI positions and retain 15 LMI positions

- **The Apple Crate LLC**

- The Apple Crate is a health food store offering a wide variety of food. They target people with allergies and specific dietary needs, supplements to support a large variety of particular conditions, and overall health and body care items for customers who may be sensitive or avoiding commercial ingredients. The business did not close during the COVID-19 pandemic but faced extreme labor shortages and significant disruptions to our supply chain.
- Prior Funding: \$110,000 SBA Paycheck Protection Program Loan
- Requested: \$50,000
- Recommendation: \$50,000 Payroll
- LMI: Retain 14 LMI positions
- Pending Action: Determine whether or not the business has two locations and if they are a franchise.

- **Saam's Party Tent Inc**

- Saams Party Tents is a party and event rental company that provides tents, tables, chairs, dance floors, staging, linens, dishware, and other products for various events. Applicant states the following: Due to COVID-19, there have been fewer events, both indoor and outdoor, including significant events, such as The Fayetteville Dogwood Festival and International Folk Festival, that have been canceled for the last couple of years. While the business did not close, it experienced significant revenue loss and scaled back significantly. The company used prior funding assistance to address the COVID-19 crisis, and county funds will assist with continued recovery as events such as the Dogwood Festival return to pre- COVID levels.

- Prior Funding: \$50,000 SBA Paycheck Protection Program
- Requested: \$50,000
- Recommendation: \$20,000 Payroll
- LMI: Retain 2 LMI and create 6 LMI positions

- **The Abercrombie Company LLC**
 - The Abercrombie Company operates The Drop Zone, hourly drop-in childcare and after- school care solution that provides up to 4 hours of short-term childcare for children ages 12 months to 12 years old. Services are provided at a moment's notice and summer camp for school agers in grades K-5th grade. While the business did not close, it experienced significant revenue loss and scaled back significantly due to COVID-19 and increased teleworking and virtual services (e.g., Shopping and medical appointments). The business used prior funding assistance to address the immediately COVID-19 crisis. County funds will assist with continued recovery as customers return to pre-COVID levels.
 - Prior Funding: \$11,250 SBA Paycheck Protection Program & Sistahbiz Unstoppable Grant
 - Requested: \$50,000
 - Recommendation: \$46,000 Payroll
 - LMI: Retain 1 LMI and create 2 LMI positions

- **Shanti Wellness Inc**
 - Shanti Wellness, Inc is a wellness company specializing in chronic pain and stress management. The business offers various services and programs to fit individual, corporate, and government needs. Their services include Floatation Therapy, Massage Therapy, Localized Cryotherapy, Compression Therapy, and Sound & Light Therapy. The business closed for several weeks based on the Governor's COVID-19 orders, causing a revenue reduction. Reopened, and the cost of materials and other services declined. The business used prior funding assistance to address the immediately COVID-19 crisis. County funds will assist with continued recovery as customers return to pre-COVID levels.
 - Prior Funding: \$18,800 SBA Paycheck Protection Program Grant
 - Requested: \$50,000
 - Recommendation: \$50,000 Payroll & Occupancy
 - LMI: Retain 3 LMI and create 2 LMI positions

- **My Heavenly Sweets Inc**

My Heavenly Sweets is a sandwich and storefront bakery shop that brings various desserts and foods to Cumberland County. They serve lunch and dinner. The business closed based on the Governor's COVID-19 orders, causing a revenue reduction. Reopened, and the cost of materials and other services increased. The company used prior funding assistance to address the immediate COVID-19 crisis. County funds will assist with continued recovery as customers return to pre-COVID levels.

 - Prior Funding: \$92,472 SBA Paycheck Protection Program Loans & EIDL Grant
 - Requested: \$50,000
 - Recommendation: \$40,000 Payroll, Rent, Occupancy & Operating Expenses
 - LMI: Retain 10 LMI and create 2 LMI positions

- **Southern Coals**
 - Southern Coals is a restaurant and catering company that started back in 2015 as a food truck and has since opened a location on Raeford Road. The business closed based on the Governor's COVID-19 orders, causing a revenue reduction. Reopened, and the cost of materials and other services declined. The company used prior funding assistance to address the immediately COVID-19 crisis. County funds will assist with continued recovery as customers return to pre-COVID levels.

- Prior Funding: \$105,128 SBA Paycheck Protection Program, NC Business Recovery & EIDL Grants
- Requested: \$35,000
- Recommendation: \$35,000 Payroll & Occupancy
- LMI: Retain 3 LMI and create 3 LMI positions
- **Yellow Crayon LLC**
 - Marketing, graphic design, and print company. Custom graphics and logos. Also, print material, UV printing, Direct to Garment DTG, Direct to Film (DTF), and embroidery. The business closed based on the Governor's COVID-19 orders, causing a revenue reduction. Reopened, and the cost of materials and other services increased. The company used prior funding assistance to address the immediately COVID-19 crisis. County funds will assist with continued recovery as customers return to pre-COVID levels.
 - Prior Funding: \$122,400 SBA Paycheck Protection Program, EID Grant & EID Loan
 - Requested: \$50,000
 - Recommendation: \$ 20,000 Payroll
 - LMI: Retain six and create 2 LMI positions
- **Yummy Express, Sole Proprietor**
 - Classic restaurant and complete dine-in serving food. The business closed based on the Governor's COVID-19 orders, causing a revenue reduction. Reopened, and the cost of materials and other services increased. The company used prior funding assistance to address the immediately COVID-19 crisis. County funds will assist with continued recovery as customers return to pre-COVID levels.
 - Prior Funding: \$12,402.91 SBA Paycheck Protection Program
 - Requested: \$50,000
 - Recommendation: \$40,000 Payroll & Occupancy
 - LMI: Retain one and create 1 LMI position
- **Blush Bridal LLC**
 - Blush Bridal is a bridal boutique in the historic Haymount district that focuses on the bride, including personal styling from the engagement through the honeymoon. The business closed based on the Governor's COVID-19 orders, causing a revenue reduction. Reopened, and the cost of materials and other services increased. The company used prior funding assistance to address the immediate COVID-19 crisis. County funds will assist with continued recovery as customers return to pre-COVID levels.
 - Prior Funding: \$150,000 SBA Paycheck Protection Program
 - Requested: \$50,000
 - Recommendation: \$20,000 Payroll
 - LMI: Create 2 LMI position
- **Beaver Creek Foods, Inc.**
 - The business owns four Subway franchise locations that serve breakfast, lunch, and dinner, and two Duck Donuts locations offer dessert options from donuts to milkshakes. At the beginning of the pandemic, the business had closed two of four Subway locations in Spring Lake. Struggled to keep stores staffed. The company had to be closed for a week or longer due to employee illness or short staffing. Business took a loss in revenue.
 - Prior Funding: \$550,800 SBA Paycheck Protection Program
 - Requested: \$50,000
 - Recommendation: \$50,000 Payroll & Occupancy
 - LMI: 27 Retain and 33 create LMI position

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Tye Vaught, Chief of Staff, introduced Noah Johnson, NCACC Strategic Program Coordinator, and presented the background information recorded above. Mr. Vaught stated staff's recommendations total \$1,031,353 and are contingent on the successful execution of a contract with the County. Mr. Vaught also stated at the August 5, 2022 ARP Committee meeting, the ARP Committee recommended forwarding the proposed small business funding recommendations to the full Board with a recommendation for approval.

MOTION: Commissioner Council moved to approve the ARP Committee's small business funding recommendations.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (7-0)

E. Consideration of Correcting the Minutes of the Meeting of December 16, 2002

BACKGROUND

In responding to a records request for the documentation of the creation of the Vander Water and Sewer District, it was discovered that the descriptions of the Linden Water and Sewer District and the Vander Water and Sewer District were referenced as being attached to the minutes of the meeting at which each was created on December 16, 2002, but the descriptions were not attached. The minutes for December 16, 2002, were also incorrectly labeled as being for December 15, 2002, which was a Sunday. The descriptions of the districts should be in the minutes. Amy Hall retrieved copies of the signed resolutions containing the descriptions in the county engineer's files.

The first six pages of the December 16, 2002, minutes and the full resolutions including the descriptions of the districts are attached. The language requiring correction in the minutes is highlighted.

RECOMMENDATION / PROPOSED ACTION

County attorney advises the board to correct the minutes of the meeting of December 16, 2002, by adopting the following resolution:

Resolution of Correction of the Minutes of the December 16, 2002, Meeting
of the Board of Commissioners

Whereas, it has been discovered that the minutes of the December 16, 2002, meeting of the board of commissioners incorrectly identify the date as December 15, 2002, and the descriptions of the Linden Water and Sewer District and the Vander Water and Sewer District referenced in the minutes as attachments were omitted; and

Whereas, copies of the full resolutions signed by Chairman Talmage S. Baggett, Jr., after the meeting of December 16, 2002, including the attached descriptions of the districts, are in the files of the county engineer's office and are attached to this resolution.

Now therefore, be it resolved that the minutes of the meeting of December 16, 2002, are hereby corrected as follows:

1. The incorrect date of December 15, 2002 is corrected to be December 16, 2002, throughout the recorded minutes.
2. Agenda Item I. *Consideration of forming proposed Linden Water & Sewer District* is corrected by substituting the Resolution Creating Linden Water and Sewer District containing Exhibit A- Linden Water & Sewer District Description signed by Chairman Talmage S. Baggett, Jr., and attached hereto for the resolution appearing in the recorded minutes.
3. Agenda Item J. *Consideration of forming proposed Vander Water and Sewer District* is corrected by substituting the Resolution Creating Vander Water and Sewer District containing Exhibit A- Legal Description Vander Water and Sewer District signed by Chairman Talmage S. Baggett, Jr., and attached hereto for the Resolution appearing in the recorded minutes.

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4. The Clerk to the Board is directed to affix a note to the recorded minutes of December 16, 2002, reflecting those minutes are corrected by the resolution adopted by the board on this date.

Adopted August 15, 2022.

Mr. Moorefield presented the background information and resolution recorded above.

MOTION: Commissioner Keefe moved to correct the minutes of the meeting of December 16, 2002 by adopting the Resolution of Correction of the Minutes of the December 16, 2002 Meeting of the Board of Commissioners.

SECOND: Commissioner Council

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

6. APPOINTMENTS

A. Board of Adjustment (2 Vacancies)

MOTION: Commissioner Stewart moved to appoint Gary Silverman and Ian Reeves as Alternate Members.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

B. Library Board of Trustees (1 Vacancy)

MOTION: Commissioner Stewart moved to appoint Daniel Montoya to serve an unexpired term.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

C. ABC Board (2 Vacancies)

There being 4 nominees for 2 vacancies, the following votes were cast:

Terri Thomas – Commissioners Council, Stewart, Adams and Evans (4 votes)

Greg Edge – Commissioners Lancaster, Boose and Keefe (3 votes)

Jamail George – Commissioners Council, Stewart, Adams and Evans (4 votes)

Alex Warner – Commissioners Lancaster, Boose and Keefe (3 votes)

Having received the most votes, Terri Thomas and Jamail George were appointed to the ABC Board.

D. Mid-Carolina Aging Advisory Council (1 Vacancy)

MOTION: Commissioner Stewart moved to appoint Pat Edwards in the Volunteer category.

SECOND: Commissioner Council

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

E. Social Services Board (1 Vacancy)

MOTION: Commissioner Stewart moved to appoint Betsy Bradshaw.

SECOND: Commissioner Council

VOTE: PASSED (5-2) (Commissioners Lancaster, Council, Stewart, Adams and Evans, Commissioners Boose and Keefe voted in opposition)

Chairman Adams recessed the Board of Commissioners' meeting.

Chairman Adams convened the meeting of the NORCRESS Water and Sewer District Governing Board.

7. NORCRESS WATER AND SEWER DISTRICT ITEMS OF BUSINESS

A. Consideration of Partial Certification of Section 2 of NORCRESS Permit of the I-95 Widening Project

BACKGROUND

The Public Utilities Department has been working with North Carolina Department of Transportation (NCDOT) in regards to the widening of I-95. NCDOT, at their expense, is relocating sanitary sewer mains owned by NORCRESS. This process has various forms and certifications that will require signature authorization in order to keep the project moving. Attached is the partial certification of Section 2 of the NORCRESS permit that needs to be signed in order to put the completed section of the sewer pipe in service.

RECOMMENDATION / PROPOSED ACTION

Staff recommends that the item be placed on the August 15, 2022, Board of Commissioners agenda and NORCRESS Governing Board agenda as a consent item.

MOTION: Commissioner Boose moved to approve the partial certification of Section 2 of the NORCRESS permit of the NCDOT I-95 widening project.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

Chairman Adams adjourned the meeting of the NORCRESS Water and Sewer District Governing Board.

Chairman Adams reconvened the Board of Commissioners' meeting.

Chairman Adams recessed the Board of Commissioner's meeting to conference room 564 at 10:19 p.m.

Chairman Adams reconvened the Board of Commissioners meeting in conference room 564.

8. CLOSED SESSION

A. REMOVED FROM AGENDA

B. Real Property Acquisition Pursuant to NCGS 143.318.11(a)(5)

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

MOTION: Commissioner Council moved to go into closed session for Real Property Acquisition Pursuant to NCGS 143.318.11(a)(5) and Personnel Matter(s) Pursuant to NCGS 143.318.11(a)(6).

SECOND: Commissioner Boose

VOTE: UNANIMOUS (7-0)

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

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Council moved to adjourn.

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

There being no further business, the meeting adjourned at 11:25 p.m.

Approved with/without revision:

Respectfully submitted,

Candice H. White
Clerk to the Board