

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
MONDAY, DECEMBER 16, 2024 6:45 PM  
117 DICK STREET, 5TH FLOOR, ROOM 118  
REGULAR MEETING MINUTES**

**PRESENT:**

Commissioner Kirk deViere, Chairman  
Commissioner Veronica Jones, Vice Chairwoman  
Commissioner Glenn Adams  
Commissioner Jeannette Council  
Commissioner Marshall Faircloth  
Commissioner Pavan Patel  
Commissioner Henry Tyson  
Clarence Grier, County Manager  
Sally Shutt, Assistant County Manager  
Brian Haney, Assistant County Manager  
Heather Skeens, Assistant County Manager  
Faith Phillips, Assistant County Manager  
Tye Vaught, Chief of Staff and Interim Community Development Director  
Rick Moorefield, County Attorney  
Deborah Shaw, Budget and Performance Director  
Roin Koonz, Finance Director  
Ashley Brewington, Budget Analyst II  
Gathany Smith, Budget Analyst II  
Lisa Childers, Cooperative Extension Director  
Andrea Tebbe, Clerk to the Board  
Iva Clark, Deputy Clerk

**OTHERS PRESENT:**

Members of the Press  
Members of the Public

**CALL TO ORDER**

Chairman deViere called the meeting to order at 6:45 PM and welcomed everyone.

**RECOGNITIONS**

Clifton McNeil, Jr., 2024 Cumberland County Agricultural Hall of Fame Inductee

The Board of Commissioners recognized Clifton McNeill, Jr. as the 2024 Cumberland County Agricultural Hall of Fame Inductee.

Farm Bureau 2024 Young Farmer of the Year Kevin Riddle

The Board of Commissioners recognized Kevin Riddle as the 2024 Cumberland County Farm Bureau Outstanding Young Farmer of the Year.

Jim Hartman, 2024 Small Farmer of the Year

The Board of Commissioners recognized Jim Hartman as the North Carolina Small Farmer of the Year.

Budget and Performance Department Recipients for Receiving the North Carolina Local Government Budget Office Certification

The Board of Commissioners recognized Gathany Smith, Budget Analyst II and Ashley Brewington, Budget Analyst II for receiving their North Carolina Local government Budget Officer Certification.

## Chief of Staff for Receiving the North Carolina Local Government Budget Officer Certification

The Board of Commissioners recognized Tye Vaught, Chief of Staff and Interim Community Development Director for receiving the North Carolina Local Government Budget Officer Certification.

## PUBLIC COMMENT PERIOD

County Manager Clarence Grier provided the Board's Policy and Procedures for the public Comment Period.

Chairman deViere asked the clerk if there were any speakers.

The clerk responded there was one speaker.

Speaker(s)

Nancy Thornton – spoke about the need for public transportation in rural areas of Cumberland County. She requested additional funding for the transportation program.

## 1. APPROVAL OF AGENDA

Commissioner Tyson requested to pull item 2.F. Grant of New Lease to Cumberland County Communicare, Inc from the Consent Agenda and place it as Item 4.A, Item of Business.

Commissioner Patel requested to remove Item 6.A Civic Center Commission Appointments from the agenda and move to the January 21, 2025 agenda.

MOTION: Commissioner Tyson moved to move Item 2.F. Grant of a New Lease to Cumberland County Communicare, Inc. from the Consent Agenda and moved to Items of Business as Item 4.A. and for Item 6A. to be removed from the agenda.  
SECOND: Commissioner Patel

Commissioner Adams asked for clarification as to why Item 6.A was being removed.

Commissioner Patel stated that would give the incoming Commissioners time to review the Boards and Commissions nominations and appointments.

Commissioner Adams asked the County Attorney if the items would remain as listed in the January 21, 2025 agenda.

Rick Moorefield, County Attorney stated the appointments would remain as listed in the current agenda.

Commissioner Adams requested the requested changes to the agenda be separated into two motions.

Vice Chairwoman Jones stated the request to remove the Civic Center Commission from the agenda is to allow the incoming Commissioners time to review the Boards and Commissions.

Chairman deViere asked Commissioner Adams if he would like to offer a friendly amendment to divide the items into two motions.

Commissioner Adams stated yes, he would like to offer a friendly amendment to the motion and divide the motion into two separate motions.

Commissioner Tyson agreed to divide the motion.

The Board of Commissioner unanimously agreed to separate the motions.

MOTION: Commissioner Tyson moved to move Item 2.F. Grant of a New Lease to Cumberland County Communicare, Inc. from the Consent Agenda and moved to Items of Business as Item 4.A.  
SECOND: Commissioner Patel  
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Tyson moved to remove Item 6.A Civic Center Commission Appointment from the Agenda and move them to the January 21, 2024 regular Meeting Agenda  
SECOND: Commissioner Patel  
VOTE: 6-1 Voting in Favor – Commissioner Tyson, Commissioner Council, Vice Chairwoman Jones, Chairman deViere, Commissioner Patel and Commissioner Adams. Voting in opposition – Commissioner Faircloth

Commissioner Faircloth asked for clarification if removing something from the agenda required a certain number of votes.

Rick Moorefield, County Attorney, stated the motion to remove something from the agenda required the majority in a vote.

2. CONSENT AGENDA

A. Approval of The Health Departments Delinquent Accounts to Be Turned Over for Bad Debt Write Off

At the Board of Health meeting on November 19, 2024, the Board approved writing off a total of \$4,053.06 as bad debts. The bad debt accounts with balances of \$50.00 or higher, are sent to the North Carolina Debt Setoff Clearinghouse. This program can attach to a debtors' North Carolina State Income Tax Refund and/or Education lottery winnings for payment of bad debts. The accounts with balances under \$50.00 will continue to be worked for collection through our in-house collection efforts. The accounts listed are 90 days or older as of September 24, 2024. This write-off of bad debts is compliant with the Cumberland County Health Department's Debt Collection Policy 02-03 to write off bad debts every quarter

B. Approval to Pay Prior Year Invoices

There is a period of time after June 30<sup>th</sup> 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	Vendor	Invoice Date/Services Rendered	Amount
Social Services	Tonya Lee	April 23-26, 2024	\$187.20
Social Services	Veronica Miller	June 28-30, 2024	\$74.20
Social Services	Bordeaux Creative School	June 1, 2024	\$895.00
Social Services Total			\$1,156.40
Print, Mail, & Design	Systel Business Equipment	March 29-June 28, 2024	\$1,149.49
Print, Mail, & Design Total			\$1,149.49
Planning & Inspections	Johnson, Mirmiran & Thompson (JMT)	April and May 2024	\$8,517.60
Planning & Inspections Total			\$8,517.60

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> and will be retained permanently as part of the minutes.

C. Approval to Pay Prior Year Invoices

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	Vendor	Invoice Date/Services Rendered	Amount
Solid Waste	Bell's Seed Store	October 4, 2021/March 31, 2022/April 12, 2023/June 1, 2023/April 3, 2024	\$1,328.88
Solid Waste Total			\$1,328.88
Library	Mobile Communications America, INC	June 6, 2024	\$11,500.26
Library Total			\$11,500.26

D. Approval Subrecipient Agreement Amendment with Fayetteville Technical Community College for the Hope, Opportunity, Prosperity through Education (H.O.P.E.) Program

The American Rescue Plan (ARP) Committee met on October 10, 2024, and received a request from Fayetteville Technical Community College (FTCC) to reallocate their budget associated with the H.O.P.E. program to provide employment services. The request comes in response to staffing changes within the program and the need to allocate a larger portion of the award towards student outcomes.

ARP staff have reviewed the request and supported the proposed budget reallocation, as it will not increase the contract's not-to-exceed amount. Additionally, staff recommended amending the contract date to extend through June 30, 2025, to align with the end of the current fiscal year.

The Committee voted unanimously to approve the requested changes.

E. Approval of Contract Amendment with Fayetteville State University's (FSU) Fayetteville-Cumberland Regional Entrepreneur and Business HUB

The American Rescue Plan (ARP) Committee met on October 10, 2024, and received a request from Fayetteville State University (FSU) to reallocate their budget associated with the Fayetteville-Cumberland Regional Entrepreneur and Business HUB program to better align with their current needs and goals.

ARP staff have reviewed the request and supported the proposed budget reallocation, as it will not increase the contract's not-to-exceed amount.

The Committee voted unanimously to approve the requested changes.

F. Grant of New Lease to Cumberland County Communicare, Inc.

Removed from Consent Agenda and Moved to Items of Business.

G. Approval of American Rescue Plan Grant Project Ordinance Amendment #B250829

The American Rescue Plan Committee met on November 14, 2024, and recommended the following item be placed on the December 16, 2024, Regular Board of Commissioners meeting.

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> and will be retained permanently as part of the minutes.

## ARP Funding Recommendation for Final Obligation #B250829

Staff is requesting an allocation of \$8,201,546 from the American Rescue Plan funds to support the Public Sector Workforce: Rehiring Public Sector Staff project to cover salary and benefit costs to restore County employment to pre-pandemic levels. This transfer is required to meet the mandated December 31, 2024, obligation deadline imposed by the Department of the Treasury for American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds.

### H. Approval of Budget Ordinance Amendments for the December 16, 2024 Board of Commissioners' Agenda

#### General Fund

1) Detention Center – Budget Ordinance Amendment B250704 to recognize funds from Via Path in the amount of \$26,283

The Board is requested to accept and approve Budget Ordinance Amendment B250704 to recognize funds from Via Path in the amount of \$26,283. This funding will be used to purchase chairs, tables, power and data receptacles, cord starters, and multi-purpose lecterns for the training room at the Detention Center.

Please note this amendment requires no additional county funds.

2) Animal Services – Budget Ordinance Amendment B250677 to recognize the Best Friends Grant in the amount of \$10,000

The Board is requested to accept and approve Budget Ordinance Amendment B250677 to recognize funds from the Best Friends Grant in the amount of \$10,000. This funding comes from Animal Services participating in the Return to Home Challenge. This program was used to reunite animals with their families. This funding will be used for general operating expenses.

Please note this amendment requires no additional county funds.

3) Public Health Department – Budget Ordinance Amendment B250749 to recognize grant funds from the United States Department of Justice's Comprehensive Opioid, Stimulant, and Substance Abuse Use Site-based Program in the amount of \$433,333

The Board is requested to accept and approve Budget Ordinance Amendment B250749 for grant funds from the United States Department of Justice's Comprehensive Opioid, Stimulant, and Substance Abuse Use Site-based Program in the amount of \$433,333. The total amount of the grant is \$1,300,000 over a three-year period. The grant period is from October 1, 2024 until September 30, 2027. These funds will be used to increase the community's capacity to implement a whole-person, harm reduction approach to the overdose crisis through a partnership with the Health Department, City of Fayetteville Police Department (FPD), North Carolina Harm Reduction Coalition (NCHRC), and Cumberland-Fayetteville Opioid Response Team (C-FORT).

Please note this amendment requires no additional county funds.

4) Library Grants – Budget Ordinance Amendment B250995 to recognize funds from the Arts Council of Fayetteville/Cumberland County Grant Program in the amount of \$7,200

The Board is requested to accept and approve Budget Ordinance Amendment B250995 to recognize funds from the Arts Council of Fayetteville/Cumberland County Grant Program in the amount of \$7,200. These funds will be used to pay for the performers and provide programs for the Spring Storytelling Festival.

Please note this amendment requires no additional county funds.

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

1. Settlement with NCDOT for Condemnation of Right of Way on Camden Road Convenience Center and Approval of Associated Budget Ordinance Amendment #B250350

The Consent Judgement is the proposed monetary compensation of \$375,000 for the 0.175-acre taken by NCDOT for right of way and easements on the Camden Road Convenience Center site for the widening of Camden Road. NCDOT is also conveying the property described as the Parkton Road Site to the county to develop a new convenience center site to replace the Camden Road Site. It is shown with its boundaries marked in blue on the attached GIS map. It contains 24.16 acres and has a current tax value of \$219,805. The estimated cost to develop the new Parkton Road Site is almost \$1.5 million as shown on the attached cost estimate. The conveyance of this property to the county has been approved by the Council of State and the deed has been signed by Governor Cooper.

The existing Camden Road Convenience Center site contains only 0.44-acres. It is too small to further develop and accommodate the new NCDOT easements. Its use also creates occasional traffic impediment on Camden Road. The size and location of the Parkton Road Site are very good to develop a replacement convenience center for the Camden Road site. It is near I-295 and Parkton Road has access to I-295. It can also be used for emergency and temporary staging of storm and flood debris or for the bulk storage of other materials as an additional resource for solid waste operations.

At their December 10, 2024, Agenda Session meeting, the Board of Commissioners approved placing this item as a consent item on the December 16, 2024, Board of Commissioners' meeting agenda.

2. Purchase of a Fuel Truck for the Solid Waste Department

A formal bid request was issued for a fuel truck by the Solid Waste Department. At the June 17, 2024, Board of Commissioners meeting the board approved the award of IFB (Invitation for Bid) Number 24-17-SW II to Taylor Pump & Lift Inc. in the amount of \$228,311 based on lowest responsive, responsible bidder standard of award.

This fuel truck will be used for equipment at the Wilkes Road Compost Facility. The fuel truck is equipped to refuel all equipment, carry engine oils and hydraulic oils, and is capable of removing those same oils as well. The fuel truck also includes an air compressor to provide air support, when needed, and is a self-contained supply system.

Funding in the amount of \$228,311 is available in the Fiscal Year 2025 Solid Waste Capital Outlay budget for a fuel truck.



At their December 10, 2024, Agenda Session meeting, the Board of Commissioners approved placing this item as a consent item on the December 16, 2024, Board of Commissioners' meeting agenda.

3. Service Agreement with Smith Gardner, Inc. for Ann Street Landfill Transfer Station Design

At the September 16, 2024, Board of Commissioners meeting the board accepted the selection of Smith Gardner, Inc. as the best qualified engineering firm to provide design, permit, and construction services for the Ann Street Transfer Station that will be located at the landfill facility at 698 Ann Street, Fayetteville, N.C., and granted permission for staff to enter negotiations for detailed scope of work, cost of services and to prepare an agreement for approval at a future Board of Commissioners meeting.

Attached to this memo is the service agreement with following scope of services:

- Design Drawings
- Water and Sewer Design
- Bid/Construction Documents
- Construction Quality Assurance & Contract Administration

The agreement amount shall not exceed \$250,000 and the term of the agreement shall be from the execution date of the agreement and shall remain in effect until June 30, 2025.

The funding for this agreement is available within the Fiscal Year 2025 Solid Waste Capital Outlay budget.

At their December 10, 2024, Agenda Session meeting, the Board of Commissioners approved placing this item as a consent item on the December 16, 2024, Board of Commissioners' meeting agenda.

4. Purchase of a Yard Spotter for the Solid Waste Department

A formal bid request was issued for a yard spotter by the Solid Waste Department. At the October 7, 2024, Board of Commissioners meeting the board approved the award of IFB (Invitation for Bid) Number 24-20-SW to Gregory Poole Equipment Company in the amount of \$141,481.40 based on lowest responsive, responsible bidder standard of award.

Yard spotters are designed to be versatile and customizable, and are semi-tractors designed to move full or empty cargo containers and trailers. Unlike a standard semi-truck, a yard spotter can seamlessly maneuver and position containers in tight, compact spaces. Yard spotters have a tighter turning radius, a shorter wheelbase and a solid-mounted rear axle. This design allows it to navigate close quarters deftly, resulting in more efficient operations, and the 360-degree view minimizes blind spots, providing optimal visibility. These vehicles use a fifth hydraulic lifting wheel. This feature lets the operator move, lower, and position the trailer without leaving the cab or activating the landing gear. This yard spotter will be utilized immediately for trailer movement for balefill mining and will be used at the Transfer Station at the Ann Street Landfill.

Funding in the amount of \$141,482 is available in the Fiscal Year 2025 Solid Waste Capital Outlay budget for a yard spotter.

At their December 10, 2024, Agenda Session meeting, the Board of Commissioners approved placing this item as a consent item on the December 16, 2024, Board of Commissioners' meeting agenda.

5. Proposed Changes to the Board of Commissioners Board and Committees

Chairman deViere has proposed the following changes to the Cumberland County Board of Commissioners Boards and Committees:

1. Separation of the Finance and Audit Committee into 2 Committees. The Finance Committee, which will focus on Budget, taxes, and finance related items. The Audit Committee will be for annual audit as required by the State and separate from the Finance Committee.
2. Add the Policy Committee- the Policy Committee will review, analyze and recommend policy positions and changes.
3. Change the name of the Homeless Support Center Committee to the Unhoused Support Center Committee
4. Create Infrastructure Committee - Focus on Water, Broadband Sewer and Roads. This committee will also absorb the Grays Creek and Count County Wide Water Committee

MOTION: Commissioner Adams moved to approve the consent agenda with Item 2.F. Grant of New Lease to Cumberland Communicare, Inc. pulled for discussion

SECOND: Commissioner Tyson

VOTE: UNANIMOUS (7-0)

3. PUBLIC HEARING

A. CASE #ZON-24-007

Rezoning from A1 Agricultural District to R40A Residential District or to a more restrictive zoning district for one parcel comprising 1.95 +/- acres; located at 4266 Sids Mill Rd, submitted by Larry Edwards (Owner).

Case was withdrawn by applicant on 12/5/24 after it was advertised.

No action needed.

4. ITEMS OF BUSINESS

A. Grant of New Lease to Cumberland County Communicare, Inc.

Item was pulled from the consent agenda for further discussion.

At its November 14, 2024, Agenda Session, the board adopted a resolution of intent to grant a new lease with Cumberland County Communicare, Inc., at a new rental rate of \$15 per square foot for a term of three years. The last lease expired June 30, 2024. Communicare has remained in the space as a holdover tenant under the same lease terms. The board decided to adopt a leasing policy before renewing Communicare's lease. The policy was adopted in September. Communicare reported that it could not afford the full rent increase in its current budget. Communicare has agreed to start the new lease January 1 at the new rental rate established by the leasing policy for a term of six months with a renewal term of six months to give it time to seek another location. Under the leasing policy the new lease terms will be as follows:



Premises: 14,494 square feet of office space and joint use of parking lot at 109 Bradford Avenue

Lessee: Cumberland County Communicare, Inc., a non-profit corporation

Use: office space for administering social services/juvenile crime prevention programs

Term: 6 months years commencing January 1, 2025

Rent: \$217,410 annually (\$15 per square foot)

Utilities: provided by Lessor

Janitorial: provided by Lessor

Early Termination Provision: none

Renewal Terms: six months ending December 31, 2025, upon notice before April 1, 2025

**MOTION:** Vice Chairwoman Veronica Jones moved to direct the County Manager to modify the proposed 2024 lease agreement between the County of Cumberland and Cumberland County Communicare, Inc for the premises located at 109 Bradford Avenue, Fayetteville, NC and to change Section 2: Rent, to the current lease rate that the tenant has been paying since June 30, 2024 for the purpose of reviewing the current agreement and having adequate time for the Board to consider all implications before making changes to the lease rate and all others terms and conditions in the proposed lease agreement to remain unchanged

**SECOND:** Commissioner Tyson

#### Discussion

Commissioner Adams asked for clarification on whether the Board had previously approved the lease.

County Attorney Moorefield stated the Board has approved a lease for 3 years on the November 14, 2024, Agenda Session but after speaking with the CEO for Communicare, she requested an amended lease of 6 months with a renewable term of 6 months to allow for time to locate new premises. He clarified this is new term lease not the one the board approved. The previous lease expired June 30, 2024.

Vice Chairwoman Jones stated the request to review the current agreement and to review and discuss the rent rate.

Commissioner Tyson stated it would be helpful to see the current lease agreement with Communicare be provided to the Board. He asked for a friendly amendment to include the request of the current lease.

Chairman deViere stated no amendment needed and directed staff to provide a copy of the current lease to the Board.

Chairman deViere called for a vote.

**VOTE:** UNANIMOUS (7-0)

5. NOMINATIONS

There are no nominations for this meeting.

6. APPOINTMENTS

A. Civic Center Commission

Item was moved to the January 21, 2025 Board of Commissioners' Meeting.

7. CLOSED SESSION

No Closed Session at the meeting.

ADJOURN

MOTION: Commissioner Jones moved to adjourn the meeting

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 7:24 PM.

Approved with/without revision:

Respectfully submitted,

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Andrea Tebbe  
Clerk to the Board