

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, MARCH 17, 2025 6:45 PM
HISTORIC COURTHOUSE
2ND FLOOR COURTROOM
130 GILLESPIE STREET, FAYETTEVILLE
REGULAR MEETING MINUTES**

PRESENT:

Chairman deViere
Vice Chairwoman Jones
Commissioner Adams
Commissioner Council
Commissioner Faircloth
Commissioner Patel
Commissioner 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
Robin Koonce, Finance Director
Rawls Howard, Planning and Inspection Director
David Moon, Planning and Inspections, Assistant Director
Amanda Lee, General Manager of Natural Resources
Amy Hall, Public Utility Specialist
Diane Rice, Communications Director
Joseph Westendorf, Librarian II
Andrea Tebbe, Clerk to the Board
Iva Clark, Deputy Clerk

Chairman deViere called the meeting to order at 6:47 pm and welcomed everyone.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Christopher Stackhouse, Lweis Chapel Baptist Church, delivered the invocation.

Ann Provencer, Cumberland County Veterans Council President led the Pledge of Allegiance.

Fayetteville Cumberland Youth Council

Rylan Mack, a junior at Seventy First High School and Sterling Kelly, a junior at Cumberland Polytechnic High School and the Sergeant at Arms with the FCYC spoke about FCYC project, a recent NACO Conference and meeting with Legislators in Washington DC.

PUBLIC COMMENT PERIOD

County Manager Clarence Grier provided the Board's policy and procedures for Public Comment Period.

The Chairman asked to clerk to call on the any speakers.

Speakers:

- Tonia Stephenson spoke about the property revaluation and requested exemption for elderly.
- Wayne Wood – did not respond when his name was called.
- Dr. Ken Schath spoke about the property revaluation and the appeals process.

1. APPROVAL OF THE AGENDA

Clarence Grier, County Manager request a closed session for Attorney-Client Matter pursuant to NCGS 143.318.11.(a)(3) be added and for Item N.1 Fiscal Year 2026 Health Insurance Benefit Plan Changes be moved from the Consent Agenda to Items of Business as Item 5.C.

MOTION: Vice Chairwoman Jones moved to approve the agenda with the requested changes

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

2. PRESENTATIONS

A. Women's History Month

Vice chairwoman Jones shared information on Women's History Month and introduced a video highlighting the women in leadership for Cumberland County.

B. Historic Courthouse

Joseph Westendorf, Librarian II shared information on the history of Cumberland County.

Commissioner Adams noted the photo of Sylvia Allen displayed in the courtroom. Ms. Allen was the first African American Lawyer in the county.

Chairman deViere thanked everyone for the presentations.

3. CONSENT AGENDA

- A. Approval of a Proclamation Recognizing the 99th Anniversary of the Historic Courthouse

A request was received for a proclamation recognizing the 99th Anniversary of the Historic Courthouse.

- B. Approval of a Proclamation Recognizing the Bicentennial Anniversary of the Marquis de Lafayette's visit to Cumberland County and Honoring the Lafayette Society

A request was received for a proclamation recognizing the Bicentennial Anniversary of the Marquis de Lafayette's visit to Cumberland County and honoring the Lafayette Society.

- C. Approval of a Proclamation Recognizing March 2025 as Social Worker Month in Cumberland County

A request was received for a proclamation recognizing March 2025 as Social Worker Month in Cumberland County.

- D. Approval of a Proclamation Recognizing March 29, 2025 as Welcome Home Vietnam Veterans Day in Cumberland County

A request was received for a proclamation recognizing March 29, 2025 as Welcome Home Vietnam Veterans Day in Cumberland County.

- E. Approval of a Proclamation Recognizing March 29, 2025 as Gold Star Family Day in Cumberland County

A request was received for a proclamation recognizing March 29, 2025 as Gold Star Family Day in Cumberland County.

- F. Approval of a Proclamation Recognizing World Water Day in Cumberland County

A request was received for a proclamation recognizing March 22, 2025 as World Water Day in Cumberland County.

- G. Consideration of Proposed Schedule for Fiscal Year 2026 Budget Work Sessions and Public Hearing

Management anticipates submitting the FY26 Recommended Budget to the Commissioners on Thursday, May 22, 2025. Several work sessions may be needed for review of the recommended budget.

The following schedule is recommended for consideration with all meetings to be held in the Judge E. Maurice Braswell Courthouse, 117 Dick Street, Fayetteville, NC.

Thursday, May 22, 2025	7:00 PM	Budget Presentation	Room 118
Thursday, May 29, 2025	5:30 PM	Budget Work Session	Room 564
Thursday, June 5, 2025	7:00 PM	Budget Public Hearing / Optional Budget Work Session	Room 118
Tuesday, June 10, 2025	5:30 PM	Budget Work Session	Room 564
Thursday, June 12, 2025	5:30 PM	Budget Work Session	Room 564
Thursday, June 19, 2025	5:30 PM	Budget Work Session (if needed)	Room 564

H. Approval of Animal Services Intergovernmental Support Agreement (IGSA) With Fort Bragg

Since February 2016, Cumberland County and Fort Bragg have had an Intergovernmental Support Agreement (IGSA) for Animal Services Officers to respond to dispatches on the installation. Stray and surrendered animals from post are taken to the Animal Services shelter and Fort Bragg pays the County as outlined in the agreement.

The agreements have been for one year and renewable annually for up to four years. The second IGSA was approved in 2021. As we enter into the fourth year of this agreement, minor procedural modifications were made by Fort Bragg and Cumberland County staff. Rates are not changing. The revisions include removing services related to feral cats since this is not a service provided within the county by Animal Services; as well as clarifying the information flow for after-hours calls.

Garrison Commander Colonel Chad Mixon signed the agreement prior to the installation name change back to Fort Bragg, and post officials said the updated name change will be included in the 2026 agreement.

The updated IGSA with attachments was presented to the Board of Commissioners Policy Committee on March 6, 2025 and approved to the consent agenda for the regular meeting on March 17, 2025.

I. Approval to Pay Prior Year Invoices

This item was unanimously approved by the Finance Committee at the March 6, 2025, meeting to be placed on the Consent Agenda of the Board of County Commissioners Regular Meeting on March 17, 2025.

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 rendered or goods received in the prior fiscal year. When that occurs, approval by the Board of County Commissioners is required prior to payment. The following departmental invoices meet these criteria:

DEPARTMENT	VENDOR	INVOICE DATES	AMOUNT
Library	Dormakaba	4/20/2024	\$787.03
Library	Dormakaba	6/11/2024	\$500.02
Total: \$1,287.05			
Solid Waste	QED Environ. Systems Inc.	6/5/2024	\$2,103.63
Solid Waste	Staples	4/10/2024	\$106.03
Solid Waste	Staples	5/7/2024	\$272.11
Solid Waste	Staples	5/15/2024	\$28.86
Solid Waste	Staples	5/15/2024	\$322.44
Solid Waste	Phillip's Towing Service	5/2/2024	\$1,915.00
Total: \$4,748.07			

J. Approval of Contract Amendment for Aerial Mosquito Spray Stand-By Contract with Allen Aviation, Inc.

In the event of a disaster, aerial mosquito spray services may be required to control an increase in the mosquito population. Stand-by contracts for these services are imperative to have in place as they allow the County to begin serving the community immediately following an event, rather than waiting for a bid process to be completed, as is mandated by the Federal Uniform Guidance Procurement Policy for Local Governments (“Uniform Guidelines”). No funding is currently tied to this contract as it is a stand-by contract, to be utilized in disaster events (such as a hurricane). In the event that services are required, a notice to proceed will be issued and a contract amendment will be executed to incorporate a “not to exceed” amount.

In November 2022, the bid award for IFB #23-1-CTY and contract were approved for Allen Aviation, Inc. based on lowest responsive, responsible bidder standard of award. The contract included an escalation clause, allowing the contractor to increase prices by a percentage which shall not exceed the consumer price index during the calendar year which immediately precedes. The contract also allows the contractor to petition an additional rate adjustment on the basis of extraordinary and unusual changes in the cost of operations that could not be reasonably foreseen by a prudent operator. Allen Aviation, Inc. provided a letter requesting a rate increase due to an increase in operating costs, to include rising insurance premiums. The original contract term was through December 31, 2024 with the option to renew for two additional one-year terms. This contract amendment is to increase the rates and extend the contract through December 31, 2025

- K. Approval of Resolution Supporting NC Division of Juvenile Justice and Delinquency Prevention Legislative Requests for Increased Recurring Funding for Juvenile Crime Prevention Councils (JCPC)

The North Carolina Division of Adult Correction and Juvenile Justice (DACJJ) Office provides funds to Cumberland County's Juvenile Crime Prevention Council (JCPC) each year to assist and support programs that offer comprehensive wraparound services to juveniles. These services include intervention/prevention programming; clinical and crisis intervention services; residential and transitional living programs; juvenile court and community supervision services; and short- and long-term facility confinement services that impact Cumberland County youth and families. The annual funding amount has remained the same for several years.

The North Carolina Division of Juvenile Justice and Delinquency Prevention has requested support from counties to advocate to the General Assembly to increase the recurring funds. The increase of funds will provide more direct service support to programs and the juvenile/families that they serve. There is a great need to provide intensive services to this population and additional funding is needed to enhance and add comprehensive services.

On February 28, 2025, the JCPC Board unanimously approved the support of this resolution to be forwarded to the Board of Commissioners for approval.

- L. Approval of Communications Policy for the Cumberland County Board of Commissioners

At the request of the Chairman, the Cumberland County Public Information Office (PIO) created a draft Communications Policy for the Board of Commissioners. The intent of the policy is to establish clear and consistent

procedures for PIO coverage of the Board and its members in their official capacity, as well as the use of photos, press releases, social media, and other communications related to Board of Commissioners meetings and events, and County-related activities.

Items covered under the policy include the following as they relate to County Commissioner involvement:

PIO coverage of meetings and events involving County Commissioners

- The use of County social media channels and issuance of press releases
- The process for submitting requests and requested deadlines
- The provision of written remarks, media relations and event coordination

The draft policy was presented to the Board of Commissioners Policy Committee on March 6, 2025, and the Committee voted unanimously to move the Communications Policy forward to the Board's March 17, 2025 Regular Meeting to be considered as part of the Consent Agenda

M. Approval of Budget Ordinance Amendments for the March 17, 2025 Board of Commissioners' Agenda
General Fund 101

1) Health Department – Budget Ordinance Amendment B250435 to recognize grant funds from the North Carolina Division of Public Health in the amount of \$14,584

The Board is requested to accept and approve Budget Ordinance Amendment B250435 to recognize grant funds from the North Carolina Division of Public Health in the amount of \$14,584. This funding will be used to invest and support capacity and expertise specific to Foundational Capability Accountability and Performance Management.

Please note this amendment requires no additional county funds.

2) Health Department – Budget Ordinance Amendment B250617 to increase revenues in the amount of \$574,000

The Board is requested to accept and approve Budget Ordinance Amendment B250617 to increase revenues in the amount of \$574,000. This funding will be used to align the budget to the increase in expenses for the pharmacy at the Health Department.

Please note this amendment requires no additional county funds.

3) Care Coordination for Children – Budget Ordinance Amendment B250510 to appropriate Care Coordination for Children fund balance in the amount of \$19,672

The Board is requested to accept and approve Budget Ordinance Amendment B250510 to appropriate Care Coordination for Children fund balance in the amount of \$19,672. This funding will be used to align the budget due to the payout of the employee stipend.

Please note that this amendment requires appropriation of Care Coordination for Children fund balance.

4) Pregnancy Care Management – Budget Ordinance Amendment B250515 to increase revenues in the amount of \$83,985

The Board is requested to accept and approve Budget Ordinance Amendment B250515 in the amount of \$83,985. Additional Medicaid Case Management fees earned will be used for additional operating expenses for the Pregnancy Care Management program.

Please note this amendment requires no additional county funds.

5) Library Grants – Budget Ordinance Amendment B250618 to recognize endowment funds from Cumberland County Foundation Inc. in the amount of \$5,350

The Board is requested to accept and approve Budget Ordinance Amendment B250618 to recognize endowment funds from Cumberland Community Foundation Inc. in the amount of \$5,350. These funds will be used in accordance with specific funding guidelines as indicated by endowment, which may include purchase of books, supporting library programs, or specific library spaces.

Please note this amendment requires no additional county funds.

6) Library Grants – Budget Ordinance Amendment B250501 to recognize the Reading is Fun grant funds from the Kiwanis Club of Fayetteville in the amount of \$2,427

The Board is requested to accept and approve Budget Ordinance Amendment B250501 to recognize the Reading is Fun grant funds from the Kiwanis Club of Fayetteville in the amount of \$2,427. These funds will be used to select and purchase the books that the Kiwanis Club volunteers will be reading to students in the local schools.

Please note this amendment requires no additional county funds.

Federal Drug Forfeiture Fund 204

7) Federal Drug Forfeiture – Budget Ordinance Amendment B250225 to appropriate Federal Drug Forfeiture fund balance in the amount of \$32,530

The Board is requested to approve Budget Ordinance Amendment B250225 to appropriate Federal Drug Forfeiture fund balance in the amount of \$32,530. These funds will be used to purchase license plate readers for the Interstate Crime Enforcement unit.

Please note this amendment requires appropriation of the Federal Drug Forfeiture fund balance.

NORCRESS Water and Sewer Fund 605

8) NORCRESS Water and Sewer – Budget Ordinance Amendment B250302 to recognize grant funds from North Carolina Department of Environmental Quality Division of Water Infrastructure in the amount of \$400,000

The Board is requested to accept and approve Budget Ordinance Amendment B250302 to recognize grant funds from North Carolina Department of Environmental Quality Division of Water Infrastructure in the amount of \$400,000. This funding will be used for a Professional Engineering Agreement to complete an Asset Management and Financial Plan for the NORCRESS sewer system.

Please note that this amendment requires no additional county funds.

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

1. Fiscal Year 2026 Health Insurance Benefit Plan Changes

During the March 13, 2025, Agenda Session meeting, Ed Boardman and Kevin Quinn, brokers with USI, presented recommendations for the fiscal year 2026 Health Insurance Plan. That presentation is attached. Board members agreed to move the following recommendations forward for approval at their March 17, 2025, Regular Meeting.

1. Renew the current plan design with no changes to the coverage of GLP-1s. The total estimated increase in plan cost for FY2026 is \$3,245,678, or 11.3%.

2. Increase the monthly wellness incentive from \$30 to \$50 per month, per employee and increase employee PPO contributions 11.3% in line with the overall health insurance increase. Combined, these two changes increase employee contributions by an estimated \$415,191. This amount offsets the County's portion of the overall estimated plan increase of \$3,245,678.

3. Continue with the current BCBS pharmacy contract. While an option is available to enter into a new 3-yr contract with BCBS for pharmacy, it is recommended that the pharmacy contract be re-bid for FY 2027 at the same time as the medical contract.

Commissioner Tyson presented the proclamation recognizing the 99th Anniversary of the Historic Courthouse to Joseph Westendorf.

Commissioner Adams presented the proclamation recognizing the Bicentennial Anniversary of the Marquis de Lafayette's Visit to Cumberland County and Honoring the Lafayette Society to members of the Lafayette Society who were in attendance.

Vice Chairwoman Jones recognized March as Developmental Disabilities Month and recognized the Fayetteville Vision Resource Center staff and patrons who were in attendance.

4. PUBLIC HEARINGS

A. Consideration of Incentive for Project Crossfit

Mr. Moorefield, County Attorney noted the public hearing has been advertised prior to notice of meeting location change to the Historic Courthouse and that staff has posted notices to alert the public of location change.

Rob Patton presented the information on the Consideration of Incentives for Project CrossFit.

Project Crossfit is a U.S.-based leader in the air dome construction industry. They are considering vacant property on Aviation Parkway for their new headquarters, manufacturing, and distribution facility. If selected, the proposed project would:

- Create 72 new jobs by 2027
- Pay an average wage exceeding \$47,734 per year
- Construct a new manufacturing facility of approximately 50,000-74,000 square feet
- Invest more than \$4.1 million in real estate improvements and equipment by 2029

The company is considering locations in Georgia and Minnesota. This project would inject more than \$3.4 million of annual payroll into our community, paying wages 1 percent above our private sector average. Importantly, this project would serve as a gateway to additional development in the airport area in the future.

The board must conduct a public hearing to receive public comments on the grant of economic development incentives for Project Crossfit. The Confirmation of Order for the ad for this public hearing is attached. The Publisher's Affidavit will be placed on the consent agenda of the first regular meeting after it is received as a consent item to create a permanent record in the minutes. This matter will be presented by Robert Van Geons. His memo and description of the project are attached.

Mr. Grier provided the Board's policy and procedure for public hearings.

Chairman deViere opened the public hearing and asked the clerk if there were any speakers.

The clerk responded there were no speakers.

Chairman deViere closed the public hearing.

MOTION: Commissioner Patel moved to approve the local incentive grant, not to exceed \$88,170 that will be paid in installments of five years
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0)

B. Case #ZON-25-0002

Rawls Howard, Planning and Inspections Director provided the background information on Case # ZON-25-0002.

Rezoning from A1 Agricultural District to A1A Agricultural District or to a more restrictive zoning district for a 1.75 +/- acre portion of a 3.91 +/- acre parcel; located on the eastside of Ramsey Street, north of Linden Road; submitted by Lisa Clifton (Agent) on behalf of Todd and Stephen Clifton (Owners).

Chairman deViere opened the public hearing and asked the clerk if there were any speakers.

The clerk responded that there were no speakers.

Chairman deViere closed the public hearing and asked the Board if there were any questions or discussion.

Commissioner Faircloth asked for Mr. Howard to clarify the difference in A1A and A1.

Mr. Howard responded that the primary difference in A1A and A1 is the lot size.

Commissioner Tyson clarified if A1A allows for 2 dwellings on the lot.

MOTION: Vice Chairman Jones moved to approve the rezoning request for A1 Agricultural District to A1A Agricultural District and finds that the request is consistent with the North Central Area Land Use Plan which calls for "Rural/Agricultural" at this location. Staff also finds that the request is reasonable and in the public interest as it is compatible to and in harmony with the surrounding land use activities and zoning
SECOND: Commissioner Tyson
VOTE: UNANIMOUS (7-0)

C. Case #ZON-24-0042

Rawls Howard, Planning and Inspections Director provided the background information on Case #ON-24-0042.

Rezoning from A1A Agricultural District to R30A Residential District or to a more restrictive zoning district for 3.51 +/- acres; located at the southeast corner of the Burnett Road and Norris Road intersection, submitted by John Roberson (Owner).

Commissioner Adams stated he had concerns with only the corner entry, which allows for only one way in and out of the area.

Commissioner Tyson asked Mr. Howard to explain the importance of different types of soils noted in the area.

Mr. Howard responded difference in soils can affect the drainage and some types of soils are not favorable for drainage.

Commissioner Faircloth asked about the proximity to the Chemours plant and if the soil has been tested for contamination.

Mr. Howard responded the soil would not be tested until the subdivision plat was submitted.

Chairman deViere opened the public hearing and asked the clerk if there are any speakers.

The clerk replied there was one speaker and called on Chris Campbell.

Mr. Campbell spoke in opposition of the rezoning request.

Chairman deViere closed the public hearing.

MOTION: Vice Chairwoman Jones moved to deny the rezoning request from A1 Agricultural District to R15 residential District and finds that the request is not consistent with the Southeast Cumberland Land Use Plan which calls for “Farmland” at this location and also finds that the request is not reasonable or in the public interest as it is not compatible to or in harmony with the surrounding land use activities and zoning

SECOND: Commissioner Adams

VOTE: UNANIMOS (7-0)

D. Case #ZON-25-0001

Rawls Howard, Planning and Inspections Director provided background information on the rezoning request.

Rezoning from A1A Agricultural District to R30A Residential District or to a more restrictive zoning district for 3.51 +/- acres; located at the southeast corner of the Burnett Road and Norris Road intersection, submitted by John Roberson (Owner).

Commissioner Tyson asked about the hydric inclusion soils in the area and asked if a soil scientist had conducted a soil analysis.

Mr. Howard responded that the information provided was based on current maps of the area.

Chairman deViere opened the public hearing and asked the clerk if there were any speakers.

The clerk responded that there is one speaker and called on John Roberson.

Mr. Roberson spoke in favor of the rezoning and stated the land has not been used for farming in 20 years and there is water available on the property. He stated he wanted to allow for a family home to be built on the property.

Chairman deViere closed the public hearing.

Commissioner Faircloth asked about the difference with R30 and R30A.

Mr. Howard responded with R30A there is the option of placing a manufactured home on the lot and R30 is only stick built homes allowed on the lot.

MOTION: Vice Chairwoman Jones moved to approve the rezoning request from A1A Agricultural District to R30A Residential District and finds that

1. Approval is an amendment to the adopted current Vision Northeast Land Use Plan and that the Board of Commissioners should not require any additional request or application for amendment to said map for this request
2. Development and density allowed by the R30A District is compatible to existing lot sizes and character of the surrounding area
3. The site is directly adjacent to a land use plan designation which encourages higher densities

SECOND: Commissioner Tyson

VOTE: 6-1 Voting in Favor – Chairman deViere, Vice Chairwoman Jones, Commissioner Tyson, Commissioner Council, Commissioner Patel and Commissioner Adams. Voting in Opposition- Commissioner Faircloth

5. ITEMS OF BUSINESS

A. Water Services Agreement for Gray's Creek Phase I

Amanda Lee, General Manager for Natural Resources provided the background information on the Water Services Agreement for Gray's Creek Phase 1.

County management, staff, consulting engineers and Fayetteville PWC staff met with the N. C. Department of Environmental Quality Division of Water Infrastructure (DWI) on February 24, 2025, to discuss the Gray's Creek Water System Phase 1 project schedule and address concerns related to funding deadlines.

The proposed Phase 1 includes water distribution to serve approximately 180 properties impacted by PFAS contamination. The preferred Alternative 1 in the Preliminary Engineering Report (PER) leverages the Fayetteville PWC's plans to extend water service to Gray's Creek Elementary and Alderman Road Elementary Schools. Another alternative in the PER includes a groundwater-based system.

For PER approval, DWI is requiring that an executed Water Services Agreement for Phase 1 be submitted with the final engineering report by March 24.

The agreement as presented is a bulk water agreement. This concept is a departure from the Memorandum of Understanding with PWC that was established in April 2024. As such, we will be submitting to DWI a joint letter acknowledging that both parties (PWC and Gray's Creek Water and Sewer District) agree the Phase 1 project falls outside the scope of the MOU and that the attached Water Services Agreement provides parameters for this initial project.

At their March 6, 2025, meeting, the Infrastructure Committee directed staff to place the agreement as an Item of Business for the March 17, 2025 Regular Meeting.

Commissioner Tyson asked about identified water sources for the area.

Ms. Lee responded that if Cumberland County is successful in receiving grants the project has to be constructed by the end of 2026 and it is imperative to identify water sources to build the lines.

Chairman deViere thanked Ms. Lee for the information.

Commissioner Adams noted Cumberland County is working to provide water to the area as current situation is a health concern.

MOTION: Vice Chairwoman Jones moved to approve the Water Services Agreement for Gray's Creek Phase 1 and that the executed agreement and a joint letter from PWC and the District stating Phase 1 falls outside the scope of MOU be submitted to DWI

SECOND: Commissioner Tyson

VOTE: UNANIMOUS (7-0)

B. Request for Refund of One-Half of Excise Tax for Duplicate Recording.

Rick Moorefield, County Attorney provided the background information on the request for refund of one-half of excise tax for a duplicate recording.

Attorney Jennifer K. Fincher has requested a refund of the county's one-half of the excise tax paid for a duplicate recording of a deed. The deed was first recorded September 18, 2024, in Book 12064 at page 512, and a duplicate was recorded September 19, 2024, in Book 12064 at page 880. The excise tax for each recording was \$417. Excise tax is equally split between the county and the State. The request and copies of the recorded documents are attached.

The register of deeds has recommended that this refund for the duplicate recording be granted in the total amount of \$208.50. The county attorney has reviewed the recorded documents and confirmed that the recording information and stated excise tax warrants the refund of \$208.50. The recommendation of the register of deeds is attached with the other documents.

G.S. § 105-228.37 governs this refund process. The county attorney reports and advises as follows:

The board of commissioners must conduct a hearing on the request after at least 10 days' notice of the hearing to the taxpayer. Notice of the hearing was provided to the taxpayer by email sent by the county attorney to the taxpayer. The taxpayer acknowledged the notice by email returned to the county attorney. This is not a public hearing. The county may only refund one-half of the total tax because the county only received one-half of the tax and the state received the other half. The refund cannot be granted until the taxpayer records a document which states the correct amount of the excise tax, which in this case, none was due because it was not a transaction. The register of deeds must notify the finance officer and the secretary of revenue when the corrective instrument has been recorded. The refund will bear interest pursuant to the statute.

The county attorney recommends the board grant the taxpayer's request for this refund by adopting the following resolution:

Whereas, this matter was heard by the Board of Commissioners March 17, 2025; and

Whereas, the county attorney reported that the taxpayer acknowledged receipt of the notice of this hearing; and

Whereas, the taxpayer, Attorney Jennifer K. Fincher, requested a refund of the county's one-half of the excise tax paid for recording a duplicate deed in error; and

Whereas, the county attorney reported that the deed was first recorded September 18, 2024, in Book 12064 at page 512, and a duplicate was recorded September 19, 2024, in Book 12064 at page 880 with the excise tax for each recording being \$417; and

Whereas, the county attorney advised that he reviewed the recorded documents and confirmed that the recording information and stated excise tax warrants the refund of the county's half of the excise tax paid on the duplicate recording in the amount of \$208.50; and

Whereas, the county attorney further advised that the taxpayer must record a document which states the correct amount of the excise tax, which in this case none was due because it was not a transaction; the register of deeds must notify the finance officer and the secretary of revenue when that document has been recorded; and the refund bears interest pursuant to the statute.

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

Be it further resolved, that upon the taxpayer recording a document stating the correct amount of the excise tax that complies with G.S. § 105-228.37(e), the register of deeds shall notify the finance officer and the secretary of revenue of the board's action in this matter and the county finance officer shall refund the taxpayer one-half of the excise tax in the total amount of \$208.50 with interest as provided by G.S. § 105-228.37.

Adopted March 17, 2025

Cumberland County Board of Commissioners

Commissioner Adams stated that duplicate documents do get filed and he asked that the recommendation be approved. He noted the Register of Deeds and the County Attorney recommend refund.

MOTION: Commissioner Faircloth moved to adopt the resolution
SECOND: Commissioner Tyson
VOTE: UNANIMOUS (7-0)

C. Fiscal Year 2026 Health Insurance Benefit Plan Changes

Robin Koonce, Finance Director provided the background information on the Fiscal Year 26 Health Insurance Benefit Plan changes.

During the March 13, 2025, Agenda Session meeting, Ed Boardman and Kevin Quinn, brokers with USI, presented recommendations for the fiscal year 2026 Health Insurance Plan. That presentation is attached. Board members agreed to move the following recommendations forward for approval at their March 17, 2025, Regular Meeting.

1. Renew the current plan design with no changes to the coverage of GLP-1s. The total estimated increase in plan cost for FY2026 is \$3,245,678, or 11.3%.
2. Increase the monthly wellness incentive from \$30 to \$50 per month, per employee and increase employee PPO contributions 11.3% in line with the overall health insurance increase. Combined, these two changes increase employee contributions by an estimated \$415,191. This amount offsets the County's portion of the overall estimated plan increase of \$3,245,678.
3. Continue with the current BCBS pharmacy contract. While an option is available to enter into a new 3-yr contract with BCBS for pharmacy, it is recommended that the pharmacy contract be re-bid for FY 2027 at the same time as the medical contract.

Ms. Koonce stated there are no changes in healthcare coverage.

MOTION: Commissioner Patel moved to approve the Fiscal Year 2026 Health Insurance Plan As follows:

1. Renew the current plan design with no changes to the coverage of GLP-1s. The total estimated increase in plan cost for FY2026 is \$3,245,678, or 11.3%
2. Increase the monthly wellness incentive from \$30 to \$50 per month, per employee and increase employee PPO contributions 11.3% in line with the overall health insurance increase. Combined, these two changes increase employee contributions by an estimated \$425,191. This amount offsets the County's portion of the overall estimated plan increase of \$3,245,678
3. Continue with the current BCBS pharmacy contract. While an option is available to enter into a new 3-year contract with BCBS for pharmacy, it is recommended that the pharmacy contract be re-bid for FY 2027 at the same time as the medical contract

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

D. Approval of Communications Policy for the Cumberland County Board of Commissioners

Brian Haney, Assistant County Manager provided the background information on the proposed Communication Policy for the Board of Commissioners.

At the request of the Chairman, the Cumberland County Public Information Office (PIO) created a draft Communications Policy for the Board of Commissioners. The intent of the policy is to establish clear and consistent procedures for PIO coverage of the Board and its members in their official capacity, as well as the use of photos, press releases, social media, and other communications related to Board of Commissioners meetings and events, and County-related activities.

Items covered under the policy include the following as they relate to County Commissioner involvement:

- PIO coverage of meetings and events involving County Commissioners
- The use of County social media channels and issuance of press releases
- The process for submitting requests and requested deadlines
- The provision of written remarks, media relations and event coordination

The draft policy was presented to the Board of Commissioners Policy Committee on March 6, 2025, and the Committee voted unanimously to move the Communications Policy forward to the Board's March 17, 2025 Regular Meeting to be considered as part of the Consent Agenda.

Commissioner Adams stated he had concerns with Item 6.1 of the policy.

Commissioner Tyson stated he believed the policy was a guideline and a rule.

Commissioner Faircloth asked what happens if a commissioner does not follow the policy, will they be censured. He stated the Board Chair runs meetings and signs documents but there is no difference in BOC members. He stated Board members are free to answer questions and utilize PIO.

Commissioner Patel stated he agreed with Commissioner Faircloth and Commissioner Adams but that he understand the policy is a guideline.

Commissioner Adams suggest changing wording from should to may.

Mr. Moorefield stated the part of the policy with the “should” applies to staff not Board of Commissioners.

Chairman deViere stated the intent of the policy is not to stifle Board voices just to set a framework for Board and PIO operations. He stated all Commissioners have full rights to speak individually but only the Chair speaks for the board.

MOTION: Commissioner Tyson moved to approve the Board of Commissioners’ Communications Policy

SECOND: Commissioner Council

VOTE: 5-2 Voting in Favor: Chairman deViere, Vice Chairwoman Jones, Commissioner Commissioner Council, Commissioner Patel and Commissioner Tyson. Voting in Opposition: Commissioner Adams and Commissioner Faircloth

6. NOMINATIONS

There are no nominations for this meeting.

7. APPOINTMENTS

There are no appointments for this meeting.

Chairman deViere recessed the Board of Commissioners' Meeting and convene the Gray's Creek Water and Sewer District Governing Board Meeting.

8. GRAYS CREEK WATER AND SEWER DISTRICT ITEMS OF BUSINESS

A. Water Services Agreement for Gray's Creek Phase 1

Amanda Lee, General Manager for Natural Resources provided the background information on the Water Services Agreement for Gray's Creek Phase 1.

County management, staff, consulting engineers and Fayetteville PWC staff met with the N. C. Department of Environmental Quality Division of Water Infrastructure (DWI) on February 24, 2025, to discuss the Gray's Creek Water System Phase 1 project schedule and address concerns related to funding deadlines.

The proposed Phase 1 includes water distribution to serve approximately 180 properties impacted by PFAS contamination. The preferred Alternative 1 in the Preliminary Engineering Report (PER) leverages the Fayetteville PWC's plans to extend water service to Gray's Creek Elementary and Alderman Road Elementary Schools. Another alternative in the PER includes a groundwater-based system.

For PER approval, DWI is requiring that an executed Water Services Agreement for Phase 1 be submitted with the final engineering report by March 24.

The agreement as presented is a bulk water agreement. This concept is a departure from the Memorandum of Understanding with PWC that was established in April 2024. As such, we will be submitting to DWI a joint letter acknowledging that both parties (PWC and Gray's Creek Water and Sewer District) agree the Phase 1 project falls outside the scope of the MOU and that the attached Water Services Agreement provides parameters for this initial project.

At their March 6, 2025, meeting, the Infrastructure Committee directed staff to place the agreement as an Item of Business for the March 17, 2025.

MOTION: Commissioner Tyson moved to approve the Water Services Agreement for Gray's Creek Phase 1 and that the executed agreement and a joint letter from PWC and the District stating Phase 1 falls outside the scope of MOU be submitted to DWI
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0)

Chairman deViere adjourned the Gray's Creek Water and Sewer District Governing Board Meeting and Reconvened the Board of Commissioners' Meeting.

9. CLOSED SESSION

MOTION: Vice Chairwoman Jones moved to go into closed session for Attorney-Client Matter Pursuant to NCGS 143.318.11(a)(3)
SECOND: Commissioner Patel
VOTE: UNANIMOUS (7-0)

MOTION: Vice Chairwoman Jones moved to come out of closed session
SECOND: Commissioner Faircloth
VOTE: UNANIMOUS (7-0) Commissioner Council had left the meeting, but her vote is counted in favor.

MOTION: Commissioner Tyson moved to ratify the contract with Hutchens Law Firm as presented by our County Attorney, Mr. Rick Moorefield in Closed Session and that we instruct Mr. Moorefield to move forward with that firm in investigating and looking into the items of the Crown Event Center Project that are denoted in that agreement
SECOND: Commissioner Patel
VOTE: UNANIMOUS (7-0) Commissioner Council had left the meeting, but her vote Counted in favor.

Chairman deViere thanked the Clerk staff, PIO, IS and Facilities staff for the work on moving and setting up the meeting at the Historic Courthouse. He stated hosting the meeting at the Historic Courthouse is a good way to celebrate the 99th Anniversary.

MOTION: Vice Chairwoman Jones moved to adjourn the meeting
SECOND: Commissioner Tyson
VOTE: UNANIMOUS (7-0) Commissioner Council had left the meeting, but her vote counted in favor.

There being no further business, the meeting adjourned at 9:15 PM.

March 17, 2025 Regular Meeting

Approved with/without revision:

Respectfully submitted,

Andrea Tebbe
Clerk to the Board

5. ADJOURN

MOTION: moved to adjourn the meeting

SECOND: Commissioner

VOTE:

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

Approved with/without revision:

Respectfully submitted,

Andrea Tebbe
Clerk to the Board