

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 5, 2025 9:00 AM
JUDGE E. MAURICE BRASWELL
CUMBERLAND COUNTY COURTHOUSE, ROOM 118
117 DICK STREET, FAYETTEVILLE
REGULAR MEETING MINUTES**

PRESENT: Chairman Kirk deViere
Vice Chairwoman Veronica Jones
Commissioner Glenn Adams
Commissioner Jeannette Council
Commissioner Marshall Faircloth
Commissioners Pavan Patel
Commissioner Henry Tyson
Clarence Grier, County Manager
Sally Shutt, Assistant County Manager
Heather Skeens, Assistant County Manager
Faith Phillips, Assistant County Manager
Rick Moorefield, County Attorney
Tye Vaught, Chief of Staff
Deborah Shaw, Budget and Performance Director
Robin Koonce, Finance Director
Jessica Hullender, Finance Accountant Manager
Sophia Murnahan, Purchasing Manager
Amanda Lee, General Manager of Natural Resources
Diane Rice, Communications Director
Keith Tood, Innovation and Technology Services Director
Garry Crumpler, Interim Emergency Services Director
Andrea Tebbe, Clerk to the Board
Iva Clark, Deputy Clerk

OTHERS PRESENT: Robert Van Geons, President and CEO, Fayetteville Cumberland
Economic Development Corporation

Chairman deViere called the meeting to order at 9:03 am and welcomed everyone.

Chairman deViere called for a moment of silence in honor of Major Tandra Adams, Cumberland County Sheriff's Office and James Gist, Cumberland County DSS Maintenance Services.

INVOCATION AND PLEDGE OF ALLEGIANCE

Iva Clark, Deputy Clerk, delivered the invocation and led the Pledge of Allegiance

Vice Chairwoman Jones arrived at 9:07 AM.

RECOGNITION

Recognition of Certified Local Government Purchasing Officer Certifications

The Board of Commissioner recognized and congratulated Jessica Hullender and Sophia Murnahan in receiving the Certified Local Government Purchasing Officer Certification.

1. APPROVAL OF THE AGENDA

Commissioner Tyson requested to add the approval of a proclamation recognizing Major Tandra Adams for presentation at the May 19, 2025 Regular Meeting.

MOTION: Commissioner Tyson moved to add the proclamation approval and presentation

SECOND: Vice Chairwoman Jones

VOTE: No Objection, Motion passes

MOTION: Vice Chairwoman Jones moved to approve the agenda as presented

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (6-0)

2. PRESENTATION

A. Cumberland County Stream Gauge: Mitigation Project

Garry Crumpler, Interim Emergency Services Director, presented the background information on the Cumberland County Stream Gauge: Mitigation Project.

Stream gauges are crucial for monitoring water levels and streamflow, providing vital data for flood prediction, emergency response, and recovery planning. Following Hurricanes Matthew (2016) and Florence (2018), which revealed coverage gaps in Cumberland County, the need for additional gauges was highlighted in both the 2017 Hurricane Matthew Resilient Redevelopment Plan and the 2020 Cumberland-Hoke Hazard Mitigation Plan. The RISE program, supported by NCORR and the NC Rural Center, helped coordinate regional efforts to address these gaps.

The Cumberland County Stream Gauge Project was selected for funding, receiving \$27,650 from the Duke Energy Foundation to install stream gauges in flood-prone areas. This project underscores the county's commitment to strengthening public, private, and state partnerships to improve flood monitoring and resilience.

No action needed, for informational purposes only.

Commissioner Tyson presented a Certificate of Appreciation to NCOR Representative in attendance.

3. CONSENT AGENDA

- A. Approval of Proclamation Proclaiming May 11-17, 2025 as Law Enforcement Officers Week and May 15, 2025 Peace Officers Memorial Day in Cumberland County

A request was received for a proclamation proclaiming May 11-17, 2025 Law Enforcement Officer Week and May 15, 2025 Peace Officers Memorial Day in Cumberland County.

- B. Approval of Proclamation Recognizing May 5-11, 2025 as Hurricane Preparedness Week in Cumberland County

A request was received for a proclamation recognizing May 5-11, 2025 as Hurricane Preparedness Week in Cumberland County.

- C. Approval of Proclamation Proclaiming May 12-16, 2025 as Economic Development Week in Cumberland County

A request was received for a proclamation proclaiming May 12-16, 2025 as Economic Development Week in Cumberland County.

- D. Approval of Budget Ordinance Amendment for the May 5, 2025 Board of Commissioners' Agenda

1) Crown Complex – Budget Ordinance Amendment B250768 to realign the budget in the amount of \$585,364

The Board is requested to accept and approve Budget Ordinance Amendment B250768 to realign the budget in the amount of \$585,364. These funds will be used to complete the touchless fixture installation and to complete the ADA required repairs.

Please note this amendment requires no additional county funds.

- E. Approval of Cumberland County Board of Commissioners Agenda Session Items

1. Employee Health Center Provider

Commissioner Patel requested to pull item from the Consent Agenda and move it to Items of Business as Item 4.B.

2. Approval of Capital Investment Transfer and Associated Budget Ordinance Amendment #250864 and Approval of Assigned Freed Up Capacity Fund Balance

Financial Policy 4.4.3 states that any General Fund unassigned fund balance that exceeds 15% of total General Fund expenditures (minus adjustments for the

current year general fund balance reappropriations or other allocations of general fund balance previously approved by the Board of Commissioners to be set aside) shall be transferred to the Capital Investment Fund to support future capital projects or debt service, authorized through an approved budget ordinance amendment after the annual financial audit presentation to the Board of Commissioners.

Historically, ARP Freed Up Capacity funds were included in the Unassigned Fund Balance on the County's ACFR.

MOTION: Vice Chairwoman Jones moved to approve the Consent Agenda with Item E.1
Employee Health Center Update moved to Items of Business as Item 4.B
SECOND: Commissioner Tyson
VOTE: UNANIMOUS (6-0)

Chairman deViere presented Robert Van Geons with a proclamation recognizing Economic Development Week in Cumberland County.

4. OTHER ITEMS OF BUSINESS

A. Consideration of Amendment to the Sales Tax Distribution Interlocal Agreement

Rick Moorefield, County Attorney presented the background information on the Consideration of Amendment to the Sales Tax Distribution Interlocal Agreement

Chairman deViere asked this matter to be placed on this agenda. Attached is the amendment to the Sales Tax Distribution Interlocal Agreement which reduces the apportionment to the county of any increase in the sales tax revenue for FY2025 over the amount distributed for FY2022 from 100% to 50%, and changes the apportionment to the county for any decline in the sales tax revenue for FY2025 over the amount distributed for FY2022 from what was the county's proportionate share as a percentage of the total distribution for FY2022 to now be 50% of any such decline. This amendment only applies to FY2025. The City of Fayetteville has now paid the amount owed to the county for FY2024. This agreement must be approved by all the parties to be effective, and the fully executed agreement will be placed on the agenda of the first meeting following the receipt of the remaining signature pages to create a permanent record

Clarence Grier, County Manager, stated this is a modification to the sales tax agreement previously considered.

Rick Moorefield, County Attorney, stated the agreement has been in place since 2003 and this agreement applies for only one year.

Commissioner Adams stated that he is not in agreement with the changes.

Chairman deViere stated the board has discussed the previous agreement and this version of the agreement is a compromise for the best interest of the municipalities.

MOTION: Vice Chairwoman Jones moved to approve the amendment to the Sales Tax Distribution Interlocal Agreement and authorize the Chairman to sign once all the municipalities have signed the approval of the agreement

SECOND: Commissioner Tyson

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

B. Employee Health Center Provider

Robin Koonce, Finance Director, presented the background information on the Employee Health Center Provider.

During the April 10, 2025, Agenda Session meeting, Ed Boardman, broker with USI, presented a recommendation for the operation of the Employee Health Center. The recommendation was to enter into a new 3-year contract with the current provider, Proactive MD, at an annual cost of \$1,254,975. This would result in an annual increase of \$470,922 in order to provide increased staffing in the Health Center to cover expanding needs of County employees (2 nurse practitioners, 2 licensed practical nurses, and an office manager).

Commissioner Patel asked about the cost of adding a physician.

Robin Koonce, Finance Director, responded the cost to replace a Nurse Practitioner with a Medical Doctor for a 3 year contract would increase by \$140,000 per year and for a 1-year contract cost would increase by \$558,000 per year.

Commissioner Patel asked about a termination policy and cost to terminate agreement.

Robin Koonce responded there is no termination policy or clause.

Commissioner Tyson stated he has concerns with the removal of walk-in care and delays in receiving appointments. He asked for assurance in the quality of care.

Mr. Grier stated staff would make the walk-in appointments part of the contract and work to rectify issues of walk-in appointments and receiving other appointments in a timely manner.

Commissioner Tyson asked that a termination clause without penalty be a part of the contract.

Mr. Grier responded he would add the termination clause to the contract.

Commissioner Patel requested a termination clause for 1 year term and information be brought back to the board.

Commissioner Tyson requested a mechanism for an annual review of the services.

Mr. Grier stated staff will meet with providers once a quarter and conduct an annual review.

MOTION: Commissioner Adams moved to continue moving forward with a 3-year contract and include recommendations made by Commissioner Patel and Commissioner Tyson
NO SECOND, Motion dies.

Chairman deViere asked about moving to the May 19, 2025 meeting.

Robin Koonce stated hiring a Medical Doctor may take 3-4 months and recommended moving forward.

MOTION: Commissioner Patel moved to review the agreement and bring back to the May 19, 2025 Regular Meeting with information based on questions and recommendations
SECOND: Commissioner Tyson
VOTE: 5-1 Voting in Favor Commissioner Tyson, Vice Chairwoman Jones, Chairman deViere, Commissioner Patel and Commissioner Faircloth. Voting in Opposition Commissioner Adams

5. NOMINATIONS

There are no nominations for this meeting.

6. APPOINTMENTS

A. ABC Board

At the April 7, 2025, regular meeting, the Board of Commissioners nominated the following individuals to fill the two (2) vacancies on the ABC Board:

NOMINEES:

Terri Thomas

Alfred Foote

Jamail George

Wade Fowler

Vivek Tandon

Commissioner Tyson contacted the Clerk's office to state that at the April 7, 2025, meeting, he said the name David Fowler instead of Wade Fowler.

The Board of Commissioners voted on the nominees and each Commissioner received 2 votes.

Terri Thomas – Commissioner Tyson, Chairman deViere, Vice Chairwoman Jones, Commissioner Patel and Commissioner Adams

Alfred Foote – No votes

Jamail George – Commissioner Faircloth and Commissioner Adams

Wade Fowler – Commissioner Faircloth, Commissioner Tyson, Chairman deViere, Vice Chairwoman Jones and Commissioner Patel

Vivek Tandon – No votes

Appointed to the ABC Board – Terri Thomas and Wade Fowler by majority of the vote.

** 9:45 AM Commissioner Council arrived.

B. Cape Fear Valley Board of Trustees

At the April 7, 2025, regular meeting, the Board of Commissioners nominated the following individuals to fill the three (3) vacancies on the Cape Fear Valley Board of Trustees:

NOMINEES:

Registered Nurse Representative: 1 Vacancy

Jermecka Hamilton

Shannon Matthews

General Public Representative: 2 Vacancies

Dr. Sanjay Shah

Dr. Rakesh Gupta

Dr. Toni Stewart

Jimmy Keefe

Alexander Keith

Chairman deViere stated Jermecka Hamilton requested to withdraw her name from the list of nominees.

RN Position

Shannon Matthews

Vote: UNANIMOUS (7-0)

General public vote- Each Commissioner received 2 votes.

General Public

Dr. Sanjay Shah – Commissioner Tyson, Commissioner Council, Vice Chairwoman Jones, Chairman deViere, Commissioner Patel, Commissioner Faircloth and Commissioner Adams

Dr. Rakesh Gupta - Commissioner Tyson, Commissioner Patel, Vice Chairwoman Jones

Dr. Toni Stewart – Commissioner Council and Commissioner Adams

Jimmy Keefe – Chairman deViere and Commissioner Faircloth

Alexander Keith - No votes received.

Appointed to the Cape Fear Valley Board of Trustees – Dr. Sanjay Shah and Dr. Rakesh Gupta by majority of the vote.

C. Civic Center Commission

At the April 7, 2025, regular meeting, the Board of Commissioners nominated the following individuals to fill the four (4) vacancies on the Civic Center Commission:

NOMINEES:

Alexander Keith

Manish Mehta

Lee Spruill

Chloe Thaler

Lynndora Thompson

Elizabeth Stiff

Allen Rogers

Each Commissioner received 4 votes for the following nominees.

Alexander Keith – Commissioner Tyson and Commissioner Patel

Manish Mehta – Commissioner Faircloth, Commissioner Tyson and Commissioner Patel

Lee Spruill – Commissioner Tyson, Vice Chairwoman Jones, Chairman deViere, Commissioner Faircloth

Chloe Thaler – Commissioner Tyson, Commissioner Faircloth, Vice Chairwoman Jones, Chairman deViere, Commissioner Patel

Lynndora Thompson – Chairman deViere, Vice Chairwoman Jones, Commissioner Tyson

Elizabeth Stiff – Commissioner Adams, Commissioner Council

Allen Rogers – Commissioner Council, Vice Chairwoman Jones, Chairman deViere, Commissioner Faircloth, Commissioner Adams

Lee Spruill, Chloe Thaler and Allen Riggers received 5 votes and will move forward in the appointment process. Lynndora Thompson and Manish Mehta each received 3 votes, and the board voted again on the two nominees.

Lynndora Thompson – Commissioner Tyson, Chairman deViere, Vice Chairwoman Jones, Commissioner Adams and Commissioner Council
Manish Mehta – Commissioner Patel and Commissioner Faircloth

Appointed to the Civic Center Commission – Lee Spruill, Chloe Thaler, Allen Rogers and Lynndora Thompson by the majority of the vote.

D. Equalization and Review Board – Appointment of Officers

The Board of Commissioners is responsible for the appointment of the Chairman, First Vice Chairman and Second Vice Chairman for the Equalization and Review Board.

Chairman:	George Turner
First Vice Chair:	William Holland
Second Vice Chair:	Rodney Sherrill

MOTION: Vice Chairwoman Jones moved to appoint the Equalization and Review Board officers Chairman; George Turner, First Vice Chair: William Holland and Second Vice Chair: Rodney Sherrill
SECOND: Commissioner Adams
VOTE: UNANIMOUS (7-0)

E. Fayetteville-Cumberland Economic Development Corporation

At the April 7, 2025, regular meeting, the Board of Commissioners nominated the following individuals to fill the two (2) vacancies on the Fayetteville-Cumberland County Economic Development Corporation:

NOMINEES:
Kristie Allen
Brian Krakover
Jonathon Profitt
Jonathan Charleston

Commissioners received 2 votes each.

Kristie Allen – Commissioner Tyson, Chairman deViere, Commissioner Patel, Commissioner Faircloth
Brian Krakover – Chairman deViere, Commissioner Patel, Commissioner Tyson
Jonathon Profitt – Commissioner Faircloth

Jonathan Charleston – Commissioner Adams, Commissioner Council, Vice Chairwoman Jones

Kristie Allen received 4 votes and moves forward in the appointment process. Jonathan Charleston and Brian Krakover each received 3 votes and the Commissioners will vote on the two nominees.

Brian Krakover – Commissioner Tyson, Chairman deViere, Commissioner Patel, Commissioner Faircloth

Jonathan Charleston – Commissioner Council, Commissioner Adams, Vice Chairwoman Jones

Appointed to the Fayetteville-Cumberland Economic Development Corporation – Kristie Allen and Brian Krakover by the majority of the vote.

F. Tourism Development Board

At the April 7, 2025, regular meeting, the Board of Commissioners nominated the following individuals to fill the one (1) vacancy on the Tourism Development Authority:

NOMINEES:

Hotels and Motels with over 100 rooms representative:

Manish Mehta

Michelle Williams

Commissioners received 1 vote each.

Manish Mehta – Commissioner Tyson, Commissioner Patel, Commissioner Faircloth

Michelle Williams – Vice Chairwoman Jones, Chairman deViere, Commissioner Adams, Commissioner Council

Appointed to the Tourism Development Board – Michelle Williams by the majority of the vote.

7. CLOSED SESSION

A. Attorney Client Matter Pursuant to NCGS 143-318.11(a)(3)

B. Economic Development Matter Pursuant to NCGS 143-318.11(a)(4)

MOTION: Vice Chairwoman Jones moved to go into closed session for Attorney Client Matter Pursuant to NCGS 143-318.11(a)(3) and Economic Development Matter Pursuant to NCGS 143-318.11(a)(4)

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

MOTION: Vice Chairwoman Jones moved to come out of closed session
SECOND: Commissioner Tyson
VOTE: UNANIMOUS (7-0)

There was no action needed following the closed session.

ADJOURNMENT

MOTION: Vice Chairwoman Jones moved to adjourn the meeting
SECOND: Commissioner Tyson
VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 10:38 AM

Approved with/without revision:

Respectfully submitted,

Andrea Tebbe
Clerk to the Board