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CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
AMERICAN RESCUE PLAN COMMITTEE  
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
OCTOBER 4, 2021 – 11:15 AM  
SPECIAL MEETING MINUTES

PRESENT: Commissioner Jimmy Keefe, ARP Committee Chairman  
Commissioner Glenn Adams (arrived at 11:25 a.m.)  
Commissioner Toni Stewart  
Amy Cannon, County Manager  
Tracy Jackson, Assistant County Manager  
Sally Shutt, Assistant County Manager  
Rick Moorefield, County Attorney  
Vicki Evans, Finance Director  
Ivonne Mendez, Accounting Supervisor  
Dee Taylor, Community Development Director  
Candice H. White, Clerk to the Board

## 1. CALL TO ORDER

Commissioner Keefe called the meeting to order. The purpose of the meeting is for an ARP local fiscal recovery funding update and discussion of compliance with state statutes and federal requirements.

## 2. APPROVAL OF AGENDA

MOTION: Commissioner Stewart moved to approve the agenda.  
SECOND: Commissioner Keefe  
VOTE: UNANIMOUS (2-0)

## 3. APPROVAL OF MINUTES

- September 7, 2021, Special Meeting

MOTION: Commissioner Stewart moved to approve the minutes as recorded above.  
SECOND: Commissioner Keefe  
VOTE: UNANIMOUS (2-0)

## 4. ITEMS OF BUSINESS

### A. Overview by County Manager Amy Cannon

Amy Cannon, County Manager, provided an overview of the ARP Committee's progress to date to include the Board of Commissioners' approval of the \$34,690,000 in allocations recommended by the ARP Committee. Ms. Cannon stated the internal staff ARP Workgroup has interest in

# DRAFT

participating in the School of Government's six-day course to help local governments understand the complexities of the American Rescue Plan Act because staff have learned N. C. General Statutes are more limited than U.S. Treasury guidelines. Ms. Cannon stated she asked County Attorney Rick Moorefield and Finance Director Vicki Evans to advise the committee on what staff has learned thus far. Ms. Cannon stated copies of the Household Assistance, Small Business Assistance and Nonprofit Assistance applications will be presented to the committee for review and input and she will also provide an administrative update for the committee's consideration.

Commissioner Keefe asked where the North Carolina Association of County Commissioners was on this issue. Ms. Cannon stated the sponsors of the six-weeks training are the School of Government, the NCACC, the NCLM and NCPro, the pandemic office, and the NCACC has been at the table. Commissioner Keefe asked whether there is any conversation with legislators about changing some of the statutes. Mr. Moorefield stated there have been a couple of bills proposed that address specific counties, but nothing has happened either statewide or with local acts. Commissioner Keefe asked what the county needed to do with its local delegation. Mr. Moorefield stated the Board can send a resolution to the local delegation requesting specific statutory authority or changes in statutory authority. Commissioner Keefe stated the Board will need to rely on Mr. Moorefield for guidance in this matter.

B. Presentation by County Attorney Rick Moorefield: ARP Fiscal Recovery Programs and Compliance with N.C. General Statutes

Rick Moorefield, County Attorney, stated all portions of the following slides that are copied, are the copyrighted work of Kara Millonzi, Professor at the School of Government of the University of North Carolina at Chapel Hill, published in Coates' Canons: NC Local Government Law on the date indicated for each. Mr. Moorefield presented the following information beginning with the emoluments clause of the N. C. State Constitution and stated basically, this means the county cannot give money away.

NORTH CAROLINA STATE CONSTITUTION  
ARTICLE 1  
DECLARATION OF RIGHTS

Sec. 32. Exclusive emoluments.

No person or set of persons is entitled to exclusive or separate emoluments or privileges from the community but in consideration of public services.

Mr. Moorefield stated he selected the following slide as a reminder that the county cannot accept federal money or any kind of grant except for the authorization of the legislature in the N.C.G.S. referenced below.

**A County's Authority to Accept ARPA Funds is Controlled by State Law**

Note that for all local governments, the unit's governing board must accept the grant funds (either from the federal government directly or from the state). The state law that allows a local government to accept the ARP grant funds, G.S. 160A-17.1, states that

# DRAFT

the governing body of any city or county is hereby authorized to make contracts for and to accept grants-in-aid and loans from the federal and State governments and their agencies for constructing, expanding, maintaining, and operating any project or facility, or performing any function, which such city or county may be authorized by general law or local act to provide or perform.

. . .when a statute expressly directs the governing board to undertake an action, only the board may take that action. The board need not adopt a formal resolution, but it must vote to authorize the receipt of the funds and then delegate authority to the manager, mayor, or another employee or official to execute any necessary agreements on behalf of the board.

Millonzi, Funding Updates for NC Local Governments, May 14, 2021

Mr. Moorefield displayed the following slide on State Law Authority and stated it is important to remember the county cannot simply follow spending guidelines in the U. S. Treasury’s Interim Final Rule because it must also act within the parameters of state law authority. Commissioner Adams asked whether the legislature set aside or exempted any of the statutes related to the ARPA since it has granting authority. Mr. Moorefield stated he has seen proposals, but no final decisions have been made. Commissioner Adams asked whether anyone had asked the question. Ms. Cannon stated management will reach out to the NCACC that has personnel dedicated to the ARPA.

## **State Law Limitations on Expending ARPA Funds**

### **State Law Authority**

As a reminder, local governments must spend their ARP monies consistent with these federal requirements AND in accordance with state law authority. North Carolina’s state law authority does not currently allow local governments to expend their ARP funds for all the purposes allowed under federal law. Local government officials must ensure that any proposed expenditure fits within the allowable categories under the federal law AND is explicitly authorized by state law. So it is not sufficient to simply follow the spending guidance in the Interim Final Rule, a local government must also act within the parameters of state law authority when implementing any programs, services, projects, or activities, funded with ARP monies.

Millonzi, Local Government Authority to Expend their Allocations, May 14, 2021

Mr. Moorefield provided the example in the slide below and emphasized “a local government may not simply grant, appropriate, or donate monies to nonprofit entities, even if it only uses ARP dollars”. Mr. Moorefield stated the county allocates funds to nonprofits, but it is by contract and by accepting the funds, the nonprofits are obligated to provide some service the county itself can provide. Mr. Moorefield stated ARP funds can be allocated to nonprofits, but it is not as broad as initially thought due to state law limitations.

### **Example of State Law Limitation – Allocations to Non-profits**

#### **What the ARPA says:**

*To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality.*

# DRAFT

## **What the state law allows:**

However, unless pursuant to a specific, statutorily authorized program, a local government may not simply grant, appropriate, or donate monies to nonprofit entities, even if it only uses ARP dollars. Under current law,\* though, a local government may contract with a private individual or entity to carry out an activity/program/project that the local government has statutory authority to undertake. See G.S. 160A-20.1 (municipalities); G.S. 153A-449 (counties).

In other words, if a municipality or county has statutory authority to finance a particular program, then it may contract with a private entity to perform that program. But a municipality or county may not appropriate public monies to a private entity, including a non-profit, if the monies ultimately will be spent on a program that the government could not fund directly.

Millonzi, Local Government Authority to Expend their Allocations, June 29, 2021

Mr. Moorefield provided the example in the slide below and stated this may be the only example in which the ARPA is more restrictive than state law.

## **Example of Federal Law More Restrictive than State Law — Premium Pay**

### **What the state law says:**

§ 153A-92. Compensation. (a) Subject to the limitations set forth in subsection (b) of this section, the board of commissioners shall fix or approve the schedule of pay, expense allowances, and other compensation of all county officers and employees, whether elected or appointed, and may adopt position classification plans.

### **What the ARPA allows:**

The ARPA makes all local government employees eligible for premium pay; however, it restricts ARP funds being used for this purpose unless the employee: interacts regularly with patients, the public, or coworkers; or regularly physically handles items that were handled by, or are to be handled by patients, the public, or coworkers; and the payment is limited in amount and by the income of the employee.

Commissioner Adams stated other counties use CARES funding or general fund dollars for premium pay for employees and it is important for everyone to understand the funding source for premium pay.

Mr. Moorefield reviewed the “take-away” list below and stated there has to be criteria, contracts and follow up monitoring for all expenditures. Mr. Moorefield stated this is the reason behind the 36-hours of training and as an attorney, it is a professional requirement that he and an attorney in his office participate in the training.

### **The Take-Away on ARPA**

1. Federal law, including the federal procurement laws, applies.
2. The state Constitution and law apply and strongly restrict the use of the funds.
3. The applicability of the state and federal law makes this particularly cumbersome.

Commissioner Adams suggested using a simple application as a mechanism to weed out certain applicants before going to the more advanced application. Commissioner Adams stated after the training is completed, and it would be beneficial to have bullet points provided relative to what

# DRAFT

can be done as opposed to having to reference the general statutes. Commissioner Adams stated he also did not see a reason for the ARP Committee to meeting until staff have completed the 36-hours of training.

Commissioner Keefe asked how much of the ARP funding already approved by the Board of Commissioners may not qualify. Mr. Moorefield stated he has no doubt that staff can come up with a program to address everything on the funding list; however, he feels strongly that it will be very difficult to spend all the money due to the restrictions that will be placed on some of the programs. Commissioner Adams stated staff cannot work on all the projects at one time, even though they are short-term projects, and asked whether the committee needed to prioritize the projects on the list so staff will know which ones to start working on first. Ms. Cannon stated that would be helpful for staff. Mr. Moorefield stated he has heard as part of a national board on which he serves that the federal government is pushing water and sewer infrastructure as the most assured and simplest way to handle the expenditure of ARP funds.

Discussion followed about housing supply for the homelessness and for affordable housing. There was consensus to contact the local Realtors' Association to provide an overview to the ARP Committee.

There was also consensus for the ARP Committee to prioritize projects prior to the October 14 Agenda Session so the Board of Commissioners can provide their feedback.

## C. Financial Compliance Requirements and Tracking by Finance Director and General Manager of Financial Services

Ms. Evans stated all portions of the following slides that are copied are the copyrighted work of Connor Crews, Attorney at the School of Government of the University of North Carolina at Chapel Hill. Ms. Evans stated staff previously followed FEMA and CRF requirements for audit purposes and she will provide information about the required procurement procedures. Ms. Evans referenced the diagram below that reflects the multiple layers involved and stated the county has to follow the most restrictive.



### **Procurement Rules for ARP Act Fiscal Recovery Funds: The Federal Overlay**

- SLFRF recipients "must have and use documented procurement procedures that are consistent with the standards outlined in 2 CFR 200.317 through 2 CFR 200.320."<sup>1</sup>

# DRAFT

- "The non-Federal entity must have and use documented procurement procedures, *consistent with State, local, and tribal laws and regulations and the standards of this section*, for the acquisition of property or services required under a Federal award or sub-award. The non-Federal entity's documented procedures *must conform to the procurement standards identified in 200.317 through 200.327 of this subpart.*"<sup>2</sup>

<sup>1</sup>U.S. Department of Treasury, Compliance and Reporting Guidance: State and Local Fiscal Recovery Funds, Version 1.1 (June 24, 2021), <https://home.treasury.gov/system/files/136/SLFRF-Compliance-and-Reporting-Guidance.pdf>.

<sup>2</sup>2 C.F.R. 200.318(a).

Ms. Evans presented the information below and stated the county has purchasing policies in place that incorporate the federal uniform guidance and there was an update to the Personnel Ordinance in August to incorporate language that addresses the requirements below. Ms. Evans stated the county already conducts a price or cost analysis when expending federal dollars but not when expending local dollars. Ms. Evans stated the auditors will validate that information along with backup used to determine the predicted price or cost.

## What Subpart D Requires Before Bidding and Contracting

1. Adopt written purchasing procedures.<sup>1</sup>
2. Adopt written standards of conduct governing conflicts of interest and actions of public officials and employees involved in selection of federally funded contracts or administration of federal grants.<sup>2</sup>
  - Is contractor assisting with specs? Disqualify them!<sup>3</sup>
3. For every procurement in excess of Simplified Acquisition Threshold (\$250,000), conduct a price or cost analysis.<sup>4</sup>
4. Avoid acquisition of unnecessary or duplicative items. No stockpiling.<sup>5</sup>

<sup>1</sup>2 C.F.R. 200.319(d).

<sup>2</sup>2 C.F.R. 200.318(c)(1).

<sup>3</sup>2 C.F.R. 200.319(b).

<sup>4</sup>2 C.F.R. 200.324(a).

<sup>5</sup>2 C.F.R. 200.318(d).

Ms. Evans reviewed the checklist of requirements below and stated the Board of Commissioners adopted a \$30,000 micro purchase threshold in June when the Purchasing Policy was updated, and it was recently approved by the federal government. Ms. Evans stated noncompetitive procurement methods included single source at \$30,000 or less and in an emergency, which should not apply with ARP funding. Ms. Evans stated of all the requirements below, the county may have a weakness in M/WBE compliance and will work to become compliant before funds are expended. Commissioner Keefe inquired about "avoiding state and local preferences" as a requirement because the county tries to encourage contracting with local businesses. Ms. Evans read C.F.R. 200.319(c) aloud. Mr. Moorefield stated that is a federal law but because the county's local preference policy has a \$30,000 cap, an RFP could still be issued just to vendors Fayetteville and comply with the federal restrictions.

## What Subpart D Requires When Bidding and Contracting

1. Undertake transaction "in a manner providing full and open competition."<sup>6</sup>
2. Follow applicable procurement methods.<sup>7</sup>

- **Formal**

- Sealed Bidding

- Proposals

# DRAFT

- **Informal**

  - Small Purchase

  - Micro purchase

- **Noncompetitive**

3. Award only to **responsible contractors**, giving consideration to integrity, compliance with public policy, record of past performance, and financial and technical resources.<sup>8</sup>
4. Take all necessary affirmative steps to ensure M/WBE and small business participation.<sup>9</sup>
5. Avoid state and local preferences.<sup>10</sup>

<sup>6</sup> 2 C.F.R. 200.319(a).

<sup>7</sup> 2 C.F.R. 200.320.

<sup>8</sup> 2 C.F.R. 200.318(h).

<sup>9</sup> 2 C.F.R. 200.321.

<sup>10</sup> 2 C.F.R. 200.319(c).

Ms. Evans reviewed the checklist of requirements below and stated the county is set up well to carry out the rules associated with contracting. Ms. Evans stated the maintenance of records flows into audit requirements and those documentation requirements are critical because if any of the required records are missing during an audit, the county will have to pay the money back.

## **What Subpart D Requires When Contracting**

1. Include all applicable contract clauses contained in 2 C.F.R. Part 200, Appendix 11.<sup>11</sup>
2. Use time-and-materials type contracts only in limited circumstances.<sup>12</sup>
  - **Must** include a ceiling price.
  - **Must** monitor contractor closely to ensure cost control.
3. **Do not contract with a debarred or suspended vendor or contractor.**<sup>13</sup>
4. Maintain records sufficient to detail the history of procurement.<sup>14</sup> **[CRITICAL]**
  - Records should include, without limitation, the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

<sup>11</sup> 2 C.F.R. 200.327.

<sup>12</sup> 2 C.F.R. 200.318(j)(1).

<sup>13</sup> 2 C.F.R. 200.321.

<sup>14</sup> 2 C.F.R. 200.318(j)(1).

Ms. Evans reviewed the checklist of requirements below and stated the ARPA allows for payroll and benefit costs and the county recently had experience with that under the CRF fund; out of the \$12M allocation, the county accounted for almost \$8M by following the CRF fund rules which allowed the county to claim reimbursement for public safety; this freed up capacity in the CARES funding. Ms. Evans stated 4. and 5. are special requirements for ARP funds so when compiling information for audit purposes, this documentation needs to be compiled up front to ensure the percentage of work time and income are in compliance before any funds are spent.

## **Documentation Requirements – for Payroll and Benefit Costs**

1. County's personnel ordinance
2. County's personnel policies
3. Random sample of employee job descriptions
4. Evidence that employees spent at least 50% of work time on covid related activities (must be periodically updated/validated) – specific to public health & safety

# DRAFT

5. Evidence that employees are eligible for premium pay (includes calculation of 150% of median income)
6. Approved timesheets
7. Summary spreadsheet by employee, by pay period
8. Payroll register for each pay period that matches spreadsheet and timesheets
9. County benefits summary

Ms. Evans reviewed the checklist of requirements below and stated the additional documentation requirements are intense and handled electronically. Ms. Evans stated auditing is about transparency and ensuring funds are expended as directed. Commissioner Adams asked whether internal audit staff would be utilized to audit expenditures prior to outside auditors performing their audit. Ms. Cannon stated internal audit staff will participate in the ARP training and will be used to ensure compliance before outside auditors perform their audit. Commissioner Adams stated the Board of Commissioners has an Audit Committee and suggested that committee be utilized so the audit can come back to the ARP Committee. Commissioner Adams stated the Audit Committee should conduct their audit following the audit conducted by internal audit staff but before the outside auditors come in to perform their audit.

Ms. Evans elaborated on the manhours involved with the audit process and stated there are two levels of audit: single audit compliance with Elliott Davis, the firm that conducts the county's annual audit, and the NCPRO audit of federal funds.

## **Additional Documentation Requirements - Will Be Validated During Audit of Expenditures**

1. Performance measures, goals, outcomes – methodology and how that ties back to expenditures
2. Advertisements for public meetings, public meeting presentations and sign in sheets
3. ARP committee minutes/BOC meeting minutes referencing actions taken prior to expenditure of funds
4. Communication/website postings making the public aware of ARPA funding opportunities
5. Financial policies, Purchasing Policies, Code of Ethics/Conflict of Interest Policy
6. Financial policies, Purchasing Policies, Code of Ethics/Conflict of Interest Policy
7. ARPA specific training logs and/or certificates of training
8. Documentation to support procurement to payment (bid documents, contract, vendor certifications, purchase order, invoices, endorsed check copies)
9. General ledger expenditure reports
10. Project closeout documentation
11. Capitalization (fixed asset) and depreciation records
12. Proof of timely reporting compliance

## D. Draft Program Applications

Copies of the Household Assistance, Small Business Assistance and Nonprofit Assistance applications were provided to the ARP Committee for review.

Commissioner Stewart suggested pulling first-time home buyers assistance from the Household Assistance application and making it separate. Commissioner Keefe suggested publishing the applications electronically. Ms. Cannon stated some communities utilize the income maintenance

# DRAFT

section of DSS for ARP and for the RAP, and they are using paper. Ms. Cannon stated she has discussed this with Social Services Director Brenda Jackson, and they agreed the applications can be published electronically but there is not a workflow process in place. Ms. Cannon stated to be successful, she believes the applications will have to be printed and then submitted to DSS.

Commissioner Keefe asked about the Small Business application. Ms. Cannon stated management talked with Community Development Director Dee Taylor about hiring caseworkers for small businesses because the business side of the CARES funding was handled by Community Development. Ms. Cannon stated the procurement process to secure a vendor would slow down the process another 60 to 90 days and staff concluded that the county would be better off doing as much as possible internally.

Commissioner Stewart expressed concern that Community Development was unable to expend all of the RAP funding due to the income requirements and asked about ARP requirements. Ms. Cannon stated income limits are higher at 150% of median income in the community but that is the ceiling.

Discussion followed about household assistance. Ms. Jackson stated DSS has not done anything involving down payments for homes. Mr. Moorefield stated there will have to be parameters put in place for that. Ms. Jackson also stated first time homebuyers and mortgage assistance are both are about accessing the need; DSS has parameters around how to carry that out and can work to figure out the finance side. Ms. Jackson stated DSS can utilize the state system and has other resources at their disposal to handle verifications.

In response to a question from Commissioner Keefe about the eligibility requirements on the Small Business Assistance application, Ms. Cannon stated they are considerations based on what a few other counties have put in place. Mr. Moorefield noted the business must be physically located in Cumberland County, but the facility or space within the facility can be leased. Commissioner Adams asked about the “public purpose” the business must serve. Mr. Moorefield stated it could be providing employment to low to moderate income persons because that is a universally accepted public purpose. Commissioners Adams stated it would be up to the county to determine whether the business served a public purpose and handled internally. Commissioner Adams stated it will confuse applicants and asked that it be removed from the Small Business Assistance application because the applicant will not know what that means. Commissioner Stewart stated that also applies to the business “mission statement or vision” and asked that it also be removed from the Small Business Assistance application. In response to a question posed by Commissioner Keefe, Ms. Shutt stated the request on the application for the business category and type if industry is for tracking/performance management purposes. Ms. Cannon stated as it relates to nonprofit assistance, it is critical that the county know who the nonprofit is serving. Commissioner Keefe asked whether the small business and nonprofit assistance application could be combined. Commissioner Adams stated he thinks they should stay separate so as not to confuse people. Ms. Cannon stated nonprofits are asked to provide an IRS Form 990 and that would be confusing for a small business applicant.

Discussion followed about documentation as backup to the application. Ms. Cannon stated Community Development and DSS will look at the documentation for verification purposes.

# DRAFT

Commissioner Adams asked where people go for intake purposes if they are not computer savvy. Ms. Cannon stated staff have not gotten that far along in the process yet. Following discussion, the conclusion was that all citizens will not be reached using only one method and key components of the process will be outreach, communication, and navigation. Ms. Cannon stated staff will come back to the ARP Committee with alternative ways for the committee to reach its goals.

Discussion turned to the Nonprofit Assistance application. Commissioner Adams stated nonprofit programs affect other people and to provide funding does not mean it is going to the nonprofit. Commissioner Stewart asked whether the county had nonprofits with programs that address improvements to infrastructure such as broadband or water/sewer because it is listed as a goal on the application. Ms. Cannon stated that needs to be removed from the application. Commissioner Stewart expressed concern that nonprofits with “boots on the ground” run by regular people may not know what goal their program addresses and may not apply. Commissioner Stewart stated she is not sure the application addresses what the majority of nonprofits actually do and that is what she is looking for. Ms. Cannon concurred that the application needed more work and thank the committee for their feedback.

Commissioner Keefe asked whether churches and fire departments could apply. Mr. Moorefield stated it depends on how they are organized because some churches and associations are incorporated as nonprofits. Mr. Moorefield stated the county will accept an application from anyone and then evaluate eligibility. Mr. Moorefield stated the entity does not have to be a 501(C)(3) to be a nonprofit.

## E. Homeless Shelter Next Steps

Ms. Cannon stated Ms. Taylor is working on an RFQ for an owner’s agent to assist the county in locating property because under federal procurement guidelines the county cannot look for land opportunities. Ms. Cannon stated at the next ARP Committee meeting, staff will present the RFQ for the homeless shelter. Commissioner Adams suggested that the committee have a call meeting so things can move forward as opposed to waiting until after staff complete their training with the School of Government.

Commissioner Keefe asked staff if they understood what the homeless shelter would encompass, such as the number of beds and amenities. Commissioner Stewart stated the committee needs to know what it wants because that will determine the location. Ms. Cannon stated information is available from the OrgCode review because it indicated the numbers and types of beds needed, but staff need more direction before going too far along with the owner’s agent.

Discussion followed about the city’s homeless day center and the county’s homeless shelter and how to move forward. Commissioner Adams referenced discussion at the September 15, 2021, Fayetteville Cumberland Liaison Committee meeting and the recommendation that the City Council and Board of Commissioners discuss the homeless day center to determine whether the city and county can collaborate.

# DRAFT

## F. Administrative Update

Ms. Cannon reviewed her memo to the ARP Committee as recorded below as an ARP Administrative Update.

Since the September 7, 2021, ARP Committee meeting our internal staff workgroup has met several times to discuss the planning and administration of the short-term ARP programs that were approved by Board of Commissioners on September 20, 2021. Specifically, I would like to address information requested at the prior ARP meeting, program administration, ARP Training as well as staff and office needs.

### **Information Requested - September 9, 2021**

At your September ARP meeting, staff were asked to provide information on the number of evictions by zip code and information on hotel revenue losses as reported through Occupancy Tax records in the Tax Office.

We have not been able to find information on evictions sorted by zip code. The Magistrate's Office said we would have to search their records manually to obtain that information. However, they shared that we have had 5,129 evictions from October 2020 through September 29, 2021.

The Tax office is compiling information on potential revenue losses for the hotel industry by comparing the Occupancy Tax returns for FY2019, FY2020 and FY2021. We will provide that information at your November ARP meeting.

### **Program Administration**

For the application-based programs, our goal is to use internal resources as much as possible to manage the intake process. For Household Assistance, we have had conversations with Social Services Director, Brenda Jackson about utilizing caseworkers to manage this process. Our goal is to utilize Community Development as the lead for the Business Assistance program and we will assemble an internal workgroup for the Non-Profit Assistance program.

### **ARP Training - School of Government**

A six-day virtual course held over three weeks in October has been developed to explore the details of allowable expenditures under the ARP as well as NC state law, the intricacies of the Uniform Guidance and other state and federal compliance, reporting and auditing requirements. This free training will include faculty from the School of Government, staff from the NCACC, NC Department of State Treasurer, NC League of Municipalities and the NC Pandemic Recovery Office. Our internal ARP Workgroup and many other staff members will be participating in this training. These dates of the scheduled sessions are:

# DRAFT

- Wednesday, October 13: Understanding ARP/CLFRF: Laying the Foundation\*
- Friday, October 15: Compliance Requirements I: Auditing, Subawards, and Reports
- Wednesday, October 20: Compliance Requirements II: Procurement, Conflicts of Interest, and Other Uniform Guidance Provisions
- Friday, October 22: Eligible Uses Under CLFRF and State Law
- Tuesday, October 26: Best Practices for Effective Community Engagement
- Thursday, October 28: Strategic Planning and Performance Management

## **Staff Needed for ARP**

At the September 9, 2021, Agenda Session, the Board asked that I develop our staffing needs and report back to the ARP Committee. Our internal workgroup is continuing to participate in the School of Government virtual "office hour" calls and NCACC Manager weekly meetings, which have been very helpful in understanding the details of ARP from a Treasury guidance standpoint, coupled with the mandates related to NC general statutes. We are developing a framework of roles and responsibilities across the following functional areas: finance, budget and performance measurement, procurement, administration, legal and infrastructure.

Our Management Analyst position approved in the FY2022 budget will have a significant role in the ARP programs. At this point we have identified the need for additional staff in Finance and Engineering and we are refining that need to begin developing job descriptions. We will bring that information back to the Committee once it is finalized.

## **Office Space Needs**

We do not have office space for the Management Analyst or the new positions that will be allocated to the ARP program. To be effective, these positions need to be located together and have daily access to County Administration, Legal, Finance and Budget. The ARP is complex, and these staff members need to be housed with these departments that comprise our internal ARP workgroup.

I am respectfully asking the Committee to consider a shared office concept for the Board of Commissioners to free up four offices to accommodate additional staffing. This concept is a dedicated office for the Chairman, an office for the Vice Chairman and a "floating or shared" office for other Board members to use. I have attached a current and proposed floor plan for your review and consideration. If the Committee and Board approve this need, then I would recommend these changes be effective January 1, 2022, which is our target date to have staff on board.

Commissioner Adams suggested that staff check with the Clerk of Courts office for evictions sorted by zip code.

Commissioner Keefe asked about other options for office space as opposed to the concept Ms. Cannon laid out in her memo. Ms. Cannon stated other options will be to lease space or place these core staff members in the basement of the library; however, they really need to be located on the 5th floor with management and readily accessible to Finance, Legal and Budget. Commissioner

# DRAFT

Keefe suggested communicating virtually. Commissioner Adams suggested looking at office space on the second floor of the building occupied by the FCEDC. Ms. Cannon stated moving someone out of the courthouse may be another option. A brief discussion followed. Commissioner Adams stated if push comes to shove, his office can be used.

## 5. OTHER ITEMS OF BUSINESS

There were no other items of business.

## 6. ADJOURN

MOTION: Commissioner Stewart moved to adjourn.  
SECOND: Commissioner Adams  
VOTE: UNANIMOUS (3-0)

There being no further business, the meeting adjourned at 1:00 p.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board