

GLENN B. ADAMS  
Chairman

CHARLES E. EVANS  
Vice Chairman

MICHAEL C. BOOSE  
JEANNETTE M. COUNCIL  
W. MARSHALL FAIRCLOTH  
JIMMY KEEFE  
LARRY L. LANCASTER



# CUMBERLAND ★ COUNTY ★ NORTH CAROLINA

## BOARD OF COMMISSIONERS

CANDICE WHITE  
Clerk to the Board

KELLIE BEAM  
Deputy Clerk

### MEMORANDUM

TO: Policy Committee Members (Commissioners Boose, Evans and Lancaster)

FROM: Kellie Beam, Deputy Clerk to the Board *KB*

DATE: July 28, 2017

SUBJECT: Policy Committee Special Meeting – Thursday, August 3, 2017

**The regular meeting of the Policy Committee has been CANCELLED and rescheduled as a SPECIAL MEETING on Thursday, August 3, 2017 at 11:00 AM in Room 564 of the Cumberland County Courthouse located at 117 Dick Street, Fayetteville, NC.**

### AGENDA

1. Approval of Minutes – Policy Committee
  - A. May 23, 2017 – Special Meeting of the Policy Committee **(Pg. 2)**
  - B. June 1, 2017 – Special Meeting of the Policy Committee **(Pg. 8)**
2. Consideration of the Initial Community Development Block Grant/Disaster Recovery Program Proposal **(Pg. 15)**
3. Consideration of Request to Repeal Cumberland County Wrecker and Tow Service Ordinance **(Pg. 22)**
4. Consideration of Allowing the Sale of Alcoholic Beverages Before Noon on Sundays **(Pg. 24)**
5. Other Items of Business **(NO MATERIALS)**

Cc: Board of Commissioners  
County Management  
County Legal  
County Department Heads

## DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE  
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564

MAY 23, 2017 – 3:00 P.M.  
SPECIAL MEETING MINUTES

MEMBERS PRESENT: Commissioner Charles Evans, Chairman  
Commissioner Michael Boose  
Commissioner Larry Lancaster

OTHERS PRESENT: Amy Cannon, County Manager  
Tracy Jackson, Assistant County Manager  
Melissa Cardinali, Assistant County Manager for Finance/  
Administrative Services  
Rick Moorefield, County Attorney  
Jeffery Brown, Engineering & Infrastructure Director  
Judge Jim Ammons, Resident Superior Court Judge  
Lee Warren, Register of Deeds  
Candice White, Clerk to the Board  
Press

### 1. CALL TO ORDER

Commissioner Evans called the meeting to order.

Amy Cannon, County Manager, requested moving Item 3. to Item 2. so naming of the courthouse could be considered first since Judge Jim Ammons, Resident Superior Court Judge, and Lee Warren, Register of Deeds, were present.

MOTION: Commissioner Boose moved to approve the agenda with Item 3. becoming Item 2. and Item 2. becoming Item 3.  
SECOND: Commissioner Evans  
VOTE: UNANIMOUS (3-0)

### 2. CONSIDERATION OF REQUEST TO NAME THE CUMBERLAND COUNTY COURTHOUSE IN HONOR OF JUDGE E. MAURICE BRASWELL

#### BACKGROUND

Superior Court Judge James Ammons, Jr. and others have presented a request and petition to name the Cumberland County Courthouse in honor of retired Superior Court Judge E. Maurice Braswell. This item was considered by the Facilities Committee on May 4, 2017, and Superior Court Judge James Ammons, Jr. and Register of Deeds Lee Warren both spoke briefly about the request at the May 15, 2017 Board of Commissioners' Meeting.

## DRAFT

### RECOMMENDATION/PROPOSED ACTION:

Staff presents this information for the Policy Committee's review and consideration.

\*\*\*\*\*

Commissioner Evans recognized Judge Ammons and Mr. Warren and extended an opportunity for them to offer comments.

Mr. Warren spoke to Judge Braswell's military service stating he was a decorated World War II veteran, was awarded six Bronze Stars and was also a prisoner of war. Mr. Warren stated Judge Braswell never thought twice about serving his country because his country needed him. Mr. Warren stated Judge Braswell was a great mentor to kids in his neighborhood when he was growing up and he does not know of anyone finer or more befitting of this honor.

Judge Ammons stated the group making the request to name the courthouse in honor of Judge Braswell realizes the request is somewhat unusual because there are only two other courthouses in North Carolina named for someone; Franklin County for Judge Hamilton H. Hobgood and New Hanover County for retired District Attorney Allen Cobb, Sr. Judge Ammons stated there are scores of people who made this courthouse and judicial system what they are today and many others who served honorably and with distinction, but there is no one more deserving of this honor than Judge E. Maurice Braswell, a man of impeccable character and a public servant for fifty years.

MOTION: Commissioner Lancaster moved to name the Cumberland County Courthouse in honor of Judge E. Maurice Braswell.

SECOND: Commissioner Boose

VOTE: UNANIMOUS (3-0)

Ms. Cannon asked the committee to consider the request to have Judge Braswell's name added to the courthouse and stated Jeffrey Brown, Engineering and Infrastructure Director, prepared some options for the committee to consider. Mr. Brown displayed pictures of the E. Newton Smith building that has no exterior signage on the building but rather two street signs. Mr. Brown stated there is also a plaque located in the first floor conference room. Mr. Brown displayed images of the rear of the courthouse and two options for the front of the courthouse along with the estimated costs for each.

#### Option #1

Leave the current 16-inch letters in place with Judge Braswell's name above in 12-inch letters.....

- Materials - \$3,014
- Installation - \$2,700
- Total = \$5,714

## DRAFT

### Option #2

Lower the current letters and place Judge Braswell's name in 16-inch letters above it.....

- Materials - \$4,606
  - Installation - \$5,950
- Total = \$10,556

Mr. Brown stated Option #2 will present a problem because if the existing letters are lowered, the placement of the former letters and the patching of the holes in the facade will always be visible.

Questions and discussion followed.

MOTION: Commissioner Boose moved to select Option #1 with an interior brass plaque.

SECOND: Commissioner Lancaster

DISCUSSION: Judge Ammons stated Option #1 is acceptable and is cost-wise. Judge Ammons stated it is still the Cumberland County Courthouse but having Judge Braswell's name displayed accomplishes the group's request. Judge Ammons suggested the brass plaque could replace the map of fire exits thus allowing the original plaque on the opposite side to remain. Mr. Warren asked whether it would be possible in another budget year to do something similar on the rear of the courthouse because that is where 90% of people see the courthouse. Judge Ammons suggested using the larger letters on the rear of the courthouse above the current letters. Mr. Brown stated that would be at the discretion of the Board of Commissioners.

VOTE: UNANIMOUS (3-0)

Ms. Cannon stated this item will be brought before the full Board at the June 5, 2017 meeting as an item of business so Mr. Brown can display the images.

### 3. CONSIDERATION OF A FACILITIES NAMING POLICY

#### BACKGROUND:

At the May 4, 2017 Facilities Committee Meeting, the Committee received a request and petition from Superior Court Judge James Ammons, Jr. and others to rename the Cumberland County Courthouse after retired Judge E. Maurice Braswell. At present, Cumberland County does not have a formal process or policy for naming facilities owned by the County. Staff researched this topic and drafted the attached policy for the Committee's review and deliberation.

The E. Newton Smith Building is the only County-owned facility currently bestowed with the name of a public figure. As a precedent, signage for this facility is free-standing and not physically attached to the building.

# DRAFT

## RECOMMENDED/PROPOSED ACTION:

Review and consider the draft Facilities Naming Policy (recorded below), provide guidance to staff if any revisions are desired as well as consider the manner a memorial should be displayed at a County facility.

## COUNTY OF CUMBERLAND FACILITY NAMING POLICY

*DRAFT #3 FOR REVIEW & DELIBERATION ONLY*

### I. PURPOSE

To establish a formal policy and process for naming public facilities owned by Cumberland County. A sound policy can add meaning and significance that embody the value and heritage of this community **County**.

### II. AUTHORIZATION

~~Respective Boards, such as the Cumberland County Library Board of Trustees, shall be responsible for recommending to the Cumberland County Board of Commissioners the naming of any applicable facilities owned by Cumberland County subject to approval of the Board of Commissioners. For those facilities that are directly held by the jurisdiction of the County, The Board of County Commissioners will be responsible for considering and recommending the naming of facilities that are owned by the County.~~

### III. OBJECTIVES

- A. Provide name identification wherever appropriate for public buildings, structures, facilities, and specified areas.
- B. Provide for citizen input into the process of naming facilities as described above.
- C. Ensure control for the naming of facilities by the Cumberland County Board of Commissioners ~~through the recommendations of the respective advisory and/or governing board.~~

### IV. QUALIFYING NAMES

Names should provide some form of individual identity related to:

- A. The geographic location of the facility
- B. A geologic, historical, botanical, horticultural, or scientific feature inherent to the area
- C. An outstanding feature of the facility
- D. Commonly recognized historical event, group, or individual

## DRAFT

- E. An adjoining subdivision, school, or street
- F. An individual, donor, or group who contributed significantly to the acquisition or development of the individual facility
- G. An individual who provided an exceptional service in the interest of the ~~community~~ County as a whole
- H. An individual who has provided at least twenty-five years of service to the County
- I. An individual who has been deceased at least one (1) year

### V. NAMING PROCESS

- A. At the time land or a facility is acquired, but before development or occupancy occurs, the County Manager will assign a non-descript working name for the area or facility.
- B. Once development is initiated, or occupancy of the facility occurs, the County Policy Committee will receive naming applications in writing for review ~~by any respective board as applicable.~~ If approved by the Policy Committee, the recommendation of a Qualifying Name will go on to the full Board of Commissioners for further consideration.
- C. For an individual (excluding historically significant individuals) to be considered, that person must have contributed significantly to the acquisition or development of the facility or the overall ~~community~~ County. ~~The individual contribution must compliment or support the mission of the respective Board or department.~~ Substantial contribution may consist of volunteer services, the provision of land, or a monetary donation. The recommended name must be submitted by a group and accompanied by 1) a biographical sketch which shall provide evidence of contributions to the department, facility, or ~~community~~ County overall, and 2) a petition demonstrating broad support for the person being recommended. The person must be of fine moral character with demonstrated leadership qualities.
- D. After a name is decided upon by the Board of Commissioners, public notice of the recommended Qualifying Name will occur twice in a sixty (60) day public-notice period.

### VI. RENAMING

- A. The renaming of a facility is strongly discouraged. It is recommended that efforts to change a name be subject to the most critical examination so as not to diminish the original justification for the name or discount the value of prior contributors.
- B. Facilities named after individuals should never be changed unless it is found that the individual's personal character is or was such that the

## DRAFT

continued use of their name for a facility would not be in the best interest of the ~~community~~ **County**.

- C. In order for a facility to be considered for renaming, the recommended name must qualify according to Section V of this policy.

### VII. OTHER NAMING ALTERNATIVES

- A. Facilities or land ~~that are~~ donated to Cumberland County can be named by deed restriction by the donor. The naming and acceptance of the facility or land is subject to approval by the ~~respective Boards as applicable~~ **Board of Commissioners**.

### VIII. PLAQUES, MARKERS, AND MEMORIALS

- A. All plaques, markers, and memorials are subject to the same naming criteria in Section V of this policy.
- B. Because of their proneness to vandalism and maintenance, plaques, markers, and memorials should be used sparingly.
- C. ~~The respective Board, subject to the approval by the Cumberland County Board of Commissioners, shall determine the style, size, and placement of all plaques, signs, or markers on a case-by-case basis. In general, the plaques, signs, or markers shall blend or compliment their environment.~~
- D. ~~The respective Board, subject to approval by the Cumberland County Board of Commissioners, shall decide upon all markers that are exceptions to the requirements listed above on a case-by-case basis.~~

\*\*\*\*\*

Ms. Cannon stated the draft policy is for future requests the County may receive for the naming of a County facility, and it is the discretion of the Committee whether it wants to discuss and take action for a recommendation to the full Board today, or forward the draft policy to another meeting of the Policy Committee. Discussion followed. Consensus was to forward to the August 3 meeting of the Policy Committee to allow an opportunity for other commissioners to send highlighted modified versions of the draft policy and/or attend the August 3 meeting to provide input.

### 4. ADJOURNMENT

The meeting adjourned at 3:20 p.m.

## DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE  
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
JUNE 1, 2017 – 9:30 A.M.  
SPECIAL MEETING MINUTES

MEMBERS PRESENT: Commissioner Michael Boose  
Commissioner Larry Lancaster

MEMBERS ABSENT: Commissioner Charles Evans

OTHER COMMISSIONERS  
PRESENT: Commissioner Jimmy Keefe

OTHERS PRESENT: Amy Cannon, County Manager  
Tracy Jackson, Assistant County Manager  
Sally Shutt, Assistant County Manager  
Melissa Cardinali, Assistant County Manager  
Rick Moorefield, County Attorney  
Phyllis Jones, Assistant County Attorney  
Vicki Evans, Finance Director  
Jeffery Brown, Engineering & Infrastructure Director  
Deborah Shaw, Budget Analyst  
Heather Harris, Budget Analyst  
Geneve Mankel, Communications & Outreach Coordinator  
Amanda Bullard, Purchasing Manager  
Ivonne Mendez, Accounting Supervisor  
Kellie Beam, Deputy Clerk to the Board  
Press

Commissioner Lancaster called the meeting to order.

1. APPROVAL OF MINUTES – APRIL 6, 2017 POLICY COMMITTEE  
REGULAR MEETING

MOTION: Commissioner Boose moved to approve the April 6, 2017 regular meeting  
minutes of the Policy Committee as presented.  
SECOND: Commissioner Lancaster  
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION AND APPROVAL OF LOCAL PRIORITIES FOR THE  
GOVERNOR'S RESILIENT REDEVELOPMENT PROGRAM

BACKGROUND:

## DRAFT

After Hurricane Matthew, the North Carolina Legislature approved a Resilient Redevelopment Planning effort as part of the 2016 Disaster Recovery Act which was then rolled out by the Governor in January of 2017. This program provided follow-up assistance for the communities that were damaged by the hurricane, specifically to prepare locally driven recovery plans to identify redevelopment strategies, innovative reconstruction projects, and retrospective actions needed to make the communities more resilient. Fifty (50) counties were to have plans by May of 2017, which required holding a series of three community meetings in each county, one each in February, March and mid-April.

The state hired a consultant who was assigned to Cumberland County and facilitated a process that identified unmet needs which could be presented to the State for additional resources.

The plan included:

- Building on what had already been done in terms of recovery actions
- Working with local officials and the community to verify firsthand experience about the flood impacts
- Determining where current resources were not adequate and then helping to tie these unmet needs to specific areas such as housing, infrastructure, economic development, and environment to more formally identify the unmet needs in the community.

The recommended priorities that resulted from meetings with public officials and the public are listed below:

<b>HIGH</b>	<ul style="list-style-type: none"> <li>• 1 - Critical Facilities Flood Protection (Fayetteville, Spring Lake/Hope Mills, PWC)</li> <li>• 2 - Critical Facilities Backup Power</li> <li>• 3 - Fayetteville and Cumberland County Acquisition/Elevation of Damaged Homes and Mitigation Reconstruction</li> <li>• 4 - Fayetteville/Cumberland County Housing Rehabilitation Assistance</li> <li>• 5 - Fayetteville Affordable Housing Supply</li> <li>• 6 - City/County PWC Resilient Power (Micro-grid)</li> <li>• 7 - Fayetteville/Cumberland County Dam Rehabilitation and Replacement</li> </ul>
<b>MODERATE</b>	<ul style="list-style-type: none"> <li>• 8 - Cumberland County Stream Restoration</li> <li>• 9 - Stream Gauges and Early Warning Network</li> <li>• 10 - Storm-water Management Improvements</li> <li>• 11 - Cumberland County Qualified Local Contractor Program for Reconstruction</li> <li>• 12 - Augmented Flood Mapping</li> <li>• 13 - Fayetteville Downtown Revitalization</li> </ul>

## DRAFT

**LOW**

- 14 - Open Space and Flood/Storm-water Retention Areas
- 15 - Flood Protection of Roads
- 16 - Flood Protection of Bridges
- 17 - Cumberland County Agricultural Alternative Energy Supply
- 18 - Interstate-95 Multi-County Coordinated Evacuation/Rerouting Plan

### RECOMMENDED/PROPOSED ACTION:

Staff requests consideration and approval to move forward to the full Board of Commissioners as a Consent Agenda item at the June 5, 2017 meeting.

\*\*\*\*\*

Tracy Jackson, Assistant County Manager, reviewed the background information and recommendation as recorded above.

MOTION: Commissioner Boose moved to recommend to the full board approval of the proposed local priorities for the Governor's Resilient Redevelopment Program at the June 5, 2017 Board of Commissioners meeting.

SECOND: Commissioner Lancaster

VOTE: UNANIMOUS (2-0)

### 3. CONSIDERATION OF REVISIONS TO THE COUNTY PURCHASING POLICY

#### BACKGROUND:

The most recent update on the purchasing policy was approved by the Board of Commissioners November 1, 2010. Recent changes to staffing, financial software and the Finance Department's added role within contract processes has created a need to update and reorganize the current policy.

The current policy does not address several key practices that have been an integral part of County procurement, such as: dollar thresholds for contractual signatures and bid requirements for the purchase of services. This update will provide a more comprehensive policy.

#### RECOMMENDATION/PROPOSED ACTION:

County Management recommends approval of the revised Purchasing Policy by the Policy Committee and requests the policy be forwarded to the Board of Commissioners for consideration at the June 5, 2017 meeting.

# DRAFT

## COUNTY OF CUMBERLAND POLICIES AND PROCEDURES

### Purchasing Policy

#### **1.0 PURPOSE**

This manual has been developed as a resource for Cumberland County employees to follow when procuring goods and services on behalf of the County. The policy and procedures provided in this manual were established to ensure the fair and equitable treatment of all persons involved in public purchasing, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity, in accordance with North Carolina General Statutes (N.C.G.S).

#### **2.0 SCOPE**

This policy applies to all County employees conducting purchases on behalf of Cumberland County.

#### **3.0 POLICY**

##### **3.1 Local Preference Policy**

Contracts for the provision of services in any amount and all contracts for the purchase of apparatus, materials, supplies and equipment in which the aggregate purchase price in any single contract is less than \$30,000 shall be awarded to local vendors or suppliers, to the greatest extent possible, in accordance with the further conditions set out herein.

Local vendors or suppliers shall be those who demonstrate that they pay business personal or real property taxes and are either self-employed residents of Cumberland County or employ at least one resident of Cumberland County as an employee or officer of the contracting business entity.

##### **3.2 Purchase Orders**

All services and purchases in amounts of \$1,000 and more must have a purchase order prior to the purchase being made or the services being rendered. All purchases of goods in an amount greater than \$500 requires a document (invoice, quote, proposal, etc.) with sale details.

##### **3.3 Purchases & Services**

###### Less than \$1,000

Department heads may authorize services or purchases of apparatus, supplies, materials or equipment up to \$999.99 without a purchase order if sufficient funds are budgeted and available within the department budget. Prior to the purchase departments must ensure there is an appropriation authorizing the obligation and

## DRAFT

that sufficient funds will remain in the appropriation to pay the amounts that are expected to come due in the fiscal year in which the obligation is incurred.

### \$1,000 – \$29,999.99

Department heads shall solicit proposals for services or purchases of apparatus, supplies, materials or equipment when the estimated cost is between \$1,000 - \$29,999.99. County Purchasing will review the purchase upon receipt of requisition to ensure compliance with County policies. County Purchasing may elect to solicit additional proposals on a random basis or if experience has revealed that a more favorable price is available.

### **3.4 Purchases of apparatus, supplies, materials, or equipment**

#### \$30,000 – \$89,999.99

**Informal bids** are required for any purchase of apparatus, supplies, materials, or equipment that requires an expenditure of \$30,000 - \$89,999.99, except for purchases that qualify under the Competitive Bidding Exceptions as per N.C.G.S 143-129(e). Departments shall submit specifications to County Purchasing for purchases in this category.

#### \$90,000 and Above

**Formal bids** are required for any purchase of apparatus, supplies, materials, or equipment in amounts of \$90,000 or more, with exception of purchases that qualify under the Competitive Bidding Exceptions as per N.C.G.S 143-129(e). Departments shall submit specifications to County Purchasing for purchases in this category. The County Manager will must approve bid awards in amounts between \$90,000 - \$99,999.99. The Board of County Commissioners must approve bid awards in amounts of \$100,000 or greater.

### **3.5 Purchase of Services**

#### \$30,000 and Above

**An Informal RFP** process is required for services estimated to cost \$30,000 or more. County Purchasing will review the proposal upon receipt of requisition to ensure compliance with county policies. County Purchasing may elect to solicit additional proposals on a random basis or if experience has revealed that a more favorable price is available.

### **3.6 Procurement Cards**

The procurement card program was established to provide a more rapid turnaround of requisitions for low dollar value goods, and to reduce paperwork and handling costs. Procurement cardholders may initiate transactions in person, or by telephone, within the established limits of these procedures. Department heads may designate individuals to receive procurement cards. Procurement cardholders must attend a class in County Purchasing addressing the guidelines involved in the responsibility associated with the card. To ensure pre-audit

## DRAFT

requirement compliance, funds for each department's estimated procurement card charges shall be encumbered at the beginning of each fiscal year.

### 3.7 Contracts

All contracts for expenditures, in amounts of \$50,000 or more require County Manager signature. Contracts resulting from a formal bid process for expenditures in amounts of \$100,000 or more require Chairman to the Board of Commissioners signature, after Board approval. Contracts with a total amount less than \$50,000 may be signed by the Department head.

These signature requirements pertain to all contracts in which the county is obligated to expend funds, even if the funds have been approved by the Board of Commissioners in the original budget.

### 3.8 General Statute Compliance

North Carolina general statutes allow local policy to be more restrictive than general statute. This policy is more restrictive regarding bid requirements of services and dollar thresholds for contractual signatures. Periodically, legislation results in changes to general statutes. This policy shall be automatically updated upon changes in general statutes referenced within this policy, except for bid requirements of services and dollar thresholds for contractual signatures.

## 4.0 IMPLEMENTATION

The Finance Director is responsible for implementing and enforcing this Policy and to interpret it consistent with its spirit and intent, fiscal prudence and accountability. The Finance Director is authorized to prescribe additional administrative instructions for implementing the above policy.

\*\*\*\*\*

Vicki Evans, Finance Director, reviewed the background information, recommendation and proposed County Purchasing Policy as recorded above. Questions and discussion followed.

Commissioner Boose suggested under the proposed County Purchasing Policy - 3.3 Purchases & Services category \$1,000 - \$29,999.99 instead of "Department Heads may solicit proposals for services or purchases of apparatus, supplies, materials, etc." it should read "Department Heads shall solicit proposals for services or purchases of apparatus, supplies, materials, etc.". The consensus of the Policy Committee was to replace the word "may" with "shall" under the \$1,000 - \$29,999.99 category as recorded above.

MOTION: Commissioner Boose moved to recommend to the full board approval of the revised Purchasing Policy with the suggested revision recorded above changing the word "may" to "shall" under the \$1,000 - \$29,999.99 category.

SECOND: Commissioner Lancaster

## DRAFT

VOTE: UNANIMOUS (2-0)

### 4. OTHER ITEMS OF BUSINESS

Ms. Evans stated currently retirees who participate in the county healthcare plan pay in any manner possible by bringing checks in or mailing checks and some payments are made late. Ms. Evans further stated it is a manual process keeping up with the payments and contacting the retirees if the payment is late. Ms. Evans stated she would like to see if there is support from the board to make a policy change which would require retirees who participate in the county healthcare plan to have their payment automatically drafted out of their bank account. Ms. Evans further stated this change would be a time saver and more efficient. Questions and discussion followed.

The consensus of the Policy Committee was for Ms. Evans to proceed with efforts to streamline the retiree healthcare payment process to make it more efficient.

MEETING ADJOURNED AT 10:04 AM

AMY H. CANNON  
County Manager

SALLY S. SHUTT  
Assistant County Manager



**CUMBERLAND**  
COUNTY  
NORTH CAROLINA

MELISSA C. CARDINALI  
Assistant County Manager

W. TRACY JACKSON  
Assistant County Manager

ITEM NO. 2

**OFFICE OF THE COUNTY MANAGER**

**MEMORANDUM FOR THE AGENDA OF THE AUGUST 3, 2017**  
**MEETING OF THE POLICY COMMITTEE**

**TO:** MEMBERS OF THE POLICY COMMITTEE

**FROM:** TRACY JACKSON, ASST. COUNTY MANAGER

**THROUGH:** AMY CANNON, COUNTY MANAGER

**DATE:** JULY 27, 2017

**SUBJECT:** UPDATE ON THE COMMUNITY DEVELOPMENT BLOCK GRANT –  
DISASTER RECOVERY (CDBG-DR) PROGRAM

**Presenter(s):** Tracy Jackson, Asst. County Manager

**Estimate of Committee Time Needed:** 15 MINUTES

**BACKGROUND:**

The State of North Carolina will be the recipient of a CDBG-DR grant intended to address unmet housing needs associated with Hurricane Matthew. As one of the hardest hit counties, Cumberland County has been recognized as a grant sub-recipient and is expected to receive \$34.7 million in aid for projects that address affordable housing needs in municipalities and in the unincorporated areas of the county. The Homeowner Recovery Program will provide assistance to low and moderate income homeowners who experienced major to severe damage to their homes and have remaining unmet needs, after subtracting benefits from FEMA, SBA and private insurance. This program will include reconstruction activities, acquisition and construction of new homes, and insurance subsidies to eligible low and moderate income families. The CDBG-DR Action Plan and the Cumberland County Resilient Redevelopment Plan are being used by the State as the basis for local priorities and projects that address unmet needs as it relates to affordable housing.

The County will be the lead entity to receive funds and is required to work with all interested municipalities to determine how CDBG-DR funds will be distributed. However, if a determination is made that both the County and the City of Fayetteville, which is an entitlement city, will implement the CDBG-DR programs, two separate grant agreements could be executed and funds allocated to the two entities, but there must be consensus about local priorities and projects. The small municipalities of Cumberland County will fall under the County's HUD entitlement program for the purposes of this grant. All projects must meet HUD standards. County Staff from Administration, Emergency Services, and Community Development have been working closely with their counterparts at the City of Fayetteville to develop an initial proposal to be submitted for the State's CDBG-DR Program.

Attached to this memo is a draft proposal. The deadline to submit an initial proposal to the State is August 20<sup>th</sup>, with a formal proposal deadline of October 1<sup>st</sup>.

**RECOMMENDED/PROPOSED ACTION:**

Staff requests the Policy Committee approve the initial proposal for consideration by the full Board of Commissioners at their August 7<sup>th</sup> regular meeting.



CUMBERLAND COUNTY  
AND CITY OF FAYETTEVILLE

INITIAL PROPOSAL REGARDING HURRICANE MATTHEW  
COMMUNITY DEVELOPMENT BLOCK GRANT –  
DISASTER RECOVERY (CDBG-DR) PROGRAM

*August 20, 2017 (deadline for submission)*

## Introduction

In early October of 2016, torrential rains from Hurricane Matthew caused devastating flooding throughout Eastern North Carolina and Cumberland County and its municipalities were one of several counties in the region that suffered tremendous losses. Also, one week prior to Hurricane Matthew, a record rainfall event caused localized flooding and damages that were made worse by the hurricane. There were many citizens of Cumberland County and its municipalities that sustained substantial damage to their home or business and who are still struggling to fully recover.

Cumberland County has been informed that it will be allocated approximately \$35 million of Community Development Block Grant for Disaster Recovery (CDBG-DR) funds for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from Hurricane Matthew. The City and County have been told that funds can only be used for specific disaster- related purposes, and the law requires that prior to the obligation of funds, a grantee shall submit a plan detailing the proposed use of all funds, including criteria for eligibility and how these funds will be used.

This initial proposal describes how funds will address unmet housing, infrastructure, business, and economic development needs within Cumberland County due to severe flooding and storm related impacts. This proposal will detail the following:

- Program administration
- Proposed program activities and estimated costs
- Involvement by local units of government within Cumberland County

The development of this proposal and subsequent implementation and compliance monitoring will be led respectively by the Cumberland County Community Development Department and the City of Fayetteville Community and Economic Development Department.

## Program Administration

For the purposes of the CDBG-DR grant, Cumberland County and the City of Fayetteville desire to function as lead entities utilizing existing HUD entitlement programs currently in place within Cumberland County. This will allow each governmental unit to directly serve its constituents and will take advantage of existing staff, resources, and administrative processes and procedures. The smaller towns and unincorporated portions of Cumberland County will be served by Cumberland County Government.

Separate lead entity agreements will be pursued with the State and are believed to be a reasonable request based upon prior entitlement program performance, existing financial controls, audit reports, and each entity's management and organizational capacity.

Cumberland County and the City of Fayetteville utilized the following criteria for determining project eligibility is included in the proposed program:

- 1) Is the project listed as an unmet need in the Cumberland County Resilient Redevelopment Plan? (See Attachment 1 for a list of unmet needs and priorities)
- 2) Does the project qualify under the State CDBG-DR Action Plan?
- 3) Do the recipients of the project qualify under U.S. Housing and Urban Development (HUD) Low-to-Moderate Income requirements?

Based upon the requirements specified in the State of NC CDBG-DR Action Plan (March 31, 2017), Cumberland County and its partners have identified and prioritized unmet needs in the areas of housing, economic development, infrastructure, resiliency, and planning and capacity. The top priority is assisting low and moderate income families by addressing housing and supportive service needs. This will include projects to repair owner-occupied homes, rental housing, and to provide shelter for the homeless. It is equally important to assist small businesses and farmers who are trying to get back on their feet and to rebuild community and supportive service facilities.

#### Anticipated Program Activities and Estimated Costs

The following is a list of estimated costs by project area per lead entity:

<b>Cumberland County</b>	<b>Est. Cost</b>
Homeowner Recovery Program	\$2,775,000
Rental Housing Recovery Program	\$ 300,000
Multi-Family New Construction Program	\$5,817,500
Supportive Housing and Services	\$2,500,000
Small Business Recovery	0
Community Recovery Program	0
<b>Total</b>	<b>\$11,392,500</b>
<b>City of Fayetteville</b>	<b>Est. Cost</b>
Homeowner Recovery Program	\$8,800,000
Rental Housing Recovery Program	\$1,050,000
Multi-Family New Construction Program	\$7,767,500
Supportive Housing and Services	0
Small Business Recovery	\$ 750,000
Community Recovery Program	\$5,000,000
<b>Total</b>	<b>\$23,367,500</b>
<b>Combined Total: \$34,760,000</b>	

#### Involvement of Units of Local Government

Officials from local municipalities in Cumberland County were contacted and provided with general information about the anticipated CDBG-DR funding allocated to Cumberland County. A more detailed discussion was held at an open, public meeting of the Mayor's Coalition, which includes the mayors from each municipality, on August 4, 2017. This meeting was advertised per open meetings requirements.

#### Citizen Involvement

A public meeting is planned for August 24, 2017, at 7:00 p.m. to advise citizens of the proposed CDBG-DR projects for Cumberland County and the City of Fayetteville. The meeting will be held in the conference room at the Cumberland County Department of Social Services.

## CDBG-DR

Program Name	Category	Project	Funding Amount		Units (City/County)
			City	County	
Homeowner Recovery Program	Single-Family Homeownership Rehabilitation	City-wide by application	\$2,500,000	\$1,000,000	50/20
	Single-Family Homeownership Reconstruction	City-wide by application	\$3,750,000	\$1,500,000	10/5
	Mobile Home Repair	City-wide by application	\$300,000	\$150,000	20/10
	Housing Repair Reimbursement	City-wide by	\$250,000	\$125,000	10/5
	Single-Family Homeowner	Oakridge Estates	\$2,000,000		50 units constructed
Small Rental Repair Program	Small Rental Repair Program	City-wide by application	\$1,050,000	\$300,000	20/4
Multi-family Rental Housing	Multi-family Rental Housing Repair	Mt. Sinai Homes	\$4,950,000		99 units repaired
	Multi-family Rental Housing Development	Cardinal Capital Management		\$2,500,000	50 units constructed
	Multi-family Rental Housing Development	Kingdom CDC-CHDO		\$500,000	10 units constructed
	Multi-family Rental Housing Development	To Be Determined	\$2,817,500	\$2,817,500	112
Supportive Housing Services Grant	Supportive Housing Services Grant	Permanent Supportive Housing (TBD)		\$2,500,000	50 units
Small Business Recovery Assistance	Small Business Recovery Assistance	Business Assistance	\$750,000		10 businesses assisted
Community Recovery Program	Community Recovery Program	Day Center/	\$5,000,000		100 clients housed
<b>TOTAL</b>			<b>\$23,367,500</b>	<b>\$11,392,500</b>	<b>\$34,760,000</b>

RICKEY L. MOOREFIELD  
County Attorney



ITEM NO. 3

PHYLLIS P. JONES  
Assistant County Attorney

ROBERT A. HASTY, JR.  
Assistant County Attorney

**OFFICE OF THE COUNTY ATTORNEY**

5<sup>th</sup> Floor, New Courthouse • P.O. Box 1829 • Suite 551 • Fayetteville, North Carolina 28302-1829  
(910) 678-7762

**MEMO FOR THE AGENDA OF THE AUGUST 3, 2017  
MEETING OF THE POLICY COMMITTEE**

**TO: POLICY COMMITTEE MEMBERS**

**FROM: ROB HASTY, ASSISTANT COUNTY ATTORNEY**

**DATE: JULY 21, 2017**

**SUBJECT: REPEAL OF CUMBERLAND COUNTY WRECKER AND TOW SERVICE  
ORDINANCE (CHAPTER 9, ART. IV, SECTIONS 9-51 THROUGH 9-75)**

**Requested by: CUMBERLAND COUNTY SHERIFF'S OFFICE; LEGAL**

**Presenter: Rob Hasty**

**Estimate of Committee Time Needed: 5 - 10 minutes**

**BACKGROUND:** The Cumberland County Sheriff's Office has supervised and administered the wrecker services and inspections in Cumberland County under the Wrecker and Tow Service ordinance. On July 1, 2017, this responsibility was transferred to the North Carolina Highway Patrol at the request of the Sheriff's Office. The Highway Patrol has this duty in most, if not all, of North Carolina's counties. The North Carolina Administrative Code governs the rules and procedures used by the Highway Patrol in administering the wrecker inspections. This transfer effectively renders the Cumberland County Wrecker and Tow Service Ordinance moot.

**RECOMMENDATION/PROPOSED ACTION:** It is recommended that the Cumberland County Wrecker and Tow ordinance be repealed.



ENNIS W. WRIGHT, SHERIFF  
CUMBERLAND COUNTY SHERIFF'S OFFICE



---

*An Internationally Accredited Law Enforcement Agency*

---

## memorandum

**To:** Rick Moorefield  
**CC:** Sheriff Ennis Wright; Chief Deputy Richard Jenkins; County Manager Amy Cannon; Assistant County Attorney Rob Hasty; Larry Lancaster  
**From:** Ronnie M. Mitchell  
**Ref:** Wrecker Inspections Transfer to North Carolina Highway Patrol – need for repeal of Cumberland County Ordinance  
**Date:** June 23, 2017

---

Effective 12:01 a.m. on July 1, 2017, the North Carolina Highway Patrol will assume the supervision and administration of the wrecker rotations and inspections in Cumberland County. Therefore, neither the County Attorney's nor the Cumberland County Sheriff's Office will be involved in such administration or supervision.

Accordingly, I urge the repeal of the provisions of the Cumberland County Code addressing wrecker inspections and control.

CUMBERLAND COUNTY SHERIFF'S OFFICE  
OFFICE OF LEGAL COUNSEL

*Sent in the absence of signature  
to avoid delay*

Ronnie M. Mitchell

\\jc007\01-Admin\2017-06-23 Memo to Rick Moorefield Re wrecker inspections transfer to NCHP - need to repeal ordinance.wpd

AMY H. CANNON  
County Manager

SALLY S. SHUTT  
Assistant County Manager



CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA

MELISSA C. CARDINALI  
Assistant County Manager

W. TRACY JACKSON  
Assistant County Manager

ITEM NO. 4

## OFFICE OF THE COUNTY MANAGER

### MEMO FOR THE AGENDA OF THE AUGUST 3, 2017 MEETING OF THE POLICY COMMITTEE

**TO:** POLICY COMMITTEE MEMBERS  
**FROM:** SALLY S. SHUTT, ASSISTANT COUNTY MANAGER  
**THROUGH:** AMY H. CANNON, COUNTY MANAGER  
**DATE:** JULY 26, 2017  
**SUBJECT:** CONSIDERATION OF ALLOWING THE SALE OF ALCOHOLIC  
BEVERAGES BEFORE NOON ON SUNDAYS

**Requested by:** Commissioner Michael Boose  
**Presenter(s):** Sally Shutt  
**Estimate of Committee Time Needed:** 10 minutes

**BACKGROUND:** The North Carolina General Assembly approved Senate Bill 155 (An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws) in June. The bill includes the provision allowing the sale of alcoholic beverages before noon on Sundays, subject to local government approval.

**SECTION 4.(b)** Article 6 of Chapter 153A of the General Statutes is amended by adding a new section to read:

**"§ 153A-145.7. Hours of certain alcohol sales.**

In accordance with G.S. 18B-1004(c), a county may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S. 18B-1001."

**RECOMMENDATION/PROPOSED ACTION:** Consider whether Cumberland County should adopt an ordinance allowing for the sale of beer, wine and mixed beverages beginning at 10 a.m. on Sundays in the unincorporated areas.