

CUMBERLAND COUNTY POLICY COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
AUGUST 3, 2017 – 11:00 A.M.
SPECIAL MEETING MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
Commissioner Larry Lancaster

MEMBERS ABSENT: Commissioner Michael Boose

OTHER COMMISSIONERS

PRESENT: Commissioner Glenn Adams
Commissioner Jimmy Keefe
Commissioner Marshall Faircloth

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
Rob Hasty, Assistant County Attorney
Jeffery Brown, Engineering & Infrastructure Director
Deborah Shaw, Budget Analyst
Heather Harris, Budget Analyst
Ivonne Mendez, Accounting Supervisor
Rick Benton, Hurricane Recovery Office
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Evans called the meeting to order.

1. APPROVAL OF MINUTES – POLICY COMMITTEE
 - A. MAY 23, 2017 – SPECIAL MEETING OF THE POLICY COMMITTEE
 - B. JUNE 1, 2017 – SPECIAL MEETING OF THE POLICY COMMITTEE

MOTION: Commissioner Lancaster moved to approve the May 23, 2017 special meeting minutes of the Policy Committee and the June 1, 2017 special meeting minutes of the Policy Committee as presented.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF THE INITIAL COMMUNITY DEVELOPMENT BLOCK GRANT/DISASTER RECOVERY PROGRAM PROPOSAL

BACKGROUND:

The State of North Carolina will be the recipient of a Community Development Block Grant/Disaster Recovery (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.

The draft proposal is recorded below. The deadline to submit an initial proposal to the State is August 20, 2017, with a formal proposal deadline of October 1, 2017.

RECOMMENDATION/PROPOSED ACTION:

Staff requests the Policy Committee approve the initial proposal for consideration by the full Board of Commissioners at their August 7, 2017 regular meeting.

CUMBERLAND COUNTY
AND CITY OF FAYETTEVILLE

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

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?
- 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:

Cumberland County	Est. Cost
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
Total	\$11,392,500
City of Fayetteville	Est. Cost
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
Total	\$23,367,500
Combined Total:	
	\$34,760,000

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.

Tracy Jackson, Assistant County Manager, reviewed the background information, recommendation and draft initial proposal recorded above. Mr. Jackson introduced Rick Benton, Governor's Disaster Recovery Liaison assigned to Cumberland County. Mr. Jackson stated the initial proposal date was originally August 20, 2017 but has changed and needs to be submitted by August 11, 2017. Mr. Jackson further stated the final formal proposal due date will be September 15, 2017. Questions and discussed followed.

MOTION: Commissioner Lancaster moved to recommend to the full board at the August 7, 2017 regular meeting approval of the initial proposal presented above.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (2-0)

3. CONSIDERATION OF REQUEST TO REPEAL CUMBERLAND COUNTY WRECKER AND TOW SERVICE ORDINANCE

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.

Rob Hasty, Assistant County Attorney, reviewed the background information and recommendation as recorded above.

MOTION: Commissioner Lancaster moved to recommend to the full board approval to repeal the Cumberland County Wrecker and Tow Service Ordinance.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (2-0)

4. CONSIDERATION OF ALLOWING THE SALE OF ALCOHOLIC BEVERAGES BEFORE NOON ON SUNDAYS

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 10:00 AM on Sundays in the unincorporated areas.

Sally Shutt, Assistant County Manager, reviewed the background information and recommendation as recorded above.

Rick Moorefield, County Attorney, stated he believes this would only apply to the unincorporated of the County but he would like to do some further research. Ms. Shutt stated she understood it to be that each municipality would make their own ordinance.

MOTION: Commissioner Lancaster moved to request legal staff to draft an ordinance allowing for the sale of beer, wine and mixed beverages beginning at 10

a.m. on Sundays in the unincorporated areas and bring it back to the full board at the August 21, 2017 regular meeting.

MOTION DIED DUE TO LACK OF SECOND

5. OTHER ITEMS OF BUSINESS

No other items of business.

MEETING ADJOURNED AT 11:45 AM