

UMBERLAND COUNTY BOARD OF COMMISSIONERS  
MONDAY, SEPTEMBER 18, 2017 – 6:45 PM  
117 DICK STREET, 1<sup>ST</sup> FLOOR, ROOM 118  
REGULAR/REZONING MEETING  
MINUTES

PRESENT: Commissioner Glenn Adams, Chairman  
Commissioner Charles Evans, Vice Chairman  
Commissioner Michael Boose  
Commissioner Jeannette Council  
Commissioner Marshall Faircloth  
Commissioner Jimmy Keefe  
Commissioner Larry Lancaster  
Amy Cannon, County Manager  
Melissa Cardinali, Assistant County Manager  
Tracy Jackson, Assistant County Manager  
Sally Shutt, Assistant County Manager  
Duane Holder, Assistant County Manager  
Rick Moorefield, County Attorney  
Vicki Evans, Finance Director  
Tom Lloyd, Planning and Inspections Director  
Kellie Beam, Deputy Clerk  
Press

Chairman Adams called the meeting to order.

INVOCATION / PLEDGE OF ALLEGIANCE

Dr. Joanie T. Green, Pastor of Christian Pentecostal Church of God, provided the invocation followed by the Pledge of Allegiance to the American flag led by Monica Merritt Dow, student at Lillian Black Elementary School.

Introduction of Fayetteville-Cumberland Youth Council Member: Victoria Carter

Chairman Adams recognized Fayetteville Cumberland Youth Council member Victoria Carter, student at Massey Hill Classical High School.

Introduction of Duane T. Holder, Assistant County Manager for Community Support Services

Amy Cannon, County Manager, introduced Duane Holder as the new Assistant County Manager and stated Mr. Holder is formerly from Pitt County where he held the position of Deputy County Manager and Chief Financial Officer since 2012. Ms. Cannon stated Mr. Holder will work with departments under the Community Support Services umbrella, which will include Social Services, Public Health, Child Support, Community Development, Library, Pretrial Services, Veterans Services and Senior Community Service Employment. Ms. Cannon stated Mr. Holder will also serve as the County's liaison to Alliance Behavioral Healthcare. Ms. Cannon stated before becoming the Pitt County Deputy Director, Mr. Holder was one of four original founders of PORT Human Services in Greenville, N.C. Ms. Cannon stated he served as the executive vice president and chief financial officer of the nationally accredited regional behavioral healthcare and human services agency for eight years from 2004 to 2012. Ms. Cannon stated Mr. Holder earned a Master of Public Administration degree from East Carolina University and a Bachelor of Science in business administration from Mount Olive College. Ms. Cannon stated before that, he served in the Air Force for six years as a linguist and was the Deputy Finance Officer in Pitt County from October 1998 to July 2004, when he left to establish PORT Human Services. Ms. Cannon stated Mr. Holder brings vast experience in county administration, finance and human services, especially the area of mental health. Ms. Cannon stated the County is delighted to that Mr. Holder will be joining the Leadership Team. Mr. Holder offered comments.

## Recognition of Workforce Development Director Nedra Rodriguez for Being Honored by the Greater Fayetteville Chamber for her Leadership Role in the Community

Chairman Adams stated the Greater Fayetteville Chamber held a reception on August 31, 2017 to welcome individuals who have recently taken leadership roles in our community. Chairman Adams stated Cumberland County's Workforce Development Director Nedra Rodriguez was among the leaders representing organizations that play a huge role in our community's sustainability and the future Cumberland County. Chairman Adams stated Ms. Rodriguez's professional experience includes more than eight years working as the accountant for the Cumberland County Workforce Development program. Chairman Adams stated Ms. Rodriguez became the director on May 29, 2017 after serving as the interim director for four months. On behalf of the Board of Commissioners, Chairman Adams extended congratulations to Ms. Rodriguez on her recognition.

### PUBLIC COMMENT PERIOD (6:45 PM – 7:00 PM)

Amy Cannon, County Manager, read the public comment policy. Chairman Adams recognized the deputy clerk to the board who called the following speakers:

Tom Clark – Mr. Clark spoke in opposition to the Atlantic Coast pipeline and read sections from an article about replacing fossil fuel with solar power. Mr. Clark stated the pipeline is not needed and public officials are here to stand up for citizens.

Ann Schrader – Ms. Schrader spoke in opposition to the Atlantic Coast pipeline and asked how the County could quietly allow the third largest fossil fuel pipeline in the nation when one of its goals is to ensure a safe and healthy community for citizens.

#### 1. Approval of Agenda

MOTION: Commissioner Lancaster moved to approve the agenda.

SECOND: Commissioner Faircloth

VOTE: UNANIMOUS (7-0)

#### 2. Presentation of 2016-2017 Activities of the Fayetteville-Cumberland Human Relations Commission (HRC) by Shelia Cuffee, Chair and Dr. Anthony Wade, Director of the Fayetteville-Cumberland Human Relations Department and Commission

Amy Cannon, County Manager, called on Dr. Anthony Wade, Director of the Fayetteville-Cumberland Human Relations Department, and HRC Chair Shelia Cuffee who presented the following PowerPoint presentation as a brief overview of the HRC's 2016-2017 accomplishments. Ms. Cannon also recognized City of Fayetteville Assistant City Manager Jay Reinstein in attendance.

#### Community Engagement / Police-Community Relations Forum

The Commission, in collaboration with the Fayetteville Police Department, held a Police and Community Relations "Public Trust" Forum that engaged public safety officials, elected officials, academia, legal advisors and residents in dialogue regarding how to continue good police-community relations.

#### 2016 Dr. Martin Luther King, Jr. Scholarship Recipients

In 2016, the Commission awarded Ten (10) \$1,000 Dr. Martin Luther King Jr. Scholarships to Cumberland County High School students enrolled in a program of higher learning. Many of the MLK Jr. scholarship recipients were recognized at a regular meeting of the Fayetteville City Council and the Cumberland County Commissioners.

Community Engagement at Cumberland County Board of Education Meeting

Commissioners met with leadership and attended meetings to remain informed on issues and to identify potential opportunities for collaboration.

Community Engagement at 2017 Annual Awards and Recognition Reception

The Commission recognized ten (10) individuals, businesses and organizations based upon their service, contributions and impact on human relations in our community.

Commission's Collaboration with Federal and State Government

The Commission collaborated with the Department of Housing and Urban Development and the N.C. Human Relations Commission to provide four (4) Fair Housing education workshops to residents, veterans, housing providers, realtors and others.

Bilingual City Fair Housing Ordinance Session

The Commission and staff also provided two (2) fair housing training sessions in Spanish in support of compliance with the City's Limited English Proficiency Policy, Title VI of the Civil Rights Act of 1964 and Community Development Block Grant requirements to affirmatively further fair housing.

The Quaker House, NOW and Cumberland County Libraries Collaborations on Race Relations

Seven (7) human and race relations workshops were held throughout Fayetteville in collaboration with The Quaker House, National Association for Women (NOW) and Cumberland County Libraries. Outreach and marketing flyers for the human and race relations workshops held throughout Fayetteville in collaboration with The Quaker House, NOW, and Cumberland County Libraries.

The Commission's Collaboration with Greater Fayetteville United

In addition to serving on the Greater Fayetteville United Board for years, Commissioners were actively involved in the formulation of GFU's 2017 Social Capital Survey Project.

"Partnering with Business" Fair Employment Training Sessions

Seven (7) "Partnering with Business" workshops/presentations have been provided for local employers since its inception in January 2017 to help reduce business liabilities, improve workforce stability and enhance employee retention.

City Human Relations Ordinance Presentation to Methodist University Business Law Students

Community engagement with higher education including presentations at Fayetteville Technical Community College and Methodist University

Collaboration with Fayetteville Regional Association of Realtors

The Commission and department staffed the Fair Housing informational table in support of the 2016 "REALTORS RALLY" sponsored by the Fayetteville Regional Association of Realtors.

Ms. Cuffee provided highlights and displayed photos of the HRC's community engagement with the military at Ft. Bragg, City of Fayetteville, Cumberland County, local government of the Towns of Hope Mills, Linden, Godwin and Spring Lake and with the District Attorney's Office and Register of Deeds.

Other Commission and Staff Highlights

- Two (2) bilingual public safety announcements (Winter Storm) in support of street maintenance
- Bilingual announcements on City transit scheduled bus services and Salvation Army "White Flag" shelters viewed over 11,000 times
- Four (4) recurring public service announcements on City social media platforms involving fair housing and access to services for limited English proficiency residents
- As of February 28, 2017, Human Relations Commissioners had contributed 1,480.5 hours of volunteer service resulting in a savings in terms of in-kind dollars of staff hours of \$32,393.34

Ms. Cuffee concluded the presentation and thanked the Board of Commissioners for their support.

Chairman Adams requested the removal of Item 3.M. from the consent agenda for separate discussion and action.

3. Consent Agenda

- A. Approval of Minutes of the September 5, 2017 Regular Meeting
- B. Approval of the North Carolina Governor’s Highway Safety Program Local Governmental Resolution for Continued Funding of the Grant for Cumberland County Sobriety Court (Funded at 100%) and the Associated Budget Ordinance Amendment B180062

**BACKGROUND:**

A Local Governmental Resolution needs to be approved by the Board of Commissioners to reflect the total allocation of federal dollars in the amount of \$91,095 to fund Cumberland County Sobriety Court for Fiscal Year 2107-18.

During the FY18 budget process, funds were estimated slightly higher than the approved allocation from the NC Governor’s Highway Safety Program. Therefore, the associated budget revision needs to be approved so the grant award is accurately reflected in the budget for the program. The grant award is \$10,300 less than the prior fiscal year.

**RECOMMENDATION/PROPOSED ACTION:**

Recommend approval of the North Carolina Governor’s Highway Safety Program Local Governmental Resolution for FY2017-18 and Budget Ordinance Amendment B180062 to reflect funds from the North Carolina Governor’s Highway Safety Program.

This amendment requires no additional county funds.

- C. Approval of Report on Disposal of Surplus Property Pursuant to N.C.G.S 160A-226(a)

**BACKGROUND:**

On June 15, 1998, the Board adopted a resolution found in the statutes allowing disposal of County “personal property worth less than \$5,000 per item or group of similar items, which have become obsolete, unusable, economically unrepairable or otherwise surplus to the needs of the county.”

The Print, Mail & Design Services Department has several items that are outdated since the arrival of new technology and are no longer used by the department. The Cumberland County School System has expressed interest in obtaining this equipment. The list of equipment recorded below is being declared surplus and is requested to be transferred to the Cumberland County School System for their use.

**RECOMMENDATION/PROPOSED ACTION:**

Staff recommends the Board of Commissioners adopt the report, transfer the items to the Cumberland County School System and duly record the report in the official minutes.

**SURPLUS PROPERTY DISPOSAL LIST**  
Print, Mail and Design Services

<b>PROPERTY DESCRIPTION</b>	<b>RENDERING DEPARTMENT</b>	<b>DISPOSAL METHOD</b>
Hamada 2-color press – QTY 1	Print, Mail & Design	CC School System
AB Dick 1-color press - QTY 1	Print, Mail & Design	CC School System
Multi 3850 Press - QTY 1	Print, Mail & Design	CC School System
Purup eskofot camera QTY - 1	Print, Mail & Design	CC School System
Multi digital platemaker – QTY 1	Print, Mail & Design	CC School System
Horizon bookletmaker – QTY 1	Print, Mail & Design	CC School System

- D. Approval of Request of a Former Owner to Redeem Foreclosed Properties Located at 4705 Belford Road, Fayetteville, with PIN #0417-11-6407; and at 2237 Jumalon Street, Fayetteville, with PIN #0426-92-7460

**BACKGROUND:**

The County and the City of Fayetteville acquired the above-described properties at a tax foreclosure sale by a deed dated March 7, 2017, recorded in Book 10053 at page 0759. The amount of the foreclosure judgment is \$11,213.53. The properties were owned by Carmencita E. Bost and husband, Alfred J. Bost, Jr. Mr. Bost has deposited the full amount of the foreclosure judgment and requested to redeem the property. The City conveyed its interest in the property to the County by a quitclaim deed dated July 24, 2017, recorded in Book 10137 at page 0753.

North Carolina General Statute § 105-376(c) authorizes a purchasing taxing unit, in the discretion of its governing body, to resell such property to the former owner or to any other person formerly having an interest in the property at private sale for an amount not less than the taxing unit's interest therein if it holds the property as sole owner. The offer made by Alfred J. Bost, Jr., meets the statutory requirements.

**PROPOSED RECOMMENDATION AND ACTION:**

The county attorney recommends the Board to approve the offer of Alfred J. Bost, Jr., to redeem the properties as a former owner pursuant to G.S. 105-376(c) and for the Chairman to execute a quitclaim deed for this purpose.

- E. Approval of Offer to Purchase Surplus Property Located at 1700 Stanberry Street, Fayetteville Pursuant to the Upset Bid Process

**BACKGROUND:**

The County acquired the real property with PIN 0438-27-2286 at a tax foreclosure sale in 2005 for a purchase price of \$4,143.77. It is located at 1700 Stanberry Street, Fayetteville. According to the county's tax records it is a vacant lot which is zoned SF6 and has a tax value of \$11,000. Mr. Albert Roberson has made an offer to purchase the property for \$4,143.77 and has submitted the required deposit to the Finance Department. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G. S. § 160A-269. The proposed advertisement is recorded below.

**RECOMMENDATION/PROPOSED ACTION:**

The County Attorney recommends that the Board consider the offer of Mr. Roberson and if the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269.

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
ADVERTISEMENT OF PROPOSAL TO ACCEPT AN OFFER TO PURCHASE  
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S § 160A-269**

Take notice that the Board of Commissioners finds the real property described herein is not needed for governmental purposes and proposes to accept an offer to purchase the property with PIN 0438-27-2866, located at 1700 Stanberry Street, Fayetteville, for a purchase price of \$4,143.77. Within 10 days of this notice any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

- F. Approval of Offer to Purchase Surplus Properties Being Lots 82, 84 & Pt 80; and Lot 78 & Pt Lot 80 of the Atkinson Property in the City of Fayetteville Pursuant to the Upset Bid Process

**BACKGROUND:**

The County and the City of Fayetteville acquired the two parcels described below at a tax foreclosure sale in 2008 for a total purchase price of \$5,582.99. The City conveyed its interest in the property to the County by quitclaim deed recorded July 26, 2017, in Book 10137 at Page 753.

Description	Tax Value	Deed	PIN
Lots 82, 84 & Pt Lots 80 Atkinson Property, Plat Book 9, Page 35, with address of 1714 Long Street, Fayetteville, and PIN 0447-60-1256	\$5,625.00	7992/507	0447-60-1256
Lot 78 & Pt Lot 80 Atkinson Property, Plat Book 9, Page 35, with address of 1716 Long Street, Fayetteville, and PIN 0447-60-2207	\$3,750.00		0447-60-2207

According to the County’s tax records, these parcels are vacant and are zoned residential. Ms. Sheryl Hussein has made an offer to purchase these parcels for a single price of \$5,582.99. If the Board proposes to accept this offer, the proposed sale must be advertised subject to the upset bid process of G.S. § 160A-269.

**RECOMMENDATION/PROPOSED ACTION:**

The County Attorney recommends that the Board consider the offer of Ms. Hussein and if the Board proposes to accept the offer, resolve that the described real property is not needed for governmental purposes and direct that it be advertised and sold pursuant to the upset bid process of G. S. § 160A-269. The proposed advertisement follows:

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS  
ADVERTISEMENT OF INTENT TO ACCEPT AN OFFER TO PURCHASE  
CERTAIN REAL PROPERTY PURSUANT TO N.C.G.S § 160A-269**

Take notice that the Board of Commissioners finds the real property described herein is not needed for governmental purposes and proposes to accept an offer to purchase the properties being Lots 82, 84 & Pt Lots 80 Atkinson Property, Plat Book 9, Page 35, with address of 1714 Long Street, Fayetteville, and PIN 0447-60-1256; and Lot 78 & Pt Lot 80 Atkinson Property, Plat Book 9, Page 35, with address of 1716 Long Street, Fayetteville, and PIN 0447-60-2207, for a total purchase price of \$5,582.99. Within 10 days of this notice, any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars (\$1,000) and five percent (5%) of the remainder by making a five percent (5%) deposit of the bid with the Clerk. This procedure shall be repeated until no further qualifying upset bids are received. The Board of Commissioners may at any time reject any and all offers. Further details may be obtained from the Office of the County Attorney, Suite 551-Courthouse, Fayetteville, NC 28302.

**G. Approval of Payment of Prior Year Invoices:**

**BACKGROUND:**

Vendor invoices that have not been paid in the fiscal year in which services were rendered or goods were received require approval for payment by the Board of Commissioners. The process has been for departments to forward the request to pay to the finance director. The prior year invoices are reviewed in finance for completeness and are then forwarded on to the consent agenda for consideration at the next scheduled Board of Commissioners meeting.

There is a period of time after the June 30<sup>th</sup> end of the fiscal year in which Finance will accept transactions of the previous fiscal year. For fiscal year 2017, that time frame ended one week earlier for invoice processing than was typical in the past. Although departments were sent notices and reminders of the cutoff date to inform of this change, invoices do arrive beyond the cutoff date and those invoices must be considered. There are more requests than usual for this Board meeting because this is the second scheduled Board meeting since the cutoff date passed. Based on history, we do expect additional requests to pay prior year invoices but there may not be this amount of volume during a single meeting.

Six separate memorandums are recorded below in which approval is being sought to pay vendor invoices from fiscal year 2017. The details are described within each memorandum.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting review of the six memorandums recorded below requesting approval to pay prior years' invoices.

1) Administration

**BACKGROUND:**

The Office of the County Manager is requesting to pay KKJ Forensic and Psychological Services for supervision over Court Ordered Services totaling \$750.25. The County Manager's staff received the invoice on August 31, 2017 after the cut-off for paying fiscal year 2017 invoices. Staff have verified the invoice has not yet been paid and is in fact due. Sufficient funds are available in the current year budget to cover this expenditure.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting approval to pay KKJ Forensic and Psychological Services for services rendered in June 2017 totaling \$750.25.

2) Community Development

**BACKGROUND:**

The Community Development Department is requesting to pay Michigan Coalition Against Homelessness for June 2017 contracted services totaling \$2,445.80. The Community Development staff received notification on September 8, 2017 that the invoice was outstanding. Staff have verified the invoice was overlooked and has not yet been paid and is in fact due. Sufficient funds are available in the current year budget to cover this expenditure.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting approval to pay Michigan Coalition Against Homelessness for invoice 2017-730 totaling \$2,445.80.

3) Engineering & Infrastructure

**BACKGROUND:**

The Cumberland County Engineering & Infrastructure Department is requesting to pay the following prior year invoices:

Vendor	Invoice	Amount Due	Invoice Received
Public Works Commission	16570	\$10,660.46;	August 29, 2017
Thyssenkrupp Elevator Corp.	6000257479	\$780.00;	August 25, 2017
Baker Roofing	35429	\$2,206.80.	September 5, 2017

The invoices were all received after the cut-off for paying Fiscal Year 2017 invoices. Staff have verified the invoices have not yet been paid and are in fact due. Sufficient funds are available in the current year budget to cover these expenditures.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting approval to pay: PWC for invoice 16570 totaling \$10,660.46; Thyssenkrupp Elevator Corp. for invoice 6000257479 totaling \$780.00; and Baker Roofing for invoice 35429 totaling \$2,206.80.

4) Health Department

**BACKGROUND:**

The Department of Public Health is requesting to pay two Health Department employees for travel reimbursement requests listed below:

Reimbursement #	Reimbursement Amount
1	\$271.03
2	\$32.10

The invoices were not received in Finance until August 31, 2017. Health Department staff has verified the invoices have not yet been paid and are in fact due. Sufficient funds are available in the current year budget to cover this expenditure.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting approval to pay Health Department employees for travel reimbursements totaling \$303.13.

5) Risk Management

**BACKGROUND:**

Risk Management is requesting to pay Doctors Urgent Care/Nextcare for invoice 8521512199 for medical services totaling \$3,051.00. Risk Management staff received the invoice on September 1, 2017 after the cut-off for paying Fiscal Year 2017 invoices. Staff have verified the invoice has not yet been paid and is in fact due. Sufficient funds are available in the current year budget to cover this expenditure.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting approval to pay Doctors Urgent Care/NextCare for invoice 8521512199 totaling \$3,051.00.

6) Sheriff's Office

**BACKGROUND:**

The Cumberland County Sheriff's Office is requesting to pay the following prior year invoices:

Vendor	Invoice	Amount Due	Inv. Received
Fed Ex	5-868-42469	\$18.22	July 26, 2017
Mechanical and Maintenance Supply	130051	\$251.45	Sept. 8, 2017

The Sheriff's Office staff received the Fed Ex invoice on July 26, 2017 but did not get it processed before the year-end deadline due to the Deputy not being able to locate the original receipts for back-up. The Mechanical and Maintenance Supply invoice was received after the cut-off to pay Fiscal Year 2017 invoices. Staff have verified the invoices have not yet been paid and are in fact due. Sufficient funds are available in the current year budget to cover these expenditures.

**RECOMMENDATION/PROPOSED ACTION:**

Management is requesting approval to pay: Fed Ex for invoice 5-868-42469 totaling \$18.22; and Mechanical and Maintenance Supply for invoice 130051 totaling \$251.45.

H. Approval of Cumberland County Facilities Committee Report and Recommendations:

1) Sublease Request from ServiceSource, Inc. to FTCC

**BACKGROUND:**

ServiceSource is a 501(c) (3) nonprofit organization that leases property owned by Cumberland County located at 600 Ames Street. This property consists of multiple buildings located on a 12.96-acre tract. This organization provides employment, training, habilitation, and support services to individuals with disabilities. ServiceSource entered into a ten-year lease with Cumberland County in April of 2012. ServiceSource leases the property for one dollar per year but is responsible for maintenance, improvements and utilities for the property. ServiceSource representatives have been approached by Fayetteville Technical Community College (FTCC) about utilizing the parking area between the metal and wood shop for parking and teaching truck driving. FTCC has also requested to use a portion of the sewing room as a training and storage area.

Paragraph #16 of the lease states: *“Assignment: This Lease may not be assigned or sub-leased in whole or in part without the prior approval of the Cumberland County Board of Commissioners.”* ServiceSource representatives have stated that they will not be charging rent, but utilities and maintenance will be charged if needed. This item was presented and approved by the Facilities Committee on September 7<sup>th</sup>.

**RECOMMENDATION/PROPOSED ACTION:**

The Engineering & Infrastructure Director, County Management and the Facilities Committee recommend that the Board of Commissioners approve ServiceSource’s request to allow Fayetteville Technical Community College to utilize space located at 600 Ames Street for truck parking and training.

- 2) Bid Approval Process for Approved CIP Financed Projects

**BACKGROUND:**

Capital Improvement Projects (CIP) and related contracts for construction are typically submitted to the Facilities Committee for consideration and then forwarded to the full Board of Commissioners for approval unless there are project deadlines that may necessitate going directly to the full Board of Commissioners.

The Engineering & Infrastructure Department requested that CIP projects which are a part of an installment financing plan be allowed to go directly to the full Board of Commissioners for approval of construction contracts if the timing for approval did not align with the scheduled Facilities Committee meetings.

In addition, our Department feels that quarterly updates on CIP projects will be necessary to keep the Facilities Committee abreast to the status of each of the projects. This will provide staff an opportunity to discuss any changes in scope and provide project schedule updates for all projects.

This was presented to the Facilities Committee on September 7<sup>th</sup>. After discussion, it was determined by the Committee that all projects requiring approval by the Board of Commissioners should continue to be placed on a Facilities Committee agenda. The Committee agreed to hold a special called meeting for any CIP project needing approval outside of the regularly scheduled monthly meeting.

**RECOMMENDATION/PROPOSED ACTION:**

Follow the recommendation of the Facilities Committee and present all CIP projects requiring Board approval at regularly scheduled or special called meetings of the Facilities Committee to expedite commencement of these projects.

- I. Approval of Cumberland County Finance Committee Report and Recommendations:

- 1) Centerplate Contract Extension through February 28, 2018

**BACKGROUND:**

The Board of Commissioners is party to a ten-year contract with Service American Corporation d/b/a Centerplate for food and beverage catering and concessions at the Crown Complex. The contract expires by its own terms on September 30, 2017. The Civic Center Commission issued a request for proposals for the services provided by Centerplate; however, no new contract will be entered prior to September 30, 2017.

The Civic Center Commission recommended continuation of the current contract through February 28, 2018 to ensure continued smooth operation of the food and beverage catering and concessions at the Crown. The September 7, 2017 Finance Committee approved the recommendation.

**RECOMMENDATION/PROPOSED ACTION:**

Approve the contract amendment for continued food and beverage catering and concession at the Crown Complex by Centerplate through February 28, 2018.

- 2) Audit Contract Items with Cherry Bekaert
  - A. Engagement of Cherry Bekaert for Census Data Testing for the Local Government Employee Retirement (LGERS) Employer Participants

**BACKGROUND:**

This item was presented during the Finance Committee meeting on September 7, 2017. It is required by the state and is an unfunded mandate.

The Office of State Auditor (OSA) selected a sample of employer participants of the LGERS and has asked those units and their independent auditors to provide assurance to OSA on the accuracy of certain elements of the census data. This is the third year of testing for the state but the first encounter for the County with this process. The objective of the engagement is to provide assurance to OSA and the Department of State Treasurer that the census data being provided by employers is materially correct. This is a separate engagement from the contract to audit accounts at a cost of \$5,000.

The Finance Committee unanimously recommended approval and moved that the item be brought to the Board of Commissioners' meeting for its consideration at the September 18, 2017 meeting.

**RECOMMENDATION/PROPOSED ACTION:**

Approve the engagement letter with Cherry Bekaert for a fee of \$5,000 for examination services of the data reported to the LGERS related to employees.

- B. Audit Contract Amendment with Cherry Bekaert

**BACKGROUND**

This item was presented during the Finance Committee meeting on September 7, 2017. One goal with financial system conversion was for the Finance Department to be able to complete the Comprehensive Annual Financial Report (CAFR) internally. However, the final set up is not yet complete.

The report writing function of CAFR completion has historically been completed by Cherry Bekaert. Cherry Bekaert has agreed to perform the report writing function for the fiscal year 2017 CAFR at the previously proposed cost of \$15,000, which brings the revised contract total to \$91,625.

Finance staff will continue to move forward in completing this project and an update will be provided to the finance committee before the fiscal year 2018 contract is presented for approval.

The finance committee recommended approval by majority vote (Commissioners Faircloth and Council in favor; Commissioner Keefe opposed) and moved that the recommendation for the approval be brought to the Board of Commissioners' meeting for its consideration at the September 18, 2017 meeting.

**RECOMMENDATION/PROPOSED ACTION**

Approve the Amendment to Contract to Audit Accounts with Cherry Bekaert to include the provision of Cherry Bekaert preparing the financial statements for the FY2017 audit for \$15,000.

- J. Approval of Cumberland County Policy Committee Report and Recommendations:

- 1) Interlocal Agreement with Bladen County Inspection Services

**BACKGROUND:**

The Interlocal Agreement assigns the Cumberland County Planning & Inspections Department the responsibility for permitting and inspecting Innovative Solar 42, LLC. This solar farm project consists of 444.48 acres located on and obtaining access from

County Line Road. A total of 288 acres are located within Cumberland County and the remaining 157 acres located in Bladen County. This LLC will generate power for Duke Energy.

Pursuant to NCGS 153A-353, an Interlocal Agreement is needed to permit Cumberland County inspectors to provide inspection services within Bladen County. All permits and permitting fees for providing the inspection services associated with this project (building, electrical, water supply watershed) will be issued and fees collected by Cumberland County.

Staff has been informed by Bladen County Manager Greg Martin that his Board of Commissioners approved the agreement at their September 5, 2017 meeting.

**RECOMMENDATION/PROPOSED ACTION:**

This item was reviewed and approved by the Policy Committee on September 7, 2017 for the consideration of the full Board of Commissioners at their September 18, 2017 regular meeting. Planning Staff and Legal recommend approval of the interlocal agreement recorded below.

**INTERLOCAL AGREEMENT BETWEEN CUMBERLAND COUNTY  
AND BLADEN COUNTY FOR BUILDING INSPECTION SERVICES  
FOR A SOLAR FARM PROJECT SITED IN BOTH COUNTIES**

THIS INTERLOCAL AGREEMENT, is made and entered into by and between the County of Cumberland, a body politic and political subdivision of the State of North Carolina, hereinafter referred to as "Cumberland," and the County of Bladen, a body politic and political subdivision of the State of North Carolina, hereinafter referred to as "Bladen," to become effective upon the approval of the governing boards of each county in accordance with G.S. § 160A-461.

**WITNESSETH:**

WHEREAS, the Cumberland County Inspections Department has issued permits for the development of a solar farm project identified as IS 42 Solar Farm (the "Project,") identified as follows: Watershed Permit issued to Innovative Solar 42, LLC; Building Permit B-17-170656 and Electrical Permit E-17-171043 issued to Canadian Solar; Building Permit B-17-172615 and Electrical Permit E-17-172617 issued to Grays Creek Properties LL; and

WHEREAS, the Project is sited on the Cumberland-Bladen county line and consists of approximately 288.27 acres with PIN 0339-87-3814 located in Cumberland; and approximately 156.21 acres with PIN 0339-00-55-3698, PIN 0339-00-75-1483, and PIN 0039-00-85-8763 located in Bladen (the Project Site); and

WHEREAS, the county line is not marked on the ground within the Project Site; and

WHEREAS, highway access to the Project Site is from Rufus Johnson Road and County Line Road entirely within Cumberland; and

WHEREAS, because most of the Project Site and all of the highway access to the Project Site is within Cumberland, and the exact location of the county line is not marked on the ground in the Project Site, Bladen wishes to defer the plan review, permit issuance, inspections and closures of the Building, Electrical and Watershed Permits to Cumberland; and

WHEREAS, G.S. § 153A-353 provides that a county may designate an inspector from another county to serve as a member of the county inspection department, with the approval of the governing body of the other county; and,

WHEREAS, in order to provide inspection services for the Project in the most efficient manner, Cumberland and Bladen desire to enter into this interlocal agreement for inspection services for the Project.

THEREFORE, Cumberland and Bladen, by and through their respective Boards of Commissioners, enter into this Interlocal Agreement for the purposes stated herein.

ARTICLE 1  
PURPOSE AND AUTHORITY FOR THE AGREEMENT

The purpose of this Agreement is for Bladen to designate Cumberland's inspectors as Bladen's inspectors for all inspection and permitting of the building, electrical and watershed permits for all portions of the Project and Project Site located in Bladen as described above. The authority for this Agreement is §§ 153A-11, 153A-353, and 160A-11 of the General Statutes of North Carolina.

ARTICLE 2  
DURATION OF THE AGREEMENT

This Agreement shall become effective as of the date any inspection or permitting services are, or were, provided on the portion of the Project Site located in Bladen and shall continue until all building, electrical, and watershed permits for the portion of the Project Site located in Bladen are completed and issued.

ARTICLE 3  
NO JOINT AGENCY

This Agreement shall not establish a joint agency between the parties.

ARTICLE 4  
PERSONNEL

4.1. For purposes of this Agreement only, Bladen designates all inspectors assigned by Cumberland to conduct building and electrical inspections and issue building and electrical permits for the Project as inspectors for Bladen for all portions of the Project and Project Site located in Bladen as described above. This designation is made pursuant to G.S. § 153A-353.

4.2. For purposes of this Agreement only, Bladen appoints the Cumberland Watershed Administrator as Bladen's agent for the purposes of inspecting and issuing any watershed permit on behalf of Bladen for that portion of the Project and Project Site located in Bladen as described above.

4.3. For purposes of this Agreement only, the building, electrical and watershed permits issued by Cumberland for the portion of the Project or the Project Site located in Bladen as described above, shall be deemed to be permits issued by Bladen.

ARTICLE 5  
PERMITTING FEES

For purposes of this Agreement only, all building, electrical, and watershed inspections and permitting fees for inspecting and permitting the portion of the Project and Project Site located in Bladen as described above, shall accrue to Cumberland in consideration of Cumberland providing these services on behalf of Bladen. All inspection and permitting fees shall be billed to and collected from the owner of the Project by Cumberland. Bladen shall have no obligation for the payment of any fees or other costs for these inspection and permitting services.

ARTICLE 6  
NO PROPERTY TO BE ACQUIRED

No real or personal property shall be acquired by either party incident this agreement.

ARTICLE 7  
AMENDMENT

This Agreement may only be amended by a writing approved by the governing boards of each party.

ARTICLE 8  
TERMINATION

8.1 This Agreement may be terminated early by written notice from either party delivered to the county manager of the other party, subject to the further conditions of this Article.

8.2. In the event Cumberland should terminate this Agreement early, any fees that it has collected for inspection services that have not been completed shall be paid to Bladen. The amount of such fees owed to Bladen shall be determined as the percentage the amount of services which have not been completed bears to the total services for which the fee has been collected.

8.3 In the event Bladen terminates this Agreement early, Cumberland shall retain all fees for inspection services that it has collected and shall have no obligation to pay any portion of

the collected fees to Bladen. Upon notice of termination received from Bladen, Cumberland shall immediately cease to perform inspections or issue any permits for the portion of the Project or Project Site located in Bladen.

## ARTICLE 9 DISPUTE RESOLUTION

If any dispute shall arise between the parties as to any term of this Agreement or any condition related to the performance of the services under this Agreement, the parties shall first make an effort to resolve the dispute by a committee consisting of a county commissioner, the county manager, and the chief inspections official from each county.

This Interlocal Agreement was approved by the Cumberland County Board of Commissioners at a meeting held September 18, 2017, and entered into the minutes.

### 2) Facilities Naming Policy

#### BACKGROUND:

A Facilities Naming Policy has been researched, developed, and presented to the Policy Committee by staff. The policy has been discussed multiple times and recently revised after the September 7, 2017 Policy Committee meeting. A clean version of the document is recorded below.

#### RECOMMENDATION/PROPOSED ACTION:

This item has been approved by the Policy Committee for consideration on the consent agenda of the full Board of Commissioners' September 18, 2017 regular meeting. Staff recommends approval of the proposed policy.

### COUNTY OF CUMBERLAND FACILITY NAMING POLICY

#### 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 values and heritage of this County.

#### II. AUTHORIZATION

The Board of County Commissioners will be responsible for considering and recommending the naming/re-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.

#### 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
- 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 County as a whole
- H. An individual who has provided at least 25 years of service to the County
- I. An individual who has been deceased at least one 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. 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 County. Substantial contribution may consist of volunteer services, the provision of land, or a monetary donation. The recommended name should be submitted by a group and accompanied by:

- 1) a biographical sketch, which shall provide evidence of contributions to the department, facility, or County over all, 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 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 continued use of their name for a facility would not be in the best interest of the 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. Real property may be donated to Cumberland County subject to any condition for naming the property as may be approved by the Board of Commissioners upon acceptance of the donated property.

## 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 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.

K. Approval of a Proclamation Recognizing the 100<sup>th</sup> Anniversary of First Baptist Church Stedman

COUNTY OF CUMBERLAND

NORTH CAROLINA

## PROCLAMATION

WHEREAS, because of the need and vision of Sister Cattie Hayes, Sister Emmalina Fort, Sister Sarah Owens and Sister Queenie Baldwin, the First Baptist Church Stedman was founded in 1917 with Reverend W. W. McGuire serving as the first Pastor; and

WHEREAS, the first church was a white wood framed building with a hand pump and outside toilets, no formal dining hall, no choir or musicians and slab pews with windows raised during the hot months and a wood burning heater to keep members warm during the cold months; and

WHEREAS, several years later the first choir was formed, a bell was installed inside the steeple, Sunday school was held every Sunday, morning worship services were held on the first Sundays only and members were baptized in the Black River in Autryville; and

WHEREAS, growth continued in the 70's, 80's and 90's with the addition of Sunday school rooms, a dining hall, kitchen, bathrooms, a Pastor's study, young adult choir and young adult ushers, a male and mass choir, a baptismal pool, new pews and carpet, a PA system, central heat and air, and second, third and fifth Sunday's worship services; and

WHEREAS, over the decades, an inspirational and youth choir were formed, a youth department was added, a fourth Sunday worship service was added, and the outside of the church was bricked, land for a second cemetery was purchased, a church sign was added, and land behind the church was purchased for a new fellowship and education hall; and

WHEREAS, First Baptist Church Stedman is affiliated with the East Cumberland Missionary Union, the Middle District Missionary Baptist Association and the General Baptist State Convention of North Carolina and since 1917, First Baptist Church Stedman has stood as a source of strength and spiritual direction to the community of Stedman.

NOW THEREFORE, the Cumberland County Board of Commissioners hereby recognizes the 100<sup>th</sup> anniversary of First Baptist Church Stedman and extends best wishes to Reverend Perry Melvin and members of the congregation, past and present, who have generously contributed their time and talent to reach this landmark occasion.

Adopted this 18th day of September, 2017.

- L. Approval of a Proclamation Acknowledging the Sesquicentennial (150<sup>th</sup>) Anniversary of Fayetteville State University (FSU)

COUNTY OF CUMBERLAND

NORTH CAROLINA

#### PROCLAMATION

WHEREAS, Fayetteville State University (FSU), the second-oldest public institution of higher learning in the state of North Carolina, was founded on November 29, 1867 in Cumberland County as the Howard School; and

WHEREAS, Senate Bill 472, which provided for the establishment of a teacher training institution for African-American North Carolinians, was ratified on March 8, 1877; and

WHEREAS, the Howard School in Cumberland County became the first state-sponsored institution for the education of African-American teachers in the South and was renamed the State Colored Normal School in 1867, State Normal and Industrial School in 1916, State Normal School for the Negro Race in 1921, State Normal School in 1926, Fayetteville State Teachers College in 1939, Fayetteville State College in 1963 and Fayetteville State University in 1969, and in 1972, became a constituent institution of the University of North Carolina; and

WHEREAS, Fayetteville State University (FSU) currently offers 43 undergraduate programs, 23 master's degree programs and one doctoral program in educational leadership and has an enrollment of nearly 6,000 students to include those attracted to its international studies and exchange programs; and

WHEREAS, Cumberland County honors the memory of David A. Bryant, Nelson Carter, Andrew J. Chestnutt, George Grainger, Matthew Leary, Thomas Lomax and Robert Simmons for their vision and role in founding Fayetteville State University (FSU) in 1867; and

WHEREAS, Cumberland County is ever mindful that Fayetteville State University (FSU) is a dynamic educational entity in our community and plays a vital role in providing productive citizens and building the future, one student at a time.

NOW THEREFORE, the Cumberland County Board of Commissioners hereby acknowledges the 150<sup>th</sup> anniversary of Fayetteville State University (FSU) and encourages citizens of Cumberland County to participate in activities marking this historic occasion.

Adopted this 18th day of September, 2017.

M. Removed for separate discussion and action as recorded below.

N. Approval of Budget Ordinance Amendments:

General Fund 101

- 1) Animal Control Grant - Budget Ordinance Amendment B181146 to recognize grant funds in the amount of \$25,000 from PETCO

The Board is requested to approve Budget Ordinance Amendment B181146 to recognize grant funds in the amount of \$25,000 from PETCO. These funds will be used to purchase holding units for the cat adoption area in Animal Control.

Please note this amendment requires no additional county funds.

REGARDING ITEMS 2 - 3 PLEASE NOTE:

Each fiscal year County departments may have projects that are not complete by the fiscal year end (6/30/17) or items ordered that have not been received by fiscal year end. These projects or items were approved in the Fiscal Year 2017 budget; however, the money was not spent by June 30, 2017.

The following amendments seek to bring those funds forward from FY 2017 into the current fiscal year, allowing departments to complete and pay for these items. These revisions are not using 'new' funds, but are recognizing the use of FY17 funds in FY18.

Workforce Investment Opportunity Act Fund 255

- 2) Workforce Investment Opportunity Act - Budget Ordinance Amendment B180021 to recognize grant funds in the amount of \$2,008,813

The Board is requested to approve Budget Ordinance Amendment B180021 to recognize grant funds in the amount of \$2,008,813 from the NC Division of Workforce Solutions. This amendment includes additional Plan Year 2017 allocations received in addition to carryover funds for Plan Year 2016. The funds are to be used for Workforce Innovation and Opportunity Act eligible expenses for Adult, Dislocated Worker and Youth Services.

Please note this amendment requires no additional county funds.

Eastover Sanitary District Fund 620

- 3) Eastover Sanitary District Fund - Budget Ordinance Amendment B181006 to bring FY17 Eastover Sanitary District funds forward in the amount of \$1,593

The Board is requested to approve Budget Ordinance Amendment B181006 to bring FY17 Eastover Sanitary District funds forward in the

amount of \$1,593. These funds are for the water and sewer system mapping update which started in FY17 and will be finished in FY18.

Contingency Funds Report – FY18

The County Manager approved the following use of contingency funds.

- \$17,669 was used for the PATH Program within Community Development to fund employee transitional pay through August 4, 2017. This program was not funded for FY18.

MOTION: Commissioner Fairecloth moved to approve consent agenda Items 3.A. – 3.N.3) with the exception of Item 3.M. as removed for separate discussion and action.  
 SECOND: Commissioner Council  
 VOTE: UNANIMOUS (7-0)

3.M. Approval of a Proclamation Recognizing the Celebration of 60 Years of Services of the Fayetteville/Cumberland Ministerial Council, Inc

COUNTY OF CUMBERLAND

NORTH CAROLINA

PROCLAMATION

WHEREAS, the Fayetteville/ Cumberland County Ministerial Council, Inc. was organized in 1957 on Christian principles, to conduct its business as a Christian, nonprofit organization for charitable and educational endeavors in Fayetteville and surrounding communities, and

WHEREAS, the philosophy of the Fayetteville/Cumberland Ministerial Council, Inc. is to promote unity surrounded by diversity- with inclusiveness for all people and to support all creeds and religious groups, with regards to community service involvement and awareness; and

WHEREAS, the purpose of the Fayetteville/Cumberland Ministerial Council, Inc. it to promote the spirit of Christian fellowship and to encourage spiritual and intellectual growth among council members; and

WHEREAS, the aim of the Fayetteville/Cumberland Ministerial Council, Inc. is to inspire interdenominational cooperation among the churches of the city and county, without regard to race or nationality, and to give serious consideration to all matters of social, civic, moral, spiritual welfare, and best interest of the community; and

WHEREAS, the Fayetteville/Cumberland Ministerial Council, Inc. will expand the opportunities available, such as educational development for ministers, pastors, lay persons, church groups, and establish training programs especially to those who are economically under-privileged; to assist said groups in developing church administration and management skills necessary for the successful operation of their churches and church ministry, and to assist said groups in obtaining such financial support from other sources.

NOW THEREFORE, the Cumberland County Board of Commissioners hereby congratulates the Fayetteville/Cumberland Ministerial Council, Inc. on its 60 years of service to the Cumberland County community.

Adopted this 18<sup>th</sup> day of September 2017.

\*\*\*\*\*

Chairman Adams recognized members of the Fayetteville/Cumberland Ministerial Council, Inc. in attendance and read the proclamation aloud. Mary Owens, President of the Fayetteville/Cumberland Ministerial Council, Inc., offered comments and extended appreciation to the Board of Commissioners.

MOTION: Commissioner Lancaster moved to approve the proclamation.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

4. Public Hearings

Ms. Cannon explained the Board of Commissioners' procedures for public hearings.

Tom Lloyd, Planning and Inspections Director, presented the following cases.

- A. Case P15-31: Rezoning of .73+/- acres from R10 Residential to O&I(P) Planned Office & Institutional or to a more restrictive zoning district, located at 2444 & 2448 Hope Mills Road, submitted by Raffaella Massa on behalf of Elizabeth Pizza - Hope Mills Road LLC (owner).

Planning Board Meeting Date: August 15, 2017  
 Planning Board Action: Approve the staff recommendation.  
 Staff Recommendation: 1<sup>st</sup> motion for Case P15-31: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2<sup>nd</sup> motion for Case P15-31: Move to approve the request for O&I(P) Planned Office zoning.

The motions passed unanimously.

\*\*\*\*\*

Chairman Adams opened the public hearing for Case P15-31.

The deputy clerk to the board advised there were no speakers for Case P15-31.

Chairman Adams closed the public hearing for Case P15-31.

MOTION: Commissioner Lancaster moved in Case P15-31 to find the request for rezoning consistent with the 2030 Growth Vision Plan and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Lancaster moved in Case P15-31 to approve the request for O&I(P) Planned Office zoning.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

- B. Case P17-31: Rezoning of 23.22+/- acres from M2 Heavy Industrial to R40 Residential or to a more restrictive zoning district; located at the southeast quadrant of SR 2000 (Sunnyside School Road) and SR 2010 (John B Carter Road); submitted by Steven R. Everett (owner) and J. Scott Berry (agent).

Planning Board Meeting Date: August 15, 2017  
 Planning Board Action: Approve the staff recommendation.

Staff Recommendation:

1<sup>st</sup> motion for Case P17-31: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2<sup>nd</sup> motion for Case P17-31: Move to approve the request for R40 Residential Zoning.

The motions passed unanimously.

\*\*\*\*\*

Chairman Adams opened the public hearing for Case P17-31.

The deputy clerk to the board advised there were no speakers for Case P17-31.

Chairman Adams closed the public hearing for Case P17-31.

Commissioner Keefe stated the area appears to be heavy industrial and inquired regarding the thought process for moving to residential zoning. Mr. Lloyd stated the area was not viable for heavy industrial and although there is sewer in the area, there is no water available. Mr. Lloyd also stated due to the nature of the soil, the thought was that it would be better to return to residential. Mr. Lloyd stated R40 zoning is possible without water but RR is not possible.

MOTION: Commissioner Faircloth moved in Case P17-31 to find the request for rezoning consistent with the 2030 Growth Vision Plan and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Faircloth moved in Case P17-31 to approve the request for R40 Residential Zoning.

SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

C. Case P17-36: Rezoning of 2.03+/- acres from A1 Agricultural to R40A Residential or to a more restrictive zoning district, located at 7236 Butler Nursery Road, submitted by James Robert Wilson (owner).

Planning Board Meeting Date:

August 15, 2017

Planning Board Action:

Approve the staff recommendation.

Staff Recommendation:

1<sup>st</sup> motion for Case P17-36: Move to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

2<sup>nd</sup> motion for Case P17-36: Move to approve the request for R40A Residential Zoning.

The motions passed unanimously.

\*\*\*\*\*

Chairman Adams opened the public hearing for Case P17-36.

The deputy clerk to the board advised there were no speakers for Case P17-36.

Chairman Adams closed the public hearing for Case P17-36.

MOTION: Commissioner Evans moved in Case P17-36 to find the request for rezoning consistent with the 2030 Growth Vision Plan, and any other applicable land use plan, reasonable and in the public interest for the reasons stated in the recommendations of the Planning Staff.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Evans moved in Case P17-36 to approve the request for R40A Residential Zoning.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

Other Public Hearings

D. Public Hearing on the Vander Area Land Use Plan

BACKGROUND:

As part of the Joint Planning Board’s ongoing efforts to develop detailed land use plans for the entire County and the member municipalities, staff along with residents in the area have developed a land use plan for the Vander area of Cumberland County.

RECOMMENDATION/PROPOSED ACTION:

Staff requests that the Board of Commissioners hold a public hearing on the plan and approve the plan recommended by the Planning Board.

RESOLUTION OF ADOPTION  
VANDER AREA LAND USE PLAN  
COUNTY OF CUMBERLAND

WHEREAS, the Cumberland County Joint Planning Board is empowered to recommend plans for the County of Cumberland in accordance with G.S. 153A-321 of the North Carolina General Statutes; and

WHEREAS, the Planning Staff has prepared a specific document entitled the Vander Area Land Use Plan designed to provide the County of Cumberland a statement of desirable objectives to guide future growth, change, and development within the Vander Study Area; and

WHEREAS, the Vander Area Citizens Planning Committee consisting of citizens within the Study Area boundary developed and endorses the Vander Area Land Use Plan ; and

WHEREAS, the Plan is subject to future re-evaluation or changes by existing and future Planning Boards, and the Cumberland County Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED that the Cumberland County Board of Commissioners hereby adopts the Vander Area Land Use Plan.

On this 18th day of September, 2017.

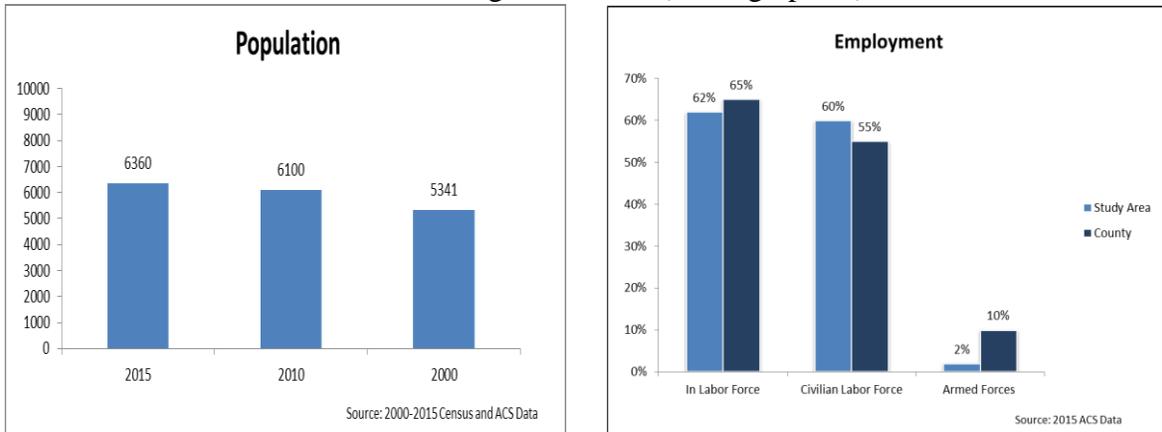
\*\*\*\*\*

Ms. Cannon called on Trey Smith, Comprehensive Planning Manager, who introduced new planning staff and provided the following PowerPoint presentation on the Vander Area Land Use Plan.

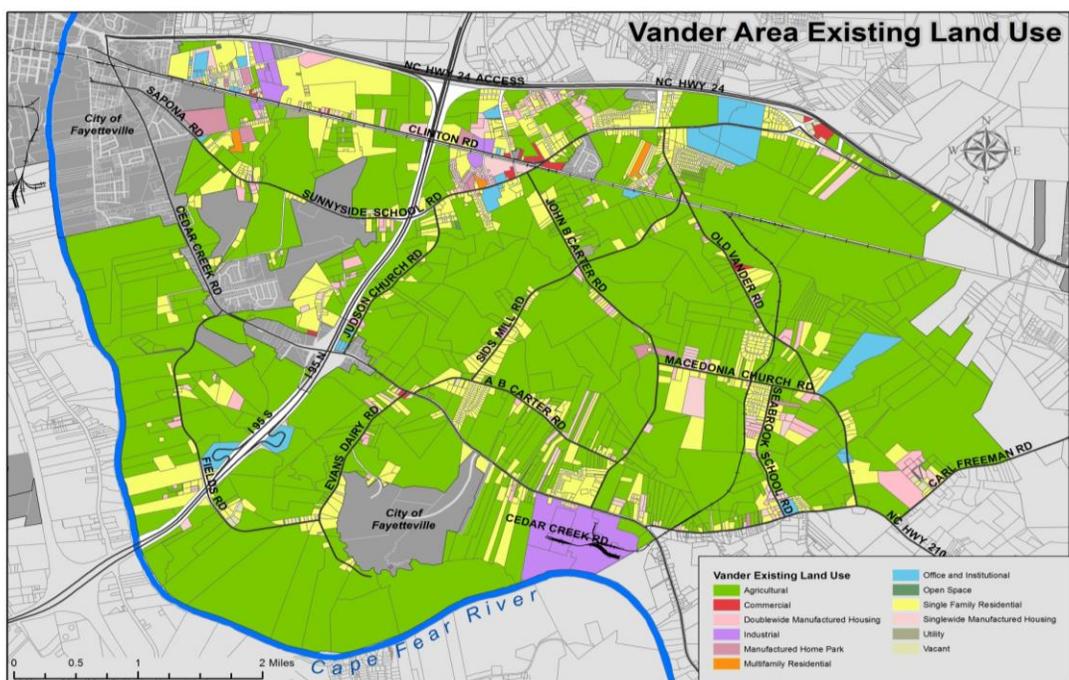


Mr. Smith stated most of the land use is agricultural with commercial areas scattered in between and some industrial areas north of the Cape Fear River.

Existing Conditions (Demographics)

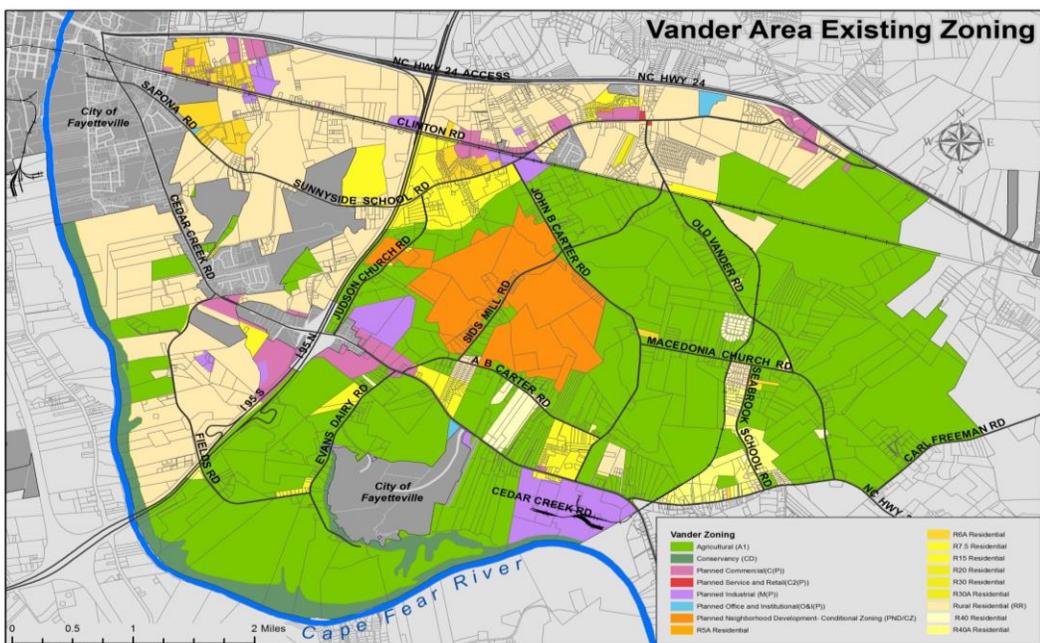


Existing Conditions (Land Use)



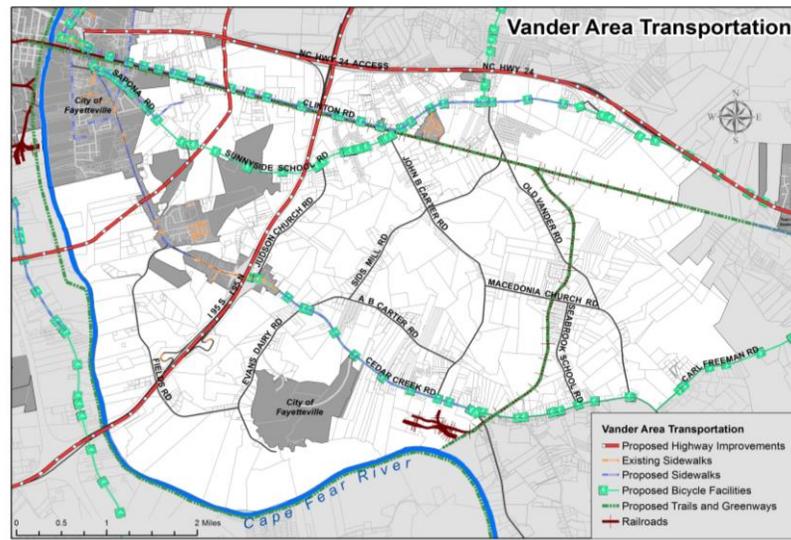
Mr. Smith stated zonings are similar to the land use map with agricultural, with residential as the area gets closer to the city limits of Fayetteville and light commercial and industrial interspersed throughout.

Existing Conditions (Zoning)



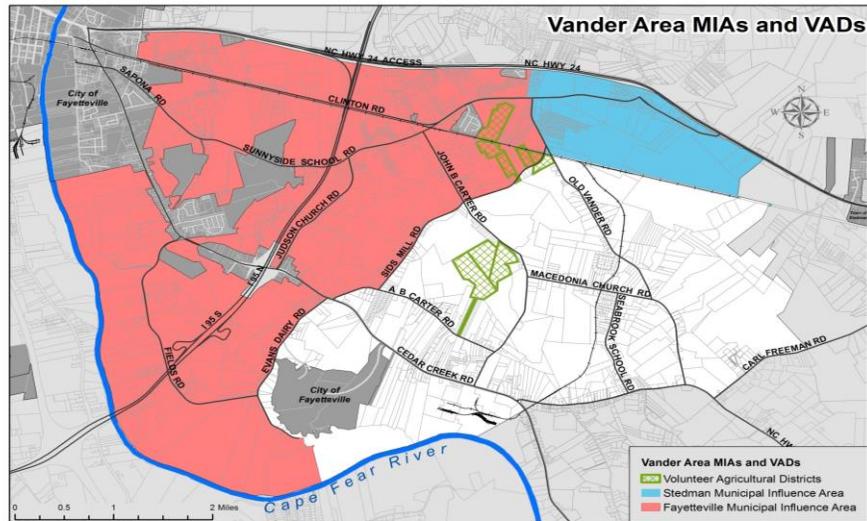
Mr. Smith stated the transportation map indicates existing and future transportation and there is a section that documents future projects, proposed greenways and bike trails.

### Transportation



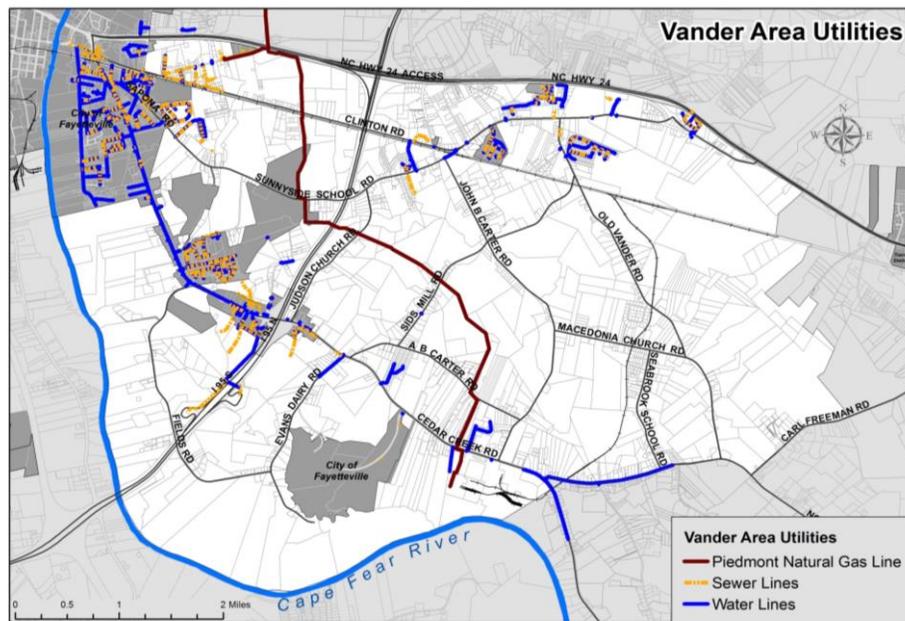
Mr. Smith outlined the Fayetteville MIA (red), the Stedman MIA (blue) and the Volunteer Agricultural Districts in the map below as included in the study area.

### Municipal Influence Areas

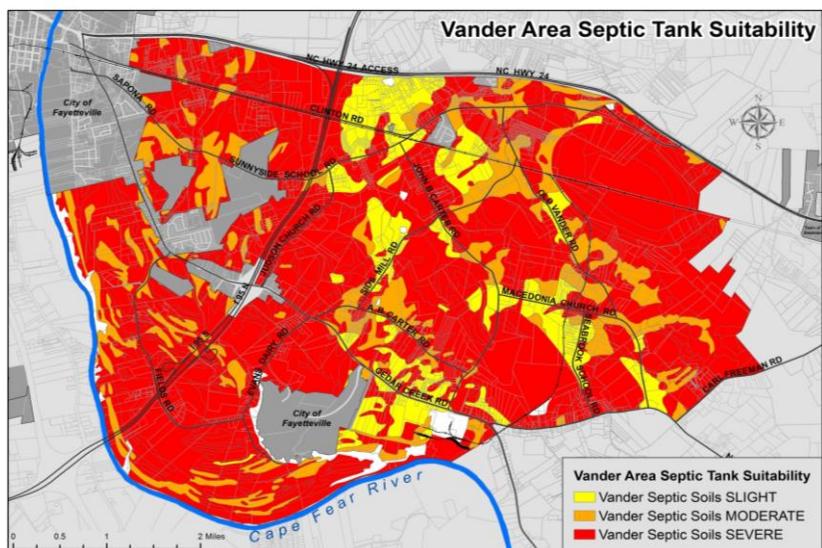


Mr. Smith provided highlights of the maps recorded below.

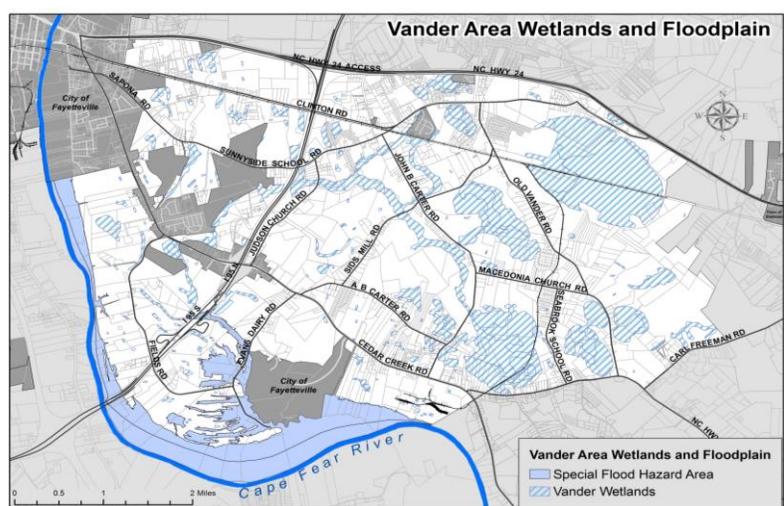
### Existing Utilities



### Septic Availability



### Wetlands and Flood Plains



Mr. Smith reviewed the recommendations recorded below for the Vander Area Land Use Plan and state the recommendations were generated and formed through area resident citizen committee meetings.

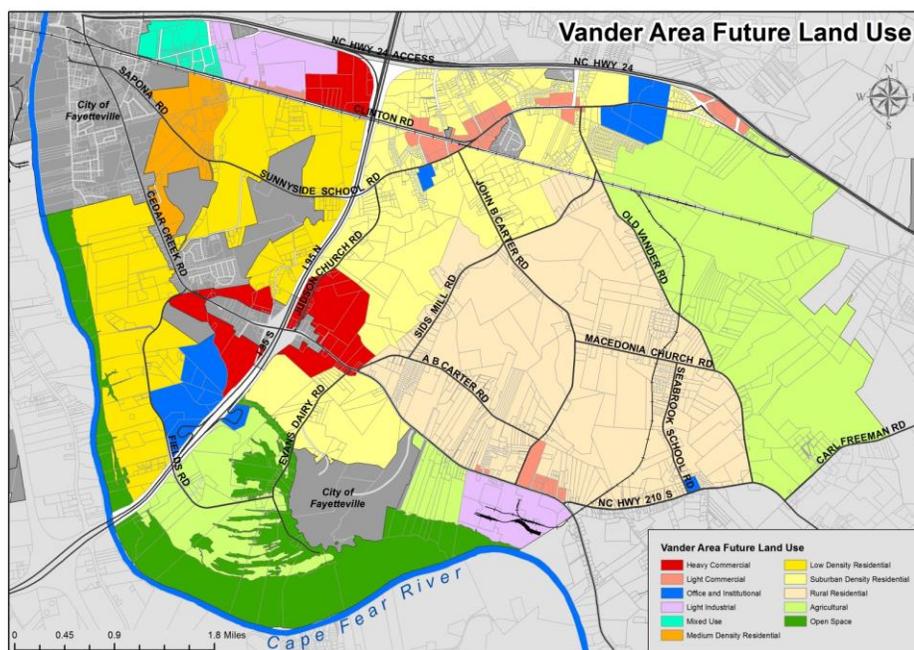
### Recommendations

Open Space & Parks			
Provide a diversified parks and open space system that protects, preserves, and enhances environmentally sensitive areas, wildlife habitats, and agricultural lands, while providing new facilities such as greenways, parks, and similar amenities that will compliment and serve all citizens, rural and urban, in the study area.			
	Action Description	Responsible Agency	Time Frame
1	Support measures that protect the Special Flood Hazard Area, natural areas, wildlife habitats, endangered species, water quality, historic features, and scenic sites	Emergency Management, Planning Department	Ongoing
2	Co-locate parks and recreation facilities with other community facilities such as schools, fire and police stations, libraries, and etc., whenever feasible	Parks & Recreation Dept., Planning Department	Long Term
3	Provide a range of parks, recreation facilities, and open spaces near densely populated areas and commercial centers while providing connectivity to other facilities	Parks & Recreation Dept., Planning Department	Long Term
4	Consider using existing infrastructure for bicycle/pedestrian facilities as a linkage to the open space system in the Study Area, County, and region	Parks & Recreation Dept., Planning Department	Long Term
5	Promote incentives that will encourage developers to provide open space in developments	Parks & Recreation Dept., Planning Department	Long Term
6	Identify possible locations for future Cape Fear River access for recreational, boating and kayaking purposes	Parks & Recreation Dept., Planning Department	Long Term
Agricultural/Farmland			
Preserve and protect farmland to ensure the continued viability of the farming and agri-business industry in the study area.			
	Action Description	Responsible Agency	Time Frame
1	Support the establishment of a local farmers market and local roadside produce stands	Farm Advisory Board, Agricultural Extension, Planning Department	Ongoing
2	Support the Cumberland County Voluntary Agricultural District Program (VAD)	Farm Advisory Board, Agricultural Extension, Planning Department	Ongoing
3	Promote a natural or reforested buffer area between development and farming operations	Planning Department, Sustainable Sandhills	Ongoing
4	Promote awareness of the benefits of farmland to the environment and rural character of the area	Planning Department, Sustainable Sandhills	Ongoing

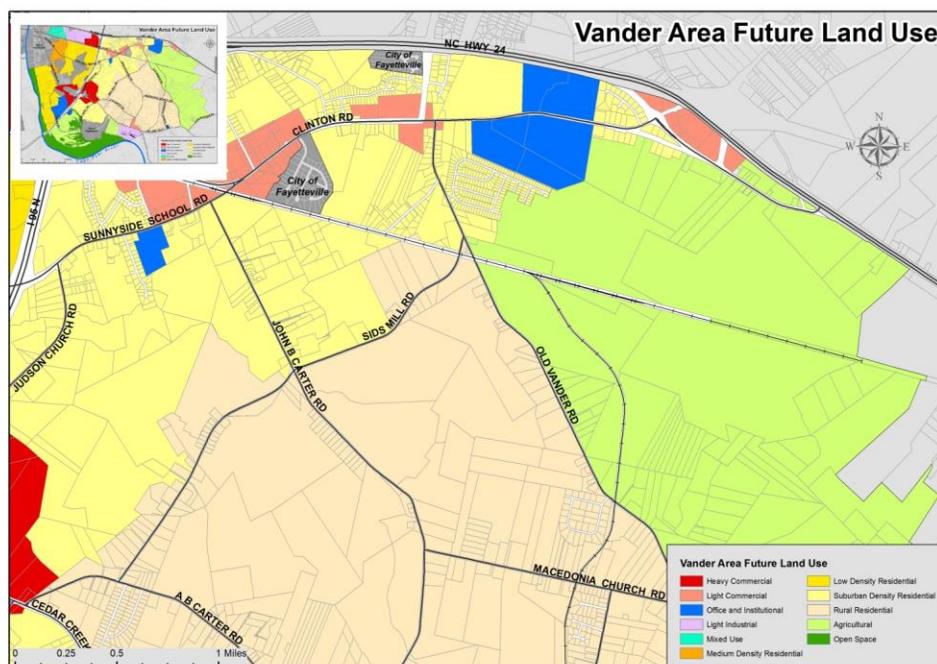
<b>Rural, Low, Medium, &amp; Suburban Density Residential</b>			
Ensure the Vander area is comprised of well-planned, aesthetic and pedestrian-friendly residential developments that offer a variety of housing choices to persons of a variety of age and income groups.			
	Action Description	Responsible Agency	Time Frame
1	Encourage the use of Low Impact Developments techniques	Planning Department	Ongoing
2	Strengthen and enforce minimum housing standards	Planning Department	Ongoing
3	Provide flexibility for Mixed Use and higher density developments close to existing or future commercial centers	Planning Department	Ongoing
4	Promote sidewalks and pedestrian facilities, where appropriate to provide access to facilities such as schools, commercial areas and recreation facilities	Planning Department, Fayetteville Area MPO	Ongoing
5	Provide and preserve natural vegetation buffer areas between single and multi-story residential and non-residential uses	Planning Department	Ongoing
6	Encourage more than one means of ingress and egress in new residential subdivisions and connectivity to existing subdivisions	Planning Department	Ongoing
<b>Community Appearance</b>			
Provide an attractive living environment that encourages economic development and enhances the overall esthetics of the area.			
	Action Description	Responsible Agency	Time Frame
1	Enhance existing ordinances and regulations so that new commercial buildings will have specific architectural features that will match the character of the area	Planning Department	Long Term
2	Promote the provision of open spaces, urban spaces and landscaping to soften, beautify, and enhance the Area's image	Planning Department	Ongoing
3	Enforce Cumberland County Minimum Housing and Junk Car Ordinances to eliminate abandoned and neglected residential properties and vehicles	Planning Department	Ongoing
4	Enforce litter laws and promote other programs to clean up existing roadway litter, and educate the citizenry of the cost and impact of littering	Planning Department	Ongoing
5	Promote a center median with landscaping and street trees for any widening of an existing or new major thoroughfare in the area between I-95 and the Fayetteville City Limits	Planning Department, Fayetteville Area MPO, Mid-Carolina RPO	Long Term
<b>Office &amp; Commercial</b>			
Provide quality, attractive development that meets market demand, is harmonious with its surrounding area, has supporting infrastructure, preserves the natural environment, and is concentrated near major intersections and existing commercial development.			
	Action Description	Responsible Agency	Time Frame
1	Allow small concentrated commercial areas in the rural portion of the Study Area to serve the immediate needs of the residents	Planning Department	Ongoing
2	Promote the concentration of intense commercial development at the intersections of major thoroughfares and interchanges where water and sewer is provided	Planning Department	Ongoing
3	Strengthen existing landscape standards for commercial developments	Planning Department	Long Term
4	Protect established residential areas from the encroachment of non-residential developments	Planning Department	Ongoing
5	Mixed-use development should be encouraged in or near intense commercial developments and large centers of population (urban area)	Planning Department	Ongoing
6	Encourage the reuse of vacant commercial structures	Planning Department	Ongoing
<b>Industrial</b>			
Provide areas for clean high-tech industries and manufacturing where infrastructure is adequate, that does not impact the environment or natural areas, utilizes existing vacant structures when feasible, complements existing industrial development, and is in harmony with surrounding development.			
	Action Description	Responsible Agency	Time Frame
1	Support efforts to retain or expand existing industries	Planning Department	Ongoing
<b>Community Facilities &amp; Services</b>			
Support a range of community facilities and services that are accessible and cost effective to meet the needs of residents.			
	Action Description	Responsible Agency	Time Frame
1	Develop a plan to extend water to the rural parts of the study area	Planning Department; Service Providers	Long Term
2	Develop a plan to provide water and sewer to the urban portion of the Study Area where it currently does not exist	Planning Department; Service Providers	Ongoing
3	Provide community facilities in a way that serves the underserved, and collocate them with other facilities such as schools, fire stations, law enforcement facilities, medical and social services, libraries and other compatible services	Planning Department	Long Term
4	Explore the possibility of expanding trash service, recycling, and other efforts to prevent roadway littering in the Study Area	Solid Waste Management	Long Term
5	Ensure an adequate level of fire and police protection	Planning Department	Long Term
6	Evaluate the need for renovation and/or construction of educational facilities	Planning Department; Cumberland County Board of Education	Long Term
7	Facilitate the location of a 24hr medical facility and urgent care in the plan area	Planning Department	Long Term
<b>Community Health &amp; Wellness</b>			
Encourage development, programs, and awareness that directly contribute to improved health and wellness in the study area.			
	Action Description	Responsible Agency	Time Frame
1	Anticipate the short- and long-term impacts of decisions regarding the built environment on the health of residents, visitors, and the community at large by establishing improved health as a primary project or plan goal	Planning Department, Department of Public Health	Ongoing
2	Engage with government officials at the local, regional, state, and federal levels to encourage policy makers to prioritize community health and reduction of chronic disease through investments in the built environment	Planning Department, Department of Public Health	Ongoing
3	Implement planning and development solutions that improve opportunities for physical activity, access to healthy food, healthy indoor and outdoor environments, and social connectedness	Planning Department, Parks & Recreation Dept.	Ongoing
4	Use green infrastructure to improve environmental quality for human health benefits	Planning Department, Parks & Recreation Dept.	Ongoing

Transportation			
Provide safe, adequate, and accessible multi-modal transportation facilities for the movement of people, goods, and services that meets the needs of residents while preserving the character of the study area.			
	Action Description	Responsible Agency	Time Frame
1	Ensure existing and new roadways are capable of handling expected traffic growth prior to development occurring.	Fayetteville Area MPO, Mid-Carolina RPO, Planning Department	Ongoing
2	Promote the construction of sidewalks on both sides of streets in new subdivisions, and along the frontage of any new commercial development. Also, locate sidewalks from Cedar Creek Rd to Slade, in the Kinlaw Supermarket area, near the High School and Food Lion	Fayetteville Area MPO, Mid-Carolina RPO, Planning Department	Long Term
3	Provide signalization and other improvements at major intersections and high traffic roads to alleviate traffic congestion.	Fayetteville Area MPO, Mid-Carolina RPO, Planning Department	Long Term
4	Restrict subdivision lots from having direct access along designated thoroughfares, freeways, expressways, and boulevards (based on FAMPO 2040 Highway Plan, 2014), and limited direct access for non-residential development.	Fayetteville Area MPO, Mid-Carolina RPO, Planning Department	Ongoing
5	Improve safety for cyclists by marking lanes, widening and hardening shoulders on designated bicycles connectors.	Fayetteville Area MPO, Mid-Carolina RPO, Planning Department	Ongoing

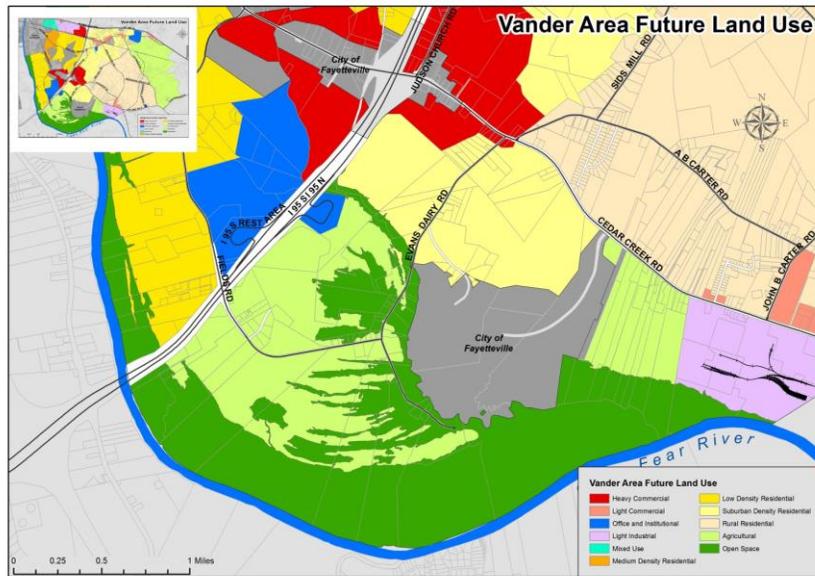
Mr. Smith provided highlights of the proposed future land use maps below and spoke to the densities contained therein.



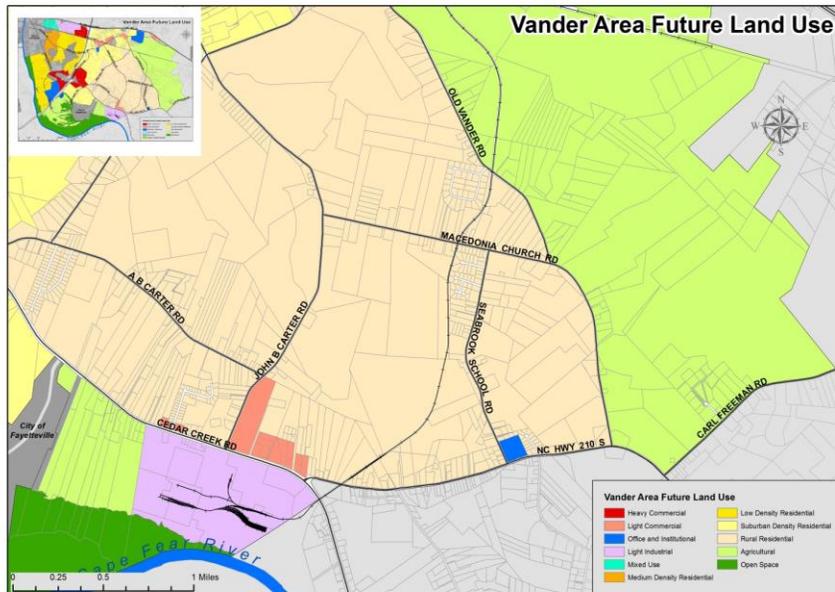
North



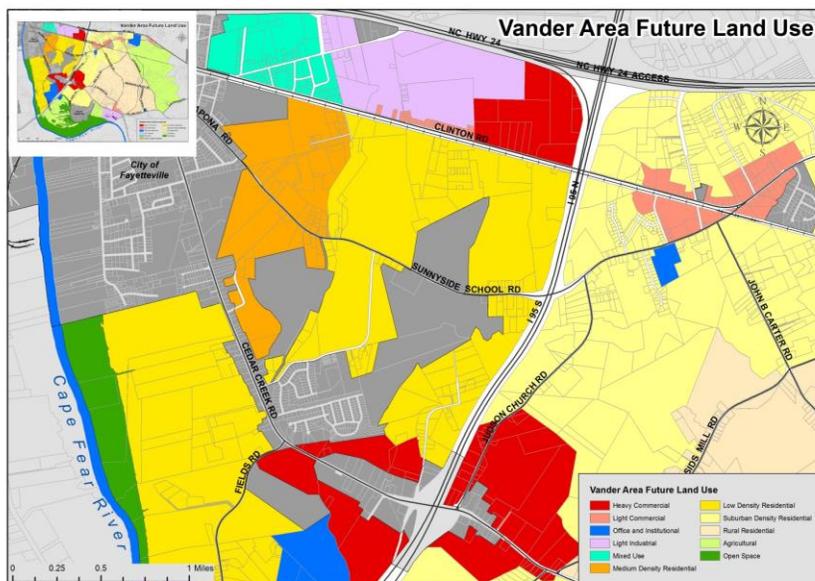
### Vander



### East



### West



Questions followed and comments followed.

Chairman Adams opened the public hearing.

The deputy clerk to the board advised there were no speakers.

Chairman Adams closed the public hearing.

**MOTION:** Commissioner Lancaster moved to approve the Vander Area Land Use Plan as recommended by the Planning Board.

**SECOND:** Commissioner Boose

**VOTE:** UNANIMOUS (7-0)

E. Public Hearing on the Community Development Program Year 2016 Draft Consolidated Annual Performance and Evaluation Report (CAPER)

**BACKGROUND:**

The draft PY2016 Consolidated Annual Performance and Evaluation Report (CAPER) is prepared by Community Development. This document is available for public review and comment during the period September 1, 2017 – September 15, 2017. Copies have also been distributed to several locations throughout the County in compliance with our Citizen Participation Plan. The final CAPER is due to HUD by September 28, 2017 and will be available in the County Commissioners office and at the Community Development office beginning September 25, 2017.

The PY2016 CAPER details program accomplishments and an assessment of our efforts in meeting the goals and objectives set forth in our Annual Action Plan for the period July 1, 2016 through June 30, 2017. Performance reporting meets three basic purposes: 1) it provides HUD with necessary information for the Department to meet its statutory requirements to assess each grantee's ability to carry out relevant community development programs in compliance with all applicable rules and regulations; 2) it provides information necessary for HUD's Annual Report to Congress, also statutorily mandated; and 3) it provides grantees an opportunity to describe to citizens their successes in revitalizing deteriorated communities and meeting objectives outlined in the Consolidated Plan. This reporting tool assures that citizens, community groups, and other interest stakeholders in the community planning process are accurately informed of the use of these federal funds.

**RECOMMENDATION AND PROPOSED ACTION:**

1. Receive the presentation on the Consolidated Annual Performance and Evaluation Report (CAPER)
2. Community Development requests that the Board of County Commissioners hold a public hearing on the draft PY2016 CAPER to offer input and comments as well as receive comments from the public. No other action is necessary.

\*\*\*\*\*

Ms. Cannon called on Interim Community Development Director Dee Taylor who reviewed the background information recorded above and provided the following presentation on the CAPER for the period of July 1, 2016 – June 30, 2017.

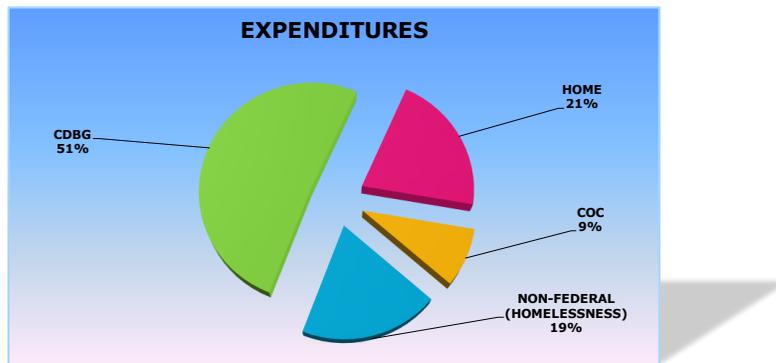
**Consolidated Plan Five-Year Priorities (2015-2020)**

- Affordable Housing
- Non-Community Development
- Homelessness

Ms. Taylor stated for the reporting period of July 1, 2016 – June 30, 2017, Community Development expended approximately \$1.9M in the community addressing those priorities.

Ms. Taylor identified funding sources received during the reporting period including entitlement funds for the Community Development Block Grant (\$740,860) and Home Investment Partnership Investment funds (\$279,302). Ms. Taylor stated Community

Development also received Continuum of Care program funds and other non-federal dollars to address homelessness. Ms. Taylor highlighted expenditures below to address active use within the priority areas.



Ms. Taylor reviewed Community Development’s expenditures to increase affordable quality housing.

SOURCE	EXPENDED	BENEFICIARIES
Rental Units Rehabilitated/Constructed	\$323,627	4 Housing Units
Homeowner Housing Rehabilitated	\$192,996	10 Housing Units
Homeowner Housing Added	\$81,424	2 Housing Units

Ms. Taylor reviewed Community Development’s expenditures to provide essential services and housing for the homeless.

Source	Expended	Beneficiaries
Rapid Re-housing	\$50,660	71 Households
Homeless Persons Overnight Shelter	\$26,828	234 Persons
Homeless Prevention	\$28,726	36 Persons

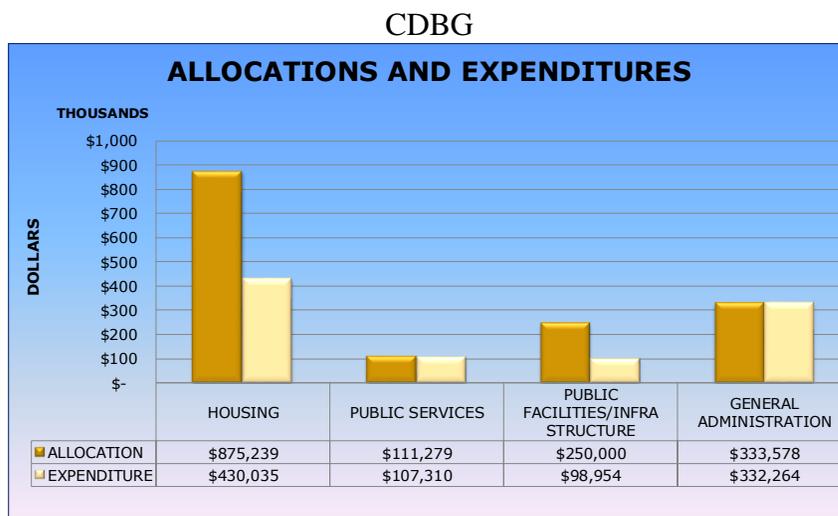
Ms. Taylor reviewed Community Development’s non-housing expenditures to improve access to public/human services through a partnership to provide prescription.

Source	Expended	Beneficiaries
Public Services (Human Services)	\$107,310	4,689 Persons

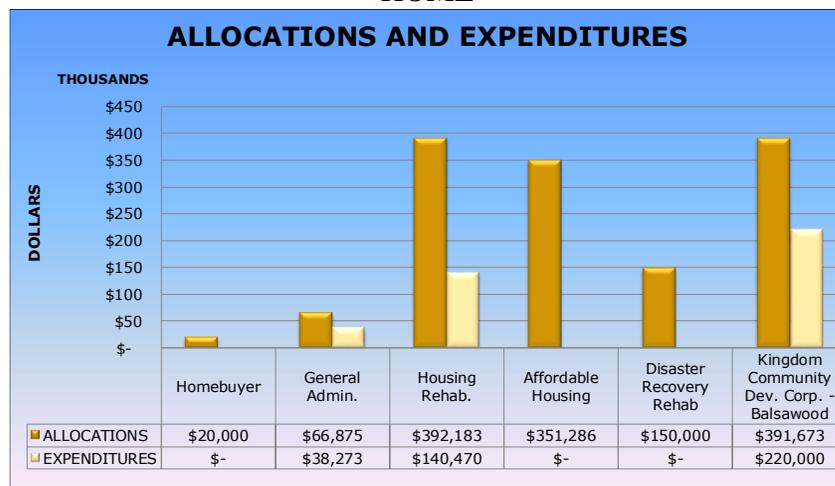
Ms. Taylor reviewed Community Development’s expenditures to improve public facilities/develop infrastructure for renovations to Robin’s Meadow transitional Housing.

Source	Expended	Beneficiaries
Public Facility for LMI Housing Benefit	\$98,954	15 Households

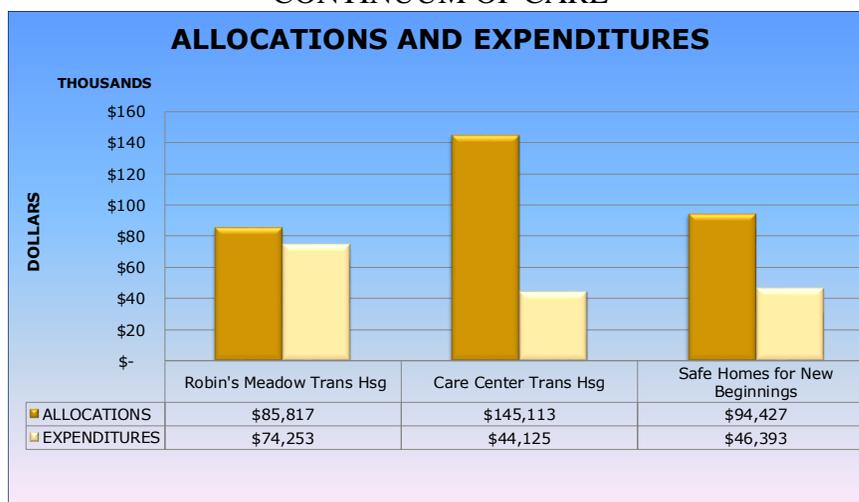
Ms. Taylor provided a brief review of allocations and expenditures for each of Community Development’s funding sources.



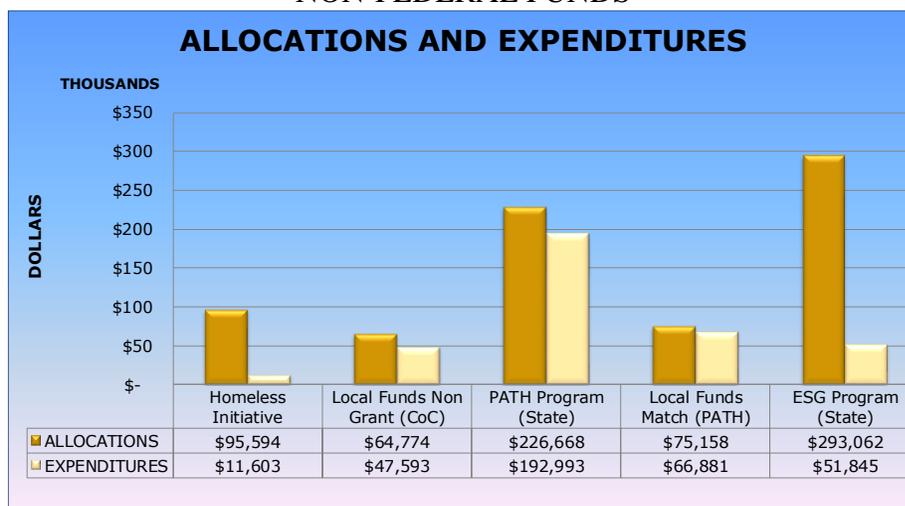
### HOME



### CONTINUUM OF CARE



### NON-FEDERAL FUNDS



Ms. Taylor concluded her presentation and stated the CAPER is due to HUD by September 28, 2017.

Questions followed about HUD's definition of homeless, what is included in wrap around services, expenditures for single family housing development and Community Development's relationship with the Continuum of Care which is formed and involved as a mandated requirement from HUD.

Chairman Adams opened the public hearing.

The deputy clerk to the board advised there were no speakers.

Chairman Adams closed the public hearing.

MOTION: Commissioner Lancaster moved to approve.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

Chairman Adams called on Commissioner Council to present and read the Proclamation Acknowledging the Sesquicentennial Anniversary of Fayetteville State University. Comments followed.

#### ITEMS OF BUSINESS

5. Consideration of a Partnership Between the Public Health Department and Stedman/Wade Health Services, Inc. for Comprehensive Adult Health and Dentistry Services and Approval of the Associated Budget Ordinance Amendment B180187

#### BACKGROUND:

The Health Department was awarded a grant in the amount of \$148,000 from the Office of Rural Health to provide primary care services to adult citizens of Cumberland County. The grant funds the partnership between the Health Department and Stedman Wade Health Services, Inc. Stedman Wade Health Services, Inc. will provide comprehensive adult primary care services and dentistry for both adults and children at the Health Department. Once the grant ends, Stedman Wade Health Services, Inc. plans to continue offering services at the Health Department. The partnership will provide a great benefit to uninsured and underinsured citizens of Cumberland County by providing affordable healthcare services.

#### RECOMMENDATION/PROPOSED ACTION:

Approve Budget Ordinance Amendment B180187 in the amount of \$148,000 to recognize the grant award received.

\*\*\*\*\*

Ms. Cannon called on Interim Health Department Director Rod Jenkins who reviewed the background information recorded above. Mr. Jenkins stated Stedman-Wade Health Services, Inc., toured the Health Department, received HIPPA training and received IT training on the Health Department's computer systems. Mr. Jenkins stated Stedman-Wade will initially work two and one-half days at the health department clinic and see 24-36 patients per week. Mr. Jenkins stated adult and pediatric dental services will be provided during the Health Department's extended hours, which are the second and fourth Tuesday of every month from 3:00 PM to 7:00 PM and with 12-15 dental patients slated to be seen. Mr. Jenkins stated once the grant ends, Stedman-Wade Health Services, Inc., plans to continue offering services at the Health Department on a full-time basis at no cost to Cumberland County government beginning January 1, 2018 and will then see 24 to 34 patients per day. Mr. Jenkins stated Cumberland Healthnet will continue to see patients every Monday. Mr. Jenkins stated the expectation is that Cumberland Healthnet will add additional days in the future which will enable 240 patients to be seen per week. Mr. Jenkins stated this is the first step in transforming the County's public health system. Mr. Jenkins stated working with Stedman-Wade Health Services, Inc., and Cumberland Healthnet has the potential to assist in jail diversion, increase public health outreach, alleviate congested emergency rooms and provide a viable alternative for the provision of healthcare services in Cumberland County.

Ms. Cannon explained as a Federally Qualified Health Center (FQHC), Stedman-Wade Health Services, Inc., would like to add the County Health Department as a satellite. Ms. Cannon stated the County would like to begin utilizing the grant and on January 1, 2018, Stedman-Wade Health Services, Inc., can draw down federal funds and continue to provide services. Questions followed. Mr. Jenkins stated a contract with Stedman-Wade Health Services, Inc., will be provided later.

MOTION: Commissioner Council moved to approve Budget Ordinance Amendment B180187 in the amount of \$148,000.  
SECOND: Commissioner Faircloth  
VOTE: UNANIMOUS (7-0)

6. Consideration of an Agreement with Beaver Dam Fire Department for Funding of Staffing at Station 27

BACKGROUND:

As Cumberland County's largest low-wealth fire district geographically, Beaver Dam Fire Department is the only low-wealth department that has attempted to improve its response to medical and fire calls by building a sub-station in its district (Station 27 - Turnbull). Staffing this sub-station has been challenging for many reasons including a lack of volunteers during day-time hours. Many meetings were held with the fire department and members of the community, and research was conducted to determine how best to staff Station 27 on a regular basis. As a short-term solution, additional funding from the special fire tax district for low-wealth departments was allocated in FY18 to address part-time staffing needs at the Turnbull substation. An agreement between the County and Beaver Dam Fire Department was developed for the use and accounting of this one-time supplement. The County's expectations for FY18 as it relates to the Turnbull substation will be as follows:

1. Utilize the one-time supplement to provide staffing of two firefighter/EMT's, Monday through Friday, 9 a.m. to 7 p.m. with earlier start times in the morning if possible
2. Begin providing staffing coverage as soon as possible, but no later than September 2017.
3. Develop and submit a monthly schedule to the Emergency Services Department which will be reviewed and monitored.
4. Payment for staffing costs at the Turnbull substation will be reimbursed monthly after the submission and review of timesheets to the Emergency Services Department.

Longer-term solutions for improving staffing and response at low-wealth fire departments will be explored in greater detail with recommendations forthcoming for the FY19 Budget.

RECOMMENDATION/PROPOSED ACTION:

Staff recommends approval of the agreement.

NORTH CAROLINA

CUMBERLAND COUNTY

*Approved by the Board of Commissioners: September 17, 2017*

AMENDMENT TO FIRE PROTECTION CONTRACT  
FOR THE BEAVER DAM FIRE DISTRICT OF CUMBERLAND COUNTY

This agreement is made by and between Cumberland County, a body corporate and politic (County), and Beaver Dam Volunteer Fire Department of Cumberland County, a North Carolina, non-profit corporation (Fire Department).

Whereas, the parties entered into a contract for the provision of fire protection services in the Beaver Dam Fire District of Cumberland County with an effective date of July 1, 1989 (the Existing Agreement).

In consideration of the additional consideration stated herein, the parties wish to amend the Existing Agreement as follows:

1. The terms and conditions stated in the letter dated July 23, 2017, from Tracy Jackson to Mike Ake, attached hereto, are incorporated fully herein except that staffing at the Turnbull Substation may be adjusted Monday through Friday during the hours of 7 a.m. to 9 a.m. depending on the availability of staff coming off-shift from other employers. These hours will be staffed if an employee is available to cover the hours without conflicting with other employment.
2. The terms and conditions stated in the Addendum to the General Terms and Conditions for the Provision of Fire Protection Services in Cumberland County for Those Fire Districts Designated as Low-Wealth, attached hereto, are incorporated fully herein.
3. This agreement shall be effective from August 1, 2017, as to any employees staffed at the Turnbull substation consistently with the requirements of this agreement.

ADDENDUM TO THE GENERAL TERMS AND CONDITIONS FOR THE PROVISION OF  
FIRE PROTECTION SERVICES IN CUMBERLAND COUNTY FOR THOSE FIRE TAX  
DISTRICTS DESIGNATED AS LOW-WEALTH

A1.0 Special Fire Service District Tax Allocation: Commencing in FY2011, the Board of Commissioners levied an additional  $\frac{3}{4}$ -cent increase to the existing  $\frac{1}{2}$  -cent Special Fire Service District Tax and changed the distribution of the Special Fire Service District Tax to 70% to those fire tax districts designated as low-wealth, and 30% to the Fire Chiefs Association. The COUNTY'S goal with the Special Fire Service District Tax was to bring all fire departments to a minimum funding level of \$150,000 with the first  $\frac{1}{2}$ - cent and to a minimum funding level of \$250,000 with the additional  $\frac{3}{4}$ -cent, subject to certain restrictions on the use of these funds. To the extent that the COUNTY maintains the Special Fire Service District Tax for these purposes, any fire department designated as "low-wealth" and receiving an allocation from the Special Fire Service District Tax shall comply with the restrictions placed on the use of such Special Fire Service District Tax Funds by the Board of Commissioners from time to time.

A2.0 Restrictions on Use of Funds: Funds distributed to any low-wealth department from the additional  $\frac{3}{4}$ -cent increase to the Special Fire Service District Tax shall be identified to the FIRE DEPARTMENT by the COUNTY Finance Officer. All such funds are restricted to use solely for new staff and related personnel and equipment costs for new staff. The requirement of new staff can be met through the addition of new paid full-time or paid part-time staff or additional paid hours performed by existing staff. The baseline for determining the addition of staff or hours shall be the FIRE DEPARTMENT'S verified payroll for the pay period that includes June 30, 2010. Related personnel shall include the employer's share of the cost of employee benefits, social security taxes, Medicare taxes, employment taxes and any other generally recognized personnel costs. Related equipment costs shall be the costs of turn-out gear and personal equipment necessary to place a new employee in service performing fire protection and emergency medical services.

A3.0 Accounting for Use of Funds: Any fire department receiving funds identified by the COUNTY Finance Officer as restricted to the uses described in Section A2.0 above, shall account for the use of those funds on such schedule and in such forma as may be prescribed by the COUNTY Finance Officer from time to time. Such accounting may include the requirement that copies of employment tax forms and invoices for the purchase of employee benefits and personal equipment shall be provided to the COUNTY Finance Officer.

A4.0 Misuse of Restricted Funds: If the FIRE DEPARTMENT receiving restricted funds fails to provide the accounting described in Section A3.0 above or if the COUNTY Finance Officer determines that the FIRE DEPARTMENT has used restricted funds for unauthorized purposes, the FIRE DEPARTMENT shall forfeit its allocation of any further restricted funds until such time as the COUNTY Finance Officer determines that the FIRE DEPARTMENT has established sufficient fiscal controls to insure compliance with the restrictions. Such forfeited funds may be: (a) held for the use of the FIRE DEPARTMENT for which the funds were allocated until such time as the COUNTY Finance Officer is satisfied that the FIRE DEPARTMENT will comply with the restrictions on use, (b) distributed to another low-wealth department, or (c) distributed to the Fire Chiefs Association. The COUNTY Finance Officer shall determine which of these alternative methods of distribution shall best serve the COUNTY'S goals for the use of these funds and make the alternative distribution accordingly.

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Ms. Cannon called on Assistant County Manager Tracy Jackson who recognized attendees from the Beaver Dam Fire Department and reviewed the background information recorded above. Mr. Jackson stated staff members have worked closely with the Beaver Dam Fire Department and community residents to determine the best short-term solution to the problem with Turnbull Fire Station #27 when it comes to staffing on a regular basis. Mr. Jackson stated this is one of the County's largest rural fire departments in terms of the geographic area it has to cover and respond to, and it has been challenging for the fire department to have enough volunteers and paid staff to provide the coverage they sought to achieve and the County hoped for them to achieve. Mr. Jackson stated initial operations were out of one main fire station and there was a recognized need to build a fire station in the Turnbull area to cover the large portion of the fire district. Mr. Jackson stated staffing and recruiting volunteers has been difficult, which is not unusual across fire service in North Carolina, especially in rural fire districts.

Mr. Jackson stated the short-term solution has been to appropriate funds for this department for the remainder of the fiscal year to cover staffing at the Turnbull Fire Station. Mr. Jackson stated an agreement has been developed for this purpose and a budget amendment in the amount of \$75,000 is being submitted to take that money from the special fire district rather than the general fund. Questions and comments followed.

Mr. Jackson stated Budget Ordinance Amendment B180599 in the amount of \$75,000 is also being submitted with a recommendation for approval.

MOTION: Commissioner Keefe moved to approve the agreement and Budget Ordinance Amendment B180599 up to \$75,000.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

7. Consideration of an Ordinance Allowing the Sale of Alcoholic Beverages Before Noon on Sundays (Second Reading)

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. Commonly referred to as the “Brunch Bill,” Section 4 of the legislation allows counties and cities to adopt ordinances allowing permittees to sell alcoholic beverages beginning at 10 a.m. on Sundays. Under current law, alcoholic beverages may not be sold or consumed on any licensed premises before noon on Sunday.

Commissioner Michael Boose requested the ordinance be considered on the September 5 Board of Commissioners meeting agenda. The board voted 6-1 to approve the ordinance. However, because the vote was not unanimous, it must be presented a second time on September 18 and can be adopted with a majority vote.

The City of Fayetteville adopted an ordinance on August 14 allowing sales to start at 10 a.m. on Sundays. No other municipalities in Cumberland County have adopted an ordinance permitting the earlier sales.

RECOMMENDATION/PROPOSED ACTION:

Consider whether Cumberland County should adopt the attached ordinance allowing for the sale of beer, wine and mixed beverages beginning at 10 a.m. on Sundays in the unincorporated areas.

AN ORDINANCE TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES BEFORE NOON ON SUNDAYS AT LICENSED PREMISES WITHIN THE UNINCORPORATED AREA OF CUMBERLAND COUNTY

WHEREAS, on June 29, 2017, the North Carolina General Assembly enacted Senate Bill 155, entitled “An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws”; and

WHEREAS, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10 a.m. on Sundays; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th day of June, 2017, and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants in our county to meet consumer demands of their customers; and

WHEREAS, Sunday morning alcohol service will benefit the County’s small business community, bring people into business districts earlier in the day, and generate increased tax revenues; and

WHEREAS, our County has a diverse population with different religious beliefs, each of which has various times and multiple days for worship.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Cumberland County, North Carolina that:

Section 1. Pursuant to the authority contained in G.S. 153A – 145.7, the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages is allowed in the unincorporated areas of Cumberland County beginning at 10 a.m. on Sunday pursuant to the licensed premises’ permit issued under G.S 18B – 1001.

Section 2. This ordinance is effective at 10:00 a.m. the first Sunday following its adoption by the Board of Commissioners.

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Rick Moorefield, County Attorney, reviewed the background information recorded above and stated the ordinance did not pass unanimously at the September 5, 2017 meeting, so this is the second reading of this ordinance to expand he permitted sale of alcoholic beverages in only the unincorporated areas of the County to 10 a.m. on Sundays with an effective date to commence the Sunday after the ordinance is adopted.

MOTION: Commissioner Boose moved to adopt the ordinance allowing for the sale of beer, wine and mixed beverages beginning at 10 a.m. on Sundays in the County’s unincorporated areas.  
SECOND: Commissioner Keefe  
VOTE: PASSED (6-1) (Commissioners Boose, Lancaster, Keefe, Faircloth, Council and Adams voted in favor; Commissioner Evans voted in opposition)

- 8. Nominations to Boards and Committees
  - A. Fayetteville-Cumberland Parks and Recreation Advisory Commission (1 Vacancy)  
  
Commissioner Evans nominated Pam Story.  
  
Commissioner Boose nominated Lee Spruill.

- 9. Appointments to Boards and Committees
  - A. Joint Planning Board (2 Vacancies)  
  
Nominees: Diane Wheatley (Reappointment)  
J. Carl Manning (Reappointment)

There being an equal number of vacancies and nominees,

MOTION: Commissioner Evans moved to appoint all nominees to their respective positions.  
SECOND: Commissioner Council  
VOTE: UNANIMOUS (7-0)

Chairman Adams recognized Fayetteville Cumberland Youth Council member Victoria Carter who stated she found the meeting interesting and learned a lot.

- 10. Closed Session:
  - A. Economic Development Matter(s)  
Pursuant to NCGS 143-318.11(a)(4)
  - B. Attorney Client Matter(s)  
Pursuant to NCGS 143-318.11(a)(3)

MOTION: Commissioner Faircloth moved to go into closed session for Economic Development Matter(s) pursuant to NCGS 143-318.11(a)(4) and for Attorney Client Matter(s) Pursuant to NCGS 143-318.11(a)(3).

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Lancaster moved to reconvene in open session.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (7-0)

MOTION: Commissioner Lancaster moved to adjourn.

SECOND: Commissioner Council

VOTE: UNANIMOUS (7-0)

There being no further business, the meeting adjourned at 9:30 p.m.

Approved with/without revision:

Respectfully submitted,

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Candice H. White  
Clerk to the Board