

## **EXECUTIVE COMMITTEE MEETING**

*Monday, August 8, 2022 • 11:00 A.M.*

### **AGENDA**

- 1. Call to Order, Welcome & Roll Call**
- 2. Invocation & Pledge**
- 3. Approval of Agenda \*\*\***
- 4. Approval Minutes (see attachment) \*\*\***
  - a. June 13, 2022
- 5. Finance Reports**
  - a. Budget Report through June 30, 2022 (see attachment) \*\*\*
  - b. Budget Ordinance Amendment (see attachment) \*\*\*
- 6. Staff Reports**
  - a. Executive Director
    - i. Contract Summary (see attachment) \*\*\*
    - ii. Nondiscrimination Policy (see attachment) \*\*\*
  - b. Area Agency on Aging
  - c. Homeless Continuum of Care
  - d. Local Government Services
  - e. Workforce Development
- 7. Forum Update**
- 8. Chairman, Member, and Delegate Comments**
- 9. Adjourn**

**Next Meeting:** Regular Scheduled Executive Committee meeting Monday, October 10, 2022, at 11:00 A.M.

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Items marked with \*\*\* are actionable items that require a vote.

*This meeting will be a remote meeting pursuant to SL 2020-3. Members of the public are invited to view a live video stream of the meeting at [www.capefearcog.org/live](http://www.capefearcog.org/live). Public comments received by email to [main@capefearcog.org](mailto:main@capefearcog.org) or by mail to 1480 Harbour Dr, Wilmington, NC, 28401 at least 24 hours prior to the meeting will be presented to the Executive Committee. For further information Call 910-395-4553.*

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**EXECUTIVE COMMITTEE MEETING**

*June 13, 2022, • 11:00 AM*

**MINUTES**

**Executive Committee Present:**

Brenda Bozeman*	Mike Forte	Lamont Grate*	Julia Olson-Boseman*
Charlie Rivenbark*	Brent Watts*		

**Executive Committee Absent:**

Teresa Batts	George Brown	Jan Dawson
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**Other General Membership Delegates Present:**

John Gunter*	J. Alan Holden*	Glenn Marshall*	Ryan Merrill*
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**CFCOG Staff Present:**

Ginger Brick*	Patrick Flanagan	Judy Herring	Holly Pilson*
Wes MacLeod*	April Radford	Allen Serkin	Dawn Tucker

**Guest Present:**

Noel Fox\*

*This meeting was a remote meeting held during a declared emergency pursuant to N.C.G.S. §166A-19.24. Members and others who participated by simultaneous communication are indicated with an asterisk (\*).*

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**1. Call to Order, Welcome and Roll Call**

Mr. Forte called the meeting to order & welcomed everyone at 11:04 AM.

Mr. Serkin did roll call to confirm quorum. *Present: Ms. Bozeman, Mr. Forte, Ms. Olson-Boseman, Mr. Rivenbark, and Mr. Watts. Absent: Ms. Batts, Mr. Brown, Ms. Dawson, and Mr. Grate.*

**2. Invocation and Pledge**

Mr. Forte led the invocation and Pledge of Allegiance.

**3. Approval of Agenda**

Mr. Forte if there were any changes to the agenda. Being none, the agenda was approved.

**4. Public Comments**

There were no public comments.

**5. Approval of Minutes**

Mr. Forte asked if there were any corrections to the minutes. Motion by Mr. Rivenbark, second by Ms. Bozeman, to approve the May 9, 2022, minutes as written. The motion carried unanimously by roll call vote. *Ayes: Ms. Bozeman, Mr. Forte, Ms. Olson-Boseman, Mr. Rivenbark, and Mr. Watts. Nays: None. Absent: Ms. Batts, Mr. Brown, Ms. Dawson, and Mr. Grate.*

**6. Public Hearing: FY 2022-2023 Budget Ordinance**

Mr. Forte opened the public hearing and asked if there were any questions about the budget ordinance. Being none, Mr. Forte closed the public hearing.

## **7. Finance Report**

Mr. Tucker presented the Budget Report through April 30, 2022. There were no questions. Motion by Ms. Bozeman, seconded by Ms. Olson-Boseman, to approve the Budget Report carried unanimously by roll call vote. *Ayes: Ms. Bozeman, Mr. Forte, Ms. Olson-Boseman, Mr. Rivenbark, and Mr. Watts. Nays: None. Absent: Ms. Batts, Mr. Brown, Ms. Dawson, and Mr. Grate.*

Ms. Tucker presented the Budget Ordinance Amendment #6. There were no questions. Motion by Mr. Forte, second by Ms. Olson-Boseman, to approve budget ordinance amendment #6 carried unanimously by roll call vote. *Ayes: Ms. Bozeman, Mr. Forte, Ms. Olson-Boseman, Mr. Rivenbark, and Mr. Watts. Nays: None. Absent: Ms. Batts, Mr. Brown, Ms. Dawson, and Mr. Grate.*

### ***Mr. Grate joined the meeting at 11:15AM***

Mr. Serkin presented the FY22/23 Budget Ordinance. There were no questions. Motion by Ms. Olson-Boseman, second by Mr. Rivenbark, to approve the Budget Ordinance carried unanimously by roll call vote. *Ayes: Ms. Bozeman, Mr. Forte, Ms. Olson-Boseman, Mr. Grate, Mr. Rivenbark, and Mr. Watts. Nays: None. Absent: Ms. Batts, Mr. Brown, and Ms. Dawson.*

## **8. Staff Reports**

Mr. Serkin presented the Executive Director Report and Contract Summary. There were no questions.

Ms. Pilson presented the Area Agency on Aging report. There were no questions.

*Ms. Herring joined the meeting in person at 11:19AM.*

Ms. Herring presented the Continuum of Care report. Ms. Herring and Mr. Serkin addressed questions from the Executive Committee.

Mr. MacLeod presented the Local Government Services report. There were no questions.

Ms. Brick presented the Workforce Development report. Mr. Serkin spoke about the approaching Workforce Development realignment deadline. There were no questions.

## **9. Forum Update**

Mr. Serkin and Mr. Gunter presented the Forum Update.

## **10. Chairman and Member Comments**

Mr. Forte stated his appreciation for all the work put into the proposed budget.

Mr. Rivenbark asked about the CFCOG liability in possible shortcoming of the COC HUD contracts.

Mr. Gunter informed the board the Topsail Beach Manager is retiring, and the new Manager will be Doug Shipley.

## **11. Adjournment**

Mr. Rivenbark motioned to adjourn the meeting. Meeting adjourned at 11:53PM.

Respectfully submitted,

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April D. Radford, Clerk to the Board

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Mike Forte, Chairman

**CAPE FEAR COUNCIL OF GOVERNMENTS**  
Cash Balance and  
Budget/Expenditure Comparison  
FY 2021-2022 (as of June 30, 2022) **UNAUDITED**

**Cash Balance**

Cash Balance in Bank	243,185
North Carolina Cash Management Investments	1,121,894
Total Cash on Hand	\$ 1,365,078

**Budget & Actual Revenues**

Departments	Adjusted Budget	Jul - June Revenues	Reserve Balance	Remaining Budget	Percent Received
Continuum of Care	\$ 646,247	\$ 410,768	\$ 86,827	\$ 148,652	73%
Local Gov Services	\$ 2,018,162	460,002	1,302,250	255,910	64%
Area Agency on Aging	\$ 8,416,797	5,780,523	2,117,224	519,049	92%
Workforce Development	\$ 6,235,082	4,002,403	1,058,944	1,173,735	77%
General Fund	42,000	187,104		(145,104)	445%
<b>Total Revenues</b>	<b>\$ 17,358,287</b>	<b>\$ 10,840,800</b>	<b>\$ 4,565,245</b>	<b>\$ 2,097,346</b>	<b>85%</b>

**Budget & Actual Expenditures**

Departments	Beginning Budget	Jul - June Expenditures	Reserve Balance	Remaining Budget	Percent Expended
Continuum of Care	\$ 85,000	\$ 85,000		\$ -	100%
COVID Motel Shelter Program	65,130	35,179		29,951	54%
NHC-Non-County Agency Funding	27,000	23,509		3,491	87%
ESG - CARES	135,108	91,954		43,154	68%
ESG - HMIS	254,559	107,666	74,412	72,482	60%
ESG - ADM	23,724	20,627		3,097	87%
HUD - PLANNING	55,727	43,312	12,415	-	100%
<b>Continuum of Care</b>	<b>646,247</b>	<b>407,246</b>	<b>86,827</b>	<b>152,175</b>	<b>73%</b>
Planning Services	777,628	334,613	423,500	19,515	94%
Rural Planning Org	235,969	161,370		74,599	68%
MOTSU Follow Up	35,380	12,901		22,479	36%
LGS Special Projects	301,500	6,684	294,816	-	100%
LGS-ARPA	593,750	9,615	583,935	200	98%
EDA Disaster Recovery	27,920	27,920		0	100%
EDA CARES	46,015	46,015		-	100%
<b>Local Gov Services</b>	<b>2,018,162</b>	<b>599,119</b>	<b>1,302,250</b>	<b>116,792</b>	<b>84%</b>
Aging Planning & Admin.	398,294	370,882		27,412	93%
Ombudsman & Elder Abuse	221,185	221,185		-	100%
Project Care	109,000	109,000		-	100%
Family Caregiver Support	118,113	118,113		-	100%
AAA Funds to Counties	4,258,632	4,220,482		38,150	99%
COVID-19 Vaccine Funds	87,047	84,615		2,432	97%
AAA CARES	522,676	521,881		795	100%
AAA SAA	277,854	173,623		104,231	62%
AAA ARP	2,423,996	29,840	2,117,224	276,932	10%
<b>Area Agency on Aging</b>	<b>8,416,797</b>	<b>5,849,621</b>	<b>2,117,224</b>	<b>449,951</b>	<b>93%</b>
WIOA - Admin	580,465	320,124	203,510	56,831	85%
WIOA - Adult	1,975,235	1,349,979	180,411	444,845	75%
WIOA - Dislocated Worker	1,252,079	910,785	47,002	294,292	76%
WIOA - IWTG	67,925	11,458	40,418	16,049	42%
WIOA - Youth	2,076,204	1,241,857	587,603	246,744	83%
WIOA-IFA	88,057	88,057		-	100%
WIOA-NDWG COVID	103,731	49,400		54,331	48%
WIOA-Finish Line Grant	91,386	31,103		60,283	34%
<b>Workforce Development</b>	<b>6,235,082</b>	<b>4,002,763</b>	<b>1,058,944</b>	<b>1,173,375</b>	<b>77%</b>
General Operations	42,000	11,481	-	30,519	27%
<b>General Fund</b>	<b>42,000</b>	<b>11,481</b>	<b>-</b>	<b>30,519</b>	<b>27%</b>
<b>Total Expenditures</b>	<b>\$ 17,358,287</b>	<b>\$ 10,870,230</b>	<b>\$ 4,565,245</b>	<b>\$ 1,922,812</b>	<b>85%</b>
Administration	446,737	400,285	-	46,452	90%

\*Administrative costs are allocated to and included in the department, program or project budgets.

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**CAPE FEAR COUNCIL OF GOVERNMENTS  
FISCAL YEAR 2022-2023 BUDGET ORDINANCE AMENDMENT #1**

**WHEREAS**, the Cape Fear Council of Governments (Council) is a regional council of governments organized pursuant to N.C.G.S. 160A-470 through 478;

**WHEREAS**, the Council is designated by the State of North Carolina as the Lead Regional Organization for Region O, serving Brunswick, Columbus, New Hanover, and Pender counties;

**WHEREAS**, the Executive Committee is the governing board of the Council;

**WHEREAS**, a regional council of governments is a public authority subject to N.C.G.S. 159, Article 3, the Local Government Budget and Fiscal Control Act; and

**WHEREAS**, N.C.G.S. 159-8(a) requires a public authority to operate under an annual balanced budget ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by Executive Committee of the Cape Fear Council of Governments that the budget ordinance for the fiscal year beginning July 1, 2022 and ending June 30, 2023 is hereby amended as follows:

**SECTION 1:** The following General Fund appropriations and revenues are amended as follows:

	<b>Original Budget</b>	<b>Amendment #1</b>	<b>Amended Budget</b>
<b>Expenditures by Department:</b>			
Local Governments Services	\$1,001,023		\$1,001,023
Aging Services	7,712,096	106,663	\$7,818,759
Workforce Development	5,371,546		\$5,371,546
Homeless Continuum of Care	660,870	845	\$661,715
General Government	42,000		\$42,000
General Fund Total Expenditures	<u>\$14,787,535</u>	<u>\$107,508</u>	<u>\$14,895,043</u>

<b>Revenues by Source:</b>			
Federal	\$343,143		\$343,143
Fed/State Pass Thru	13,645,318	106,663	\$13,751,981
State	48,263		\$48,263
Member Assessment	42,000		\$42,000
Local Aging Share	81,234		\$81,234
Local LGS Share	60,336		\$60,336
Local COC Share	150,000	845	\$150,845
Fee-For-Service	417,241		\$417,241
General Fund Total Revenues	<u>\$14,787,535</u>	<u>\$107,508</u>	<u>\$14,895,043</u>

**SECTION 2:** The Budget Officer is hereby authorized to transfer appropriations within any of the parts in Section 1 without the approval of the Executive Committee.

Adopted this 8th day of August 2022.

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Mike Forte, Chairman

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April D. Radford, Clerk



**Cape Fear Council of Governments**  
**Contracts Entered 6/8/22-8/2/22**

Dept.	Program	Contract Name or Description	Other Party	\$ to CFCOG	\$ to Other Party	Funding Availability Clause (Y/N)	Prior Reimbursement Clause (Y/N)	CFCOG Matching Funds (Y/N)
AAA	HCCBG	New Hanover Co. Block Grant Amendment #1	New Hanover Co	\$ -	\$ 82,236	Y	N	N
CoC	ESG-CV	COVID Emergency Solutions Grant Extension	NCDHHS DAAS	\$ -	\$ -	NA	NA	NA
AAA	Project CARE	Project C.A.R.E. FY 2022-2023	NC DAAS	\$ 109,000	\$ -	NA	NA	N
WFD	Formula	Two Hawk WIOA Youth Amendment #1	Two Hawk Employment Services	\$ -	\$ -	Y	N	N
CoC	COVID 19	New Hanover Co. COVID-19 Emergency Shelter Funding	New Hanover County	\$ 34,000	\$ -	NA	NA	N
LGS	LGS	Topsail Beach Planning and Zoning Services Annual Retainer	Town of Topsail Beach	\$ 10,000	\$ -	NA	NA	N
AAA	OAA	Area Agency on Aging NGA FY 2022-2023	NC DAAS	\$ 4,499,683	\$ -	NA	NA	Y
AAA	OMB Legal	Ombudsman New Hanover Co. Legal Representation	New Hanover County	\$ -	\$ -	N/A	N/A	N/A
LGS	LGS	St. Helena Comprehensive Land Use Plan	Village of St. Helena	\$ 10,000	\$ -	N/A	N/A	N
LGS	LGS	Carolina Beach Unified Development Ordinance	Town of Carolina Beach	\$ 72,000	\$ -	N/A	N/A	N
LGS	LGS	Sunset Beach Planning and Zoning Services Annual Retainer	Town of Sunset Beach	\$ 15,000	\$ -	N/A	N/A	N
WFD	A/DW/Youth	Career Center Print Templates Annual License Agreement	Winnow Creative, LLC		\$ 1,000	N	N	N
LGS	LGS	Calabash Town Ordinance Updates	Town of Calabash	\$ 8,500	\$ -	N/A	N/A	N
AAA	HCCBG	Columbus Co. Block Grant	Columbus Co	\$ -	\$ 522,913	Y	N	N
<b>TOTAL</b>				<b>\$ 4,758,183</b>	<b>\$ 606,149</b>			

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**Cape Fear Council of Governments (CFCOG) Policy Number P-COG-008-2022**

**Subject:** CFCOG Nondiscrimination Policy

**Purpose:** The purpose of this policy is to ensure compliance with applicable laws and regulations as it relates to Nondiscrimination and Equal Opportunity for the administration of federal funds.

**Recitals:** **WHEREAS**, the Cape Fear Council of Governments (CFCOG) receives a variety of federal funding, either directly or through other agencies; and

**WHEREAS**, federal funds are subject to a variety of nondiscrimination and equal opportunity regulations for activities supported in whole or in part by federal funds; and

**Policy:** It is the policy of the CFCOG, as a recipient of federal financial assistance, to ensure that no person shall be discriminated against on the following basis: Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, and for beneficiaries only, citizenship or participation in any federally assisted program or activity.

The CFCOG shall follow all federal statutes and regulations prohibiting discrimination in its administration of federal funds under the terms and conditions of funding awards, including, but not limited to, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin within programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving Federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance;

- v. Nondiscrimination and Equal Opportunity provisions of the Workforce Innovation and Opportunity Act (WIOA) contained in 29 CFR Part 38; and
- vi. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

The CFCOG shall ensure that each “activity,” “facility,” or “program”<sup>1</sup> that is funded and administered in whole, or in part, with federal funds will be facilitated, operated, or conducted in compliance with the applicable federal statutes and federal regulations prohibiting discrimination.

The following discriminatory practices are prohibited in the administration of federally awarded funds:

1. Denying to a person any service, financial aid, or other program benefit without good cause;
2. Providing to a person any service, financial aid, or another benefit which is different in quantity or quality, or is provided in a different manner, from that provided to others under the program.
3. Subjecting a person to segregation or separate treatment in any matter related to the receipt of any service, financial aid, or other benefit under the program;
4. Restricting a person in the enjoyment of any advantages, privileges, or other benefits enjoyed by others receiving any service, financial aid, or other benefit under the program;
5. Treating a person differently from others in determining whether that person satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition which persons must meet to be provided any service, financial aid, or other benefit provided under the program;

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<sup>1</sup> 22 C.F.R. § 22.3 defines “program” and “activity” as all operations of an entity, including local governments, that receive Federal financial assistance, and the departments, agencies, or special purpose districts of the local governments to which Federal financial assistance is distributed. “Federal financial assistance” includes, among other things, grants and loans of federal funds. “Facility” includes all or any part of structures, equipment, or other real or personal property or interests therein, and the provision of facilities includes the construction, expansion, renovation, remodeling, alteration, or acquisition of facilities.

6. Implementing different standards, criteria, or other requirements for admission, enrollment, or participation in planning, advisory, contractual, or other integral activities to the program;
7. Adopting methods of administration which, directly or through contractual relationships, would defeat or substantially impair the accomplishment of effective nondiscrimination;
8. Selecting a site or location of facilities with the purpose or effect of excluding persons from, denying them the benefits of, subjecting them to discrimination, or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of Title VI or related acts and regulations;
9. Discriminating against any person, either directly or through a contractual agreement, in any employment resulting from the program, a primary objective of which is to provide employment;
10. Committing acts of intimidation or retaliation, including threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by any pertinent nondiscrimination law, or because an individual made a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing.

The following reporting and enforcement measures are to be followed in the administration of federally awarded funds:

1. The CFCOG shall cooperate in any enforcement or compliance review activities by federal governing agencies, including but not limited to, the Department of Treasury and Department of Labor. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The CFCOG shall comply with information requests, on-site compliance reviews, and reporting requirements.
2. The CFCOG shall maintain a complaint log and inform the applicable federal governing agency of any complaints of discrimination on the grounds listed in the previous sections. The CFCOG will provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome.
3. Any person who believes they have been aggrieved by a discriminatory practice has a right to file a formal complaint with the appropriate

governing agency. Any such complaint must be in writing and filed with appropriate agency within 180 days following the date of the alleged discriminatory occurrence.

4. Any person who believes that he/she/they have been discriminated against or unfairly treated by the CFCOG in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence:

Cape Fear Council of Governments  
ATTN: Allen Serkin, Executive Director  
1480 Harbour Drive  
Wilmington, NC 28401

Where a specific program or award imposes additional requirements, those additional requirements will be applied in compliance with that award.

This policy was approved by the CFCOG Executive Board on August 8, 2022.

**Effective Date:** August 8, 2022  
**Expiration Date:** Indefinite  
**Approved By:** Allen Serkin, Executive Director  
**Distribution:** CFCOG Executive Board  
CFCOG Staff