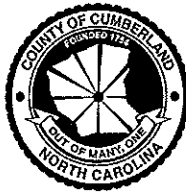


MARSHALL FAIRCLOTH  
Chairman

JIMMY KEEFE  
Vice Chairman

JEANNETTE M. COUNCIL  
KENNETH S. EDGE  
CHARLES E. EVANS  
BILLY R. KING  
EDWARD G. MELVIN



CANDICE WHITE  
Clerk to the Board

KELLIE BEAM  
Deputy Clerk

**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

**BOARD OF COMMISSIONERS**

**MEMORANDUM**

TO: Policy Committee Members (Commissioners Council, Keefe, and Evans)  
FROM: Kellie Beam, Deputy Clerk to the Board *KB*  
DATE: October 18, 2012  
SUBJECT: Policy Committee Meeting – November 1, 2012

**There will be a regular meeting of the Policy Committee on Thursday, November 1, 2012 at 10:30 AM in Room 564 of the Cumberland County Courthouse.**

**AGENDA**

1. Approval of Minutes – October 4, 2012 **(Pg. 2)**
  2. Discussion on Proposed Print Management Policy **(Pg. 8)**
  3. Discussion of the County's Flexibility with Regard to Purchases Subject to Informal Bid Requirement **(Pg. 11)**
  4. Discussion on Policy for Public Use of the Courtroom in the Historic Courthouse **(Pg. 13)**
  5. Discussion on Policy for Placing a Matter on the Agenda of the Policy Committee and Other Committees **(Pg. 16)**
  6. Discussion of Board of Commissioners Meetings that Fall on a National Holiday **(Pg. 19)**
  7. Other Matters of Business **(No Materials)**
- cc: Board of Commissioners  
Administration  
Legal  
Communications Manager  
County Department Head(s)  
Sunshine List

## DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE  
 NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
 OCTOBER 4, 2012 – 10:30 A.M.  
 MINUTES

MEMBERS PRESENT: Commissioner Jeannette Council, Chairman  
 Commissioner Charles Evans  
 Commissioner Jimmy Keefe

OTHER COMMISSIONERS  
 PRESENT:

Commissioner Kenneth Edge  
 Commissioner Ed Melvin (left at 11:00 a.m.)  
 Commissioner Marshall Faircloth (left at 12:10 p.m.)  
 Commissioner Billy King (left at 12:00 p.m.)

OTHERS PRESENT:

Amy Cannon, Deputy County Manager  
 James Lawson, Assistant County Manager  
 Rick Moorefield, County Attorney  
 Phyllis Jones, Assistant County Attorney  
 Howard Abner, Assistant Finance Director  
 Sally Shutt, Chief Public Information Officer  
 Jeffery Brown, Engineering and Infrastructure Director  
 Debbie Miller, Purchasing/Buyer  
 Thelma Matthews, Purchasing/Accounts Manager  
 Sharon Sanders, Veterans Services  
 Andrea Harris, NC Institute of Minority Economic  
 Development  
 Tony Dodson, NC Institute of Minority Economic  
 Development  
 Bridget Wall-Lennon, Director of Office for HUB  
 Val Applewhite, Fayetteville City Council  
 Bill Crisp, Fayetteville City Council  
 Susan Monroe, Cumberland Regional Improvement  
 Corporation  
 Augustus Webber, Cumberland Regional Improvement  
 Corporation  
 Rev. Rosie McMillan, Citizen  
 Candice White, Clerk to the Board  
 Kellie Beam, Deputy Clerk to the Board  
 Press

Commissioner Council called the meeting to order.

# DRAFT

Amy Cannon, Deputy County Manager, requested Item 6 – Discussion on Proposed Print Management Policy be removed from the agenda and tabled until the November 1, 2012 meeting of the Policy Committee.

## 1. APPROVAL OF MINUTES – JUNE 7, 2012

MOTION: Commissioner Keefe moved to approve the minutes as presented.

SECOND: Commissioner Council

VOTE: UNANIMOUS (3-0)

Commissioner Evans asked that Item 2 – Discussion on Economic Development for Minorities and Women and Item 3 – Discussion on Purchasing Opportunities for Local Businesses be consolidated to one agenda item and renamed Consideration of the Hire Fayetteville/Cumberland County First Job Creation Policy Information. Commissioner Keefe stated he would like Item 2 and Item 3 to remain separate because he placed Item 3 – Discussion on Purchasing Opportunities for Local Businesses on the agenda.

## 2. DISCUSSION ON ECONOMIC DEVELOPMENT FOR MINORITIES AND WOMEN

Commissioner Evans stated he would first like to applaud Cumberland County for establishing a local preference for purchasing goods and services and Commissioner Keefe for promoting local preference. Commissioner Evans stated the City of Fayetteville City Council recently adopted the “Hire Fayetteville First Job Creation Policy” and the goal of the policy is to create economic opportunity for Fayetteville and Cumberland County businesses and to support job creation. Commissioner Evans further stated the policy would be implemented by using the City of Fayetteville’s spending power in a manner that would promote fiscal responsibility and maximize the effectiveness of local tax dollars by ensuring that the city’s spending for goods and services provide business opportunities to Fayetteville and Cumberland County and historically underutilized businesses as measures to support our local economy. Commissioner Evans stated he feels the county’s current policy is a notable start but does not go far enough. Commissioner Evans further stated the city’s policy encourages utilization of locally owned businesses and specifically includes veterans, women, minorities and disabled-owned businesses.

Commissioner Evans stated he recommends the definition of a local business means a business with a principle place of business in Cumberland County and the business must be headquartered or have an established place of business in Cumberland County in which 20% or more of the business work force are residents of Cumberland County. Commissioner Evans stated he would like to see the county’s performance monitored with respect to utilizing locally owned businesses, especially for veteran, women, minority and disabled-owned businesses. Commissioner Evans stated he would also like

## DRAFT

to see a joint disparity study conducted to include Cumberland County, City of Fayetteville, Board of Education, PWC, educational institutions and major medical centers. Commissioner Evans stated during these tough economic times he would like to demand that everyone in local government do everything in their power to support locally owned small businesses.

Commissioner Evans asked Fayetteville City Council Member Val Applewhite to explain what the City of Fayetteville adopted and how it would benefit county government. Ms. Applewhite stated the main focus is economic development and job creation and the Fayetteville City Council adopted the "Hire Fayetteville First Job Creation Policy" with a goal to look internally at what the city can do with their own spending dollars to improve economic development and job creation in Cumberland County. Ms. Applewhite stated the city would like to see money infused back into the local economy through local businesses to give them the opportunity to expand or hire and create jobs internally in Cumberland County. Ms. Applewhite stated she would also like to see the City of Fayetteville and Cumberland County partner together to have a joint disparity study conducted and adopt a joint policy to support local businesses. Ms. Applewhite stated the goal would also be to use joint spending dollars to create more jobs in this community by supporting local businesses.

Bill Crisp, Fayetteville City Council Member, stated the city has not kept a good track record of where their dollars have gone and the economic impact of those dollars. Mr. Crisp stated the "Hire Fayetteville First Job Creation Policy" will include Cumberland County and not just the City of Fayetteville.

Commissioner Council stated she applauds the City of Fayetteville's efforts and feels the city is following the lead Cumberland County set. Commissioner Council further stated she would like to continue to receive information from the City of Fayetteville on the policy.

Commissioner Evans asked if the county keeps track of the money spent on local businesses in Cumberland County. Ms. Cannon stated that Cumberland County does keep track of money spent on local businesses and this information can even be sorted by zip code. Ms. Cannon further stated the Cumberland County Finance Department is working on developing an additional monitoring system to keep track of more specific information in dealing with local businesses.

Commissioner Keefe stated he feels it is important to define what constitutes a minority. Andrea Harris, North Carolina Institute of Minority Development, stated the definition of minority comes from the results of a disparity study because the study is based on everyone that does business with the county.

Commissioner Council stated she appreciated everyone attending the meeting and would like for the City of Fayetteville to keep Cumberland County informed throughout the process.

# DRAFT

## 3. DISCUSSION ON PURCHASING OPPORTUNITIES FOR LOCAL BUSINESSES

Commissioner Keefe stated he would like to briefly discuss purchasing opportunities for local businesses. Commissioner Keefe further stated he was interested in Executive Order #50 issued by Governor Perdue and asked what options the county had to implement Executive Order #50 on a local level. Rick Moorefield, County Attorney, stated for informal bids between \$0 and \$90,000, the county already has similar flexibility. Commissioner Keefe asked Mr. Moorefield to get clarification on informal bids.

Ms. Cannon stated the latest information she has been given by Cumberland County Purchasing is that roughly 61% of the county's expenditures are local when you take out payments to the school system and Fayetteville Technical Community College. Ms. Cannon further stated some county purchases will never be with local businesses, especially when it related to computer software and maintenance, which is a major expense to the county.

## 4. CONSIDERATION OF PROPOSED REVISED NOISE ORDINANCE REQUESTED BY SHERIFF BUTLER

Mr. Moorefield stated the existing noise ordinance is enforced by the Sheriff's Office and the current enforcement mechanisms are not working. Mr. Moorefield stated the Sheriff's Office is asking the Board of Commissioners to adopt the proposed revised noise ordinance.

MOTION: Commissioner Council moved to approve the proposed revised noise ordinance as presented by the county attorney.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

## 5. DISCUSSION ON PUBLIC USE OF COUNTY-OWNED FACILITIES POLICY WITH SEPARATE DISCUSSION ON THE USE OF HISTORIC COURTHOUSE

Commissioner Keefe stated there has been an ongoing discussion about the public use of county-owned facilities. Commissioner Keefe stated he would like to discuss having a separate policy on the use of the Historic Courthouse because a lot of money has been spent to renovate the Historic Courthouse and he does not feel it should be restricted from public use that would not be in line with the reason the courthouse was renovated in the first place. Commissioner Keefe stated he feels the Historic Courthouse should not be used for political or religious events but should be available to the public for other community events.

## DRAFT

Commissioner Evans asked if there would be a fee charged for individuals requesting to use the Historic Courthouse. Commissioner Keefe stated he feels there should be a fee charged to pay for additional staffing and other costs involved with the use of the building. Commissioner Evans stated he feels citizens should be entitled to use the facility and wants to make sure the fee is reasonable.

Mr. Moorefield stated he would draft a policy for the committee's consideration that would allow non-religious and non-political use of the Historic Courthouse subject to a fee.

6. DISCUSSION ON PROPOSED PRINT MANAGEMENT POLICY – TABLED UNTIL NOVEMBER 1, 2012 MEETING

7. REPORT ON COUNTY HUMAN SERVICE DEPARTMENTS EMPLOYMENT APPLICATION

Phyllis Jones, Assistant County Attorney, stated at the June Policy Committee meeting, the Policy Committee requested staff to research the issue of whether county departments that fall under the State Personnel Act (SPA) and use the state job application could be required to use the county job application or whether the departments even have that option. Ms. Jones noted county departments that fall under the SPA are the Department of Social Services, Mental Health and Public Health.

Ms. Jones stated the North Carolina Administrative Code provides that "persons applying for a local vacancy must complete and submit the official application form designated by the hiring authority and approved by the reviewing state agency". Ms. Jones further stated the hiring authority for each department with employees subject to the SPA is the director of the agency. Ms. Jones stated the statutes and code provision lead her to the conclusion that the director of each county department subject to the SPA may choose the application form required of applicants so long as the choice is approved by the reviewing state agency.

James Lawson, Assistant County Manager, stated Mental Health and Department of Social Services are still using the state application at this time and Public Health is using the county application.

8. CONSIDERATION OF APPROVAL OF THE RULES AND REGULATIONS OF THE CUMBERLAND COUNTY PUBLIC UTILITIES DIVISION

Jeffery Brown, Engineering and Infrastructure Director, stated the purpose of the Rules and Regulations is to set uniform requirements for all Cumberland County Water Districts. Mr. Brown stated the Rules and Regulations also establish the rate schedule, billing policy and connections fees for the connected and non-connected users in the District. Mr. Brown explained the Rules and Regulations are needed to create guidelines and procedures for both the county and customers to adhere to.

## DRAFT

Mr. Brown stated construction in the Southpoint area will begin soon and the Public Utilities Division would like the Rules and Regulations to be established prior to construction in order for customers to project the cost of their future water bills. Mr. Brown stated he feels that having the Rules and Regulations in place prior to construction will allow potential customers to make a more informed decision about connecting to the system.

Mr. Brown stated he and county management recommend that the Policy Committee approve the Rules and Regulations and place it on the October 15, 2012 Board of Commissioner's agenda for consideration of adoption.

MOTION: Commissioner Council moved to approve the Rules and Regulations of the Public Utilities Division as presented.

SECOND: Commissioner Keefe

VOTE: UNANIMOUS (3-0)

### 9. OTHER ITEMS OF BUSINESS

Commissioner Council stated she would like any proposed agenda items to be submitted in writing before they are placed on the agenda in order to clear up any confusion on the agenda.

MEETING ADJOURNED AT 12:20 PM

**County of Cumberland  
Policies & Procedures**

Subject: Cumberland County Print Management Policy

Policy No. \_\_\_\_\_ Revision No. \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_  
County Attorney County Manager

### 1.0 Purpose

The purpose of this policy is to implement a uniform and consistent approach to the allocation, access and usage of printing devices for business purposes with the intent of reducing costs, creating a sustainable strategy, and improve business efficiencies.

### 2.0 BACKGROUND

Printing documents and other materials is an essential business function for maintaining records, reporting and other communication requirements. While printing is necessary in certain circumstances, it should be limited and carried out in an efficient manner. Multi-function devices (MFDs) are more cost effective to operate than printers; therefore, the provision of printers must be based on business need. All staff should be encouraged to consider the need to print and should consider using or storing electronic copies where possible.

### 3.0 Scope

This policy applies to all employees of Cumberland County. This policy covers all printing devices and multi-functional devices (MFDs) owned or utilized by Cumberland County.

### 4.0 Policy

- 4.1 Requests for printer approval will only be allocated to an individual or work group in exceptional circumstances, based on a business need substantiated and recommended by the Department Head/Director, justified by the respective IT Department, reviewed by County IT and approved by County Management.
- 4.2 The procurement card program guidelines prohibit the use of County credit cards for the purchase of printers and printer supplies.



## **5.0 ACCESS AND USAGE**

- 5.1 Printers should be used for business purposes only. Only the necessary pages in the document are to be printed and double sided printing is to occur where possible.
- 5.2 Network printers will be made available to staff within close proximity to their work area.
- 5.3 A MFD should be used in preference to printers when producing a large number of copies. Substantial copies exceeding a volume of 500 should be directed to the County Print Shop.
- 5.4 Black-and-white prints should be made in preference to color prints.
- 5.5 The IT Department can work with the unit to create pass codes to release confidential information routed to MFDs upon request.
- 5.6 All MFDs have "scan to email" and "scan to folder" functions available which may limit hardcopies and manual distribution.

## **6.0 COLOR PRINTS**

- 6.1 Access to color prints will be allocated to staff identified by the Department Head/Director to process work related color print jobs.
- 6.2 MFDs with color copying/printing capability will be set to print in black-and-white only, with the ability to change the default setting for color printing allocated to the identified staff through an access code.
- 6.3 Documents, when deemed necessary, can be printed by the identified staff in color. In these circumstances, the following should occur:
  - Only the necessary pages in the document be printed in color
  - Color printing only be utilized where it is required to convey important information that may not be captured in black and white.

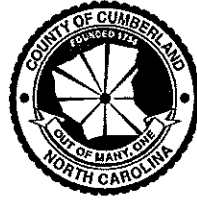
## **7.0 PROCUREMENT**

- 7.1 All printers must be purchased in accordance with Cumberland County Finance guidelines.
- 7.2 Requests for the purchase and allocation of printers will require the completion of a printer request form.
- 7.3 A printer request form should be completed by the requesting Department Head/Director which will substantiate the business purpose for the request. The completed form should then be provided to the respective IT department for justification prior to submission to County IS for review and to County Management for approval.

## **8.0 IMPLEMENTATION**

Existing Personal/Desktop printers may be continued to be used until they no longer work or existing printer supplies such as toner are depleted. Cumberland County Information Services and Departmental Information Services Department will audit the location and volume of all existing printers and make recommendations based on the criteria outlined in the policy. Department Heads and Directors are responsible for ensuring compliance within the provisions of this policy.

RICKEY L. MOOREFIELD  
County Attorney



PHYLLIS P. JONES  
Assistant County Attorney

**OFFICE OF THE COUNTY ATTORNEY**

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

**MEMO FOR THE AGENDA OF THE  
NOVEMBER 1, 2012 MEETING OF THE POLICY COMMITTEE**

**TO:** Policy Committee; Co. Manager; Dep. Co. Manager; Thelma Matthews  
**FROM:** Co. Atty. *R. Moorefield*  
**DATE:** October 23, 2012  
**SUBJECT:** Discussion of the County's Flexibility with Regard to Purchases Subject to Informal Bid Requirement

**Requested by:** Commissioner Keefe  
**Estimate of Committee Time Needed:** 15 mins.

**BACKGROUND:**

At the October 4, 2012 meeting of the Policy Committee, Commissioner Keefe asked the county attorney to clarify the county's flexibility with regard to purchases subject to the statutory informal bid procedure. This request was made in the context of a larger discussion of the county's implementation of its local preference policy for purchasing.

**DISSCUSSION:**

G.S. 143-131 requires that the purchase or "lease-purchase" of apparatus, supplies, materials and equipment between the amounts of \$30,000 and \$90,000 per transaction, be made subject to the informal bid procedure. The informal bid procedure requires that bids be solicited and received for these purchases. Unlike formal bidding, there is no requirement that the request for bids be advertised, that there be a minimum number of bids or that the bids be sealed. There is not even a requirement that the bids be in writing, but the county must keep a written record of the bids and these bids are not public records until after the bid is awarded. Even though the informal bid procedure is not at all like the formal bid procedure, the two approaches do share the same standard for awarding a contract. The contract must be awarded to the lowest responsive, responsive bidder.

Commissioner Keefe is particularly interested in the extent to which the county can implement a local preference policy for purchases subject to the informal bid requirement. It is clear that the county cannot declare local vendors to be more responsible than non-local bidders and proceed on that basis to only consider local bidders. Also, the statutory prohibition against public disclosure of informal bid records is to avoid a bidder having access to the bids already received. Thus the county is prohibited from reporting the bids received to a preferred local bidder with the

hope that the preferred local bidder will beat the bid price already received. For these reasons, the county could not offer any preferential treatment or advantage to only local bidders.

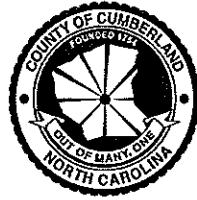
Since the county does have the statutory option to reject all bids and since purchases subject to informal bids do not have to be advertised, the county can solicit a second round of bid proposals only from the lowest bidders including the lowest local vendor and each bidder lower than the lowest local bid. Although this will not insure that a local vendor will ultimately provide the lowest bid, it does give the local vendor, and any vendors with lower bids, a second chance to do so and with the understanding that each of them must provide the very best price that each can. Where the spread between the lowest local bid and the lowest bid is not very great, this could be a useful tool to promote local bidding opportunities. Where there is a substantial difference in the spread, this would likely not produce a different result. This approach could be incorporated into the local preference policy with established criteria as to when a second round of bids would be obtained.

Another method which may shortcut the informal bidding process and produces the same result as obtaining a second round of bids is the reverse auction bid process authorized by G.S. 129.9. A "reverse auction" means a real-time purchasing process in which bidders compete to provide goods at the lowest selling price in an open and interactive environment. The bidders' prices may be revealed during the reverse auction. Under this process every bidder can see every other bid and the bidding continues until the deadline for receiving bids is reached. Again, this process will not insure that a local vendor will provide the lowest bid but it does offer local bidders the opportunity to see first-hand what bid will be needed to compete.

**RECOMMENDATION/PROPOSED ACTION:**

Consider whether to recommend any changes in the county's purchasing policy to the Board of Commissioners.

RICKEY L. MOOREFIELD  
County Attorney



PHYLLIS P. JONES  
Assistant County Attorney

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**MEMO FOR THE AGENDA OF THE  
NOVEMBER 1, 2012 MEETING OF THE POLICY COMMITTEE**

**TO:** Policy Committee; Co. Manager  
**FROM:** Co. Atty. *R. Moorefield*  
**DATE:** October 23, 2012  
**SUBJECT:** Policy for Public Use of the Courtroom in the Historic Courthouse

**Requested by:** Commissioner Keefe  
**Estimate of Committee Time Needed:** 15 mins.

**BACKGROUND:**

At the October 4, 2012 meeting of the Policy Committee, Commissioner Keefe requested that the Policy Committee consider a policy for the public use of the courtroom in the Historic Courthouse. Commissioner Keefe directed the county attorney to draft a policy which did not permit religious and political uses and included a reasonable fee. The county attorney considered the following issues in preparing the draft:

- the availability of privately-owned meeting facilities, such as the Sky Room on Hay Street only two blocks from the Historic Courthouse, the Pate Room at the library, and the meeting facilities available at the Crown Complex
- the need to protect the courtroom from potential damage
- the need for security during any function or event;
- the need to secure the building after any function or event

The proposed minimum and additional fees are based on the cost of providing two (2) deputies in an overtime status with a minimal charge for utilities. The proposed policy makes the courtroom available to all uses except for political and religious purposes, which are defined in the policy.

The proposed policy follows:

**1.0 PURPOSE**

The purpose of this policy is to establish the conditions under which the courtroom in the Historic Courthouse may be used by groups, organizations and agencies other than county government. This policy is intended to make this historically significant facility available for the use of the citizens of Cumberland County, to which it belongs.

## **2.0 SCOPE**

This policy shall apply to the use of the courtroom in the Historic Courthouse for any purpose by anyone other than county government or such other governmental agencies as the county may allow. Only the courtroom may be used. No other floors or portions of the Historic Courthouse shall be available for public use.

## **3.0 STATEMENT OF THE POLICY**

- 3.1 This policy shall be administered by a county employee whom the county manager shall designate as the facility manager for the Historic Courthouse.
- 3.2. The facility may not be used for any political or religious purpose. For the purposes of this policy a political purpose is any purpose, function or event that is sponsored by, on behalf of, or against any candidate for elected office, any political party, or any political action committee. For the purposes of this policy a religious purpose is any purpose, function or event that is intended to promote the beliefs, ideology or tenets of a particular religion, religious group or religious sect.
- 3.3 The facility may only be used for purposes, functions or events that are available to the general public, with or without an admission charge.
- 3.4 Any group, organization or agency wishing to use the facility shall make a written application to the facility manager at least thirty (30) days in advance of the requested use in such form as may be prescribed by the facility manager.
- 3.5 The facility shall only be made available during such times as it is not being used for government purposes by the county or such other governmental agencies as the county may allow.
- 3.6 No foods or beverages may be dispensed or consumed within the facility at any function or event permitted under this policy.
- 3.7 No products, goods or services intended for off-premises consumption shall be sold or distributed at any function or event permitted under this policy.
- 3.8 No materials deemed to be hazardous by the facility manager, in consultation with the Director of Emergency Management and the County Fire Marshal, shall be allowed in the facility.
- 3.9 The furniture and fixtures within the courtroom shall not be moved unless approved by the facility manager in advance and only in accordance with the conditions under which this approval is granted.

- 3.10 Adequate security shall be provided for any function or event for which the facility is used. The facility manager shall arrange for security through the Sheriff's Office and the cost of the on-duty or off-duty officers used for security shall be included in the facility charge.
- 3.11 A facility user fee shall be charged for each use of the facility. The fee is intended to cover the cost of utilities and security for each event. The fee shall be established by the Board of Commissioners from time to time. The minimum fee shall be \$200 for functions and events that do not exceed two (2) hours. An additional fee of \$100 per hour shall be charged for each hour a function or event exceeds two (2) hours. All fees shall be paid in advance with the application.

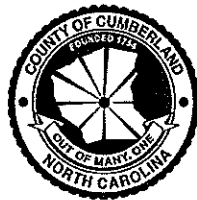
#### **4.0 IMPLEMENTATION**

Implementation of this policy shall be the responsibility of the county manager.

#### **RECOMMENDATION/PROPOSED ACTION:**

Consider whether to recommend the proposed policy to the Board of Commissioners.

RICKEY L. MOOREFIELD  
County Attorney



PHYLLIS P. JONES  
Assistant County Attorney

**OFFICE OF THE COUNTY ATTORNEY**

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**MEMO FOR THE AGENDA OF THE  
NOVEMBER 1, 2012 MEETING OF THE POLICY COMMITTEE**

**TO:** Policy Committee; Co. Manager  
**FROM:** Co. Atty. *R. Moorefield*  
**DATE:** October 23, 2012  
**SUBJECT:** Policy for Placing a Matter on the Agenda of the Policy Committee

**Requested by:** Policy Committee Chair Council  
**Estimate of Committee Time Needed:** 20 mins.

**NOTE:** Comm. Keefe has requested that an agenda policy also be developed for the other committees.

**BACKGROUND:**

After the October 4, 2012 meeting of the Policy Committee, Policy Committee Chair Council requested the county attorney to draft a policy for the placement of matters on an agenda of the Policy Committee. Chair Council's concern was to avoid another meeting at which a different topic was presented than the topic identified on the agenda, persons traveled from out-of-town to make a presentation without there being any notice that they were going to speak or what they were going to speak about, and matters were placed on the agenda by individual commissioners without regard for the time constraints of the meeting. After the notice for submission of matters for the agenda was sent out, Commissioner Keefe expressed that he also wanted an agenda policy developed for all the committees.

The county attorney has drafted a proposed policy just for application to the Policy Committee. If the Board of Commissioners desires to develop an agenda policy for each committee, the proposed policy can readily be adapted to the other committees.

The county manager commented that the requests of individual commissioners might have a higher priority than the requests of the county manager. The county attorney believes the priority should remain with the requests of individual commissioners being lower than the requests of the county manager for the reason that the county manager is generally an advocate for the full Board of Commissioners.

The proposed policy follows:



## **1.0 PURPOSE**

The purpose of this policy is to establish a standardized procedure for the placement of matters on the agenda for a meeting of the Policy Committee. The policy is intended to avoid circumstances in which the committee cannot reach all items placed on the agenda during the time allotted for the meeting, with the result that the participation by persons in attendance is frustrated. The policy is further intended to promote the efficient use of the county's resources, including staff time.

## **2.0 SCOPE**

This policy will apply to the placement of all matters on an agenda of the Policy Committee.

## **3.0 STATEMENT OF THE POLICY**

- 3.1 The clerk to the board shall be responsible for preparing and publishing the agenda for each meeting of the Policy Committee, subject to the further terms of this policy.
- 3.2 The clerk shall place matters on the agenda in the following order of priority:
  - 3.2.1 A matter which has been directed by a vote of the board of commissioners, regardless of the staff person presenting the matter;
  - 3.2.2 A matter which has been directed by a vote of either of the committees, regardless of the staff person presenting the matter;
  - 3.2.3 A matter which has been requested by the county manager, regardless of the staff person presenting the matter;
  - 3.3.4 A matter which has been requested by an individual commissioner, regardless of the staff person presenting the matter.
- 3.3 No persons or organizations other than those listed in Section 3.2 shall be allowed to request the placement of a matter on an agenda. All other persons or organizations wishing to request that a matter be placed on an agenda may do so through the county manager or an individual commissioner, subject to the willingness of the county manager or an individual commissioner to do so.
- 3.4 No matter shall be placed on the agenda unless it is supported with a memorandum signed by the county manager or a person who will present the matter. The memorandum shall provide the following:
  - 3.4.1 A statement of sufficient background information for the committee members to understand the reason the committee is being requested to consider the matter;
  - 3.4.2 A concise statement of what is being requested of the committee;

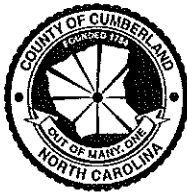
- 3.4.3 The identity of who is requesting the matter;
  - 3.4.4 The identity of every person other than a staff person who will address the committee about the matter; and
  - 3.4.5 An estimate of the amount of time it will take the committee to consider the matter.
- 3.5 The clerk shall only place the number of matters on the agenda which can be considered in the one hour of time allotted for a committee meeting using the time estimates stated in the memorandum for each matter and the priorities established in Section 3.2.
- 3.6 The clerk shall establish and publish the deadline for the submission of matters for each agenda.
- 3.7 At each meeting, the clerk shall advise the committee of any matters that were not placed on that meeting's agenda due to the time limitation. The committee may vote to direct that such matters be placed on the next available agenda. If the committee does not vote to direct the placement of those matters on the next agenda, such matters shall be placed on any subsequent agenda in accordance with the terms of this policy.

#### **4.0 IMPLEMENTATION**

The clerk to the board shall be responsible for the implementation of this policy.

#### **RECOMMENDATION/PROPOSED ACTION:**

Consider whether to recommend the proposed policy to the Board of Commissioners.



MARSHALL FAIRCLOTH  
Chairman

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**CUMBERLAND**  
★ **COUNTY** ★  
NORTH CAROLINA

**BOARD OF COMMISSIONERS**

**MEMORANDUM FOR POLICY COMMITTEE MEETING**  
**THURSDAY, NOVEMBER 1, 2012**

TO: Policy Committee Members (Commissioners Council, Evans and Keefe)

FROM: Candice H. White, Clerk to the Board

DATE: October 29, 2012

SUBJECT: Discussion of Board of Commissioners' Meetings That Fall on a National Holiday

**BACKGROUND:**

The Board of Commissioners at its March 18, 2002 meeting approved a recommendation of the Policy Committee to reschedule Board of Commissioners' meetings that fall on a national holiday (President's Day and/or Easter Monday) to the next day or Tuesday. Since that time there has been mention by some Board members of rescheduling those meetings to Monday.

The Cumberland County 2013 Holiday Schedule, which follows the State of North Carolina Holiday Schedule, does not observe either President's Day, which is Monday, February 4, 2013, or Easter Monday, which is Monday, April 1, 2013, as holidays. Instead, the county holiday schedule observes Good Friday which is Friday, March 29, 2013. Traditionally President's Day and/or Easter Monday have been observed by the Cumberland County Schools as part of their student/teacher holidays or teacher work days.

Excerpts of the March 7, 2002 Policy Committee meeting minutes and the March 11, 2002 Board of Commissioner meeting minutes are attached. A copy of the 2013 Cumberland County Holiday Schedule is also attached.

**RECOMMENDATION/PROPOSED ACTION:**

Consider whether to continue holding Board of Commissioners' meetings on the Tuesday following President's Day and/or Easter Monday or reschedule those meetings to Monday.

active duty service related to training, summer camp, mandatory schools, required physical exams or active state duty not exceeding 30 consecutive days. An employee may cash in and receive a lump-sum payment for their entitlement of 120 hours of annual active duty for training pay. Those who return to county employment from military leave without pay shall also receive county service credit for the period served on extended duty.

In discussing the issue and whether or not to amend our county policy it was noted that in most cases, the 120 hour lump sum payment far exceeds the longevity payment and that the county should not do both.

As the employee will receive the 120 hour lump sum payment it was the consensus of the Committee that we not change our current policy regarding longevity pay.

5. Discussion of rescheduling commissioners' meetings which may fall on a national holiday.

The Committee discussed the issue of rescheduling any commissioners' meeting which falls on a national holiday to the next day. The national holiday in question is President's Day which falls on the third Monday in February. In addition, we sometimes have commissioners' meetings on Easter Monday, depending on when Easter falls on the calendar (the County observes Good Friday and the Board of Commissioners does have a meeting scheduled for April 1, 2002, which is Easter Monday). It was noted that schools are closed on Easter Monday.

**MOTION:** Commissioner Henley moved to recommend that the Board adopt a policy rescheduling commissioners' meetings which fall on a national holiday (President's Day) and/or on Easter Monday to the next day (Tuesday).

**SECOND:** Commissioner Baggett

**VOTE:** UNANIMOUS

(These two specific days are in addition to the holidays observed by the county, which may fall on a meeting date).

6. Discussion: Fort Bragg RCI Property Tax Initiative

Mr. Roy Adams, AIT and chairman of the Greater Fayetteville Futures Military Tax Force appeared and requested the Committee to look at providing some incentives to the developer who will be building and/or renovating some housing on Fort Bragg. As background information, it was noted that once the Army deeds the housing to the developer, it then becomes appropriate for the county to assess property tax. Mr. Adams suggests that the County should establish an incentive program that will relieve the tax burden on the developer by offering incentives for the developer to locate a corporate office in Cumberland County.

**BACKGROUND:** Tim Loughman has resigned his position (knowledge & experience in dog behavior and/or handling) on the Animal Control Board.

**ACTION:** Nominate to fill the vacancy.

**Nominee:** Donald A. Corrigan (K-9 Deputy with Sheriff's Office)

**4. Appointments to Boards/Committees;**

**MOTION:** Commissioner King moved to appoint the nominees in 3A, 3B and 3C.

**SECOND:** Commissioner Council

**VOTE:** UNANIMOUS

**A. Adult Care Home Community Advisory Committee (2 vacancies)**

**Nominees:** Ada R. Harris (reappointment)  
Margot Spencer

**B. Board of Adjustment - Alternate Member (1 vacancy)**

**Nominee:** Steve Parsons

**C. Community Health Care Council (10 vacancies)**

**Nominees:** Commissioner Rep: Billy King (reappointment)  
CFVHS Rep: Alisa Debnam/Richard Parks  
Community Indigent Care Rep: Cathy Ory  
Womack Army Hospital: Col Ray Terrill/Ltd John Lee (reappt.)  
VA Medical Center Rep: Janet Stout (reappointment)  
DSS Rep: Luther Packer  
Southern Regional AHEC Rep: Dr. Deborah Teasley (reappt.)  
Board of Education Rep: Helen Farrior  
Town of Linden Rep; Susan Hartman (reappt)  
Town of Spring Lake Rep; Alderman James E. Wall

**5. Consideration of the County Policy Committee Report & Recommendation.**

**A. Rescheduling commissioners' meetings which may fall on a national holiday.**

**BACKGROUND:** The County Policy Committee recommends that the Board amend its policy to include rescheduling commissioners meetings which fall on a national holiday (President's Day) and/or Easter Monday to the next day (Tuesday).

**ACTION:** Approve amending the policy as noted above.

**MOTION:** Commissioner Council moved to approve.

**SECOND:** Commissioner Henley

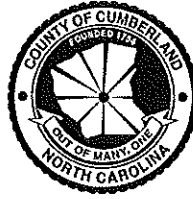
**VOTE:** UNANIMOUS

Commissioner Warren asked that Dr. Tom McGinn, North Carolina Department of Agriculture, be invited to come to our rescheduled meeting of April 2, 2002 to make a presentation to the Board regarding hoof and mouth disease and how it could affect everyone in the region. The Board agreed to invite Dr. McGinn.

**6. Discussion regarding scheduling a joint meeting with the Fayetteville City Council.**

JAMES E. MARTIN  
County Manager

AMY H. CANNON  
Deputy County Manager



JAMES E. LAWSON  
Assistant County Manager

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## Cumberland County 2013 Holiday Schedule

<b>Holiday</b>	<b>Observance Date</b>	<b>Day of Week</b>
<b>New Year's Day</b>	<b>January 1, 2013</b>	<b>Tuesday</b>
<b>Martin Luther King Jr.'s Birthday</b>	<b>January 21, 2013</b>	<b>Monday</b>
<b>Good Friday</b>	<b>March 29, 2013</b>	<b>Friday</b>
<b>Memorial Day</b>	<b>May 27, 2013</b>	<b>Monday</b>
<b>Independence Day</b>	<b>July 4, 2013</b>	<b>Thursday</b>
<b>Labor Day</b>	<b>September 2, 2013</b>	<b>Monday</b>
<b>Veteran's Day</b>	<b>November 11, 2013</b>	<b>Monday</b>
<b>Thanksgiving</b>	<b>November 28 &amp; 29, 2013</b>	<b>Thursday &amp; Friday</b>
<b>Christmas</b>	<b>December 24, 25 &amp; 26, 2013</b>	<b>Tuesday, Wednesday &amp; Thursday</b>

**\*Cumberland County follows the State of North Carolina Holiday Schedule\***

*Celebrating Our Past...Embracing Our Future*

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE