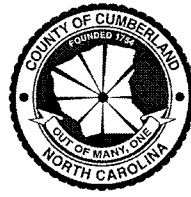


JEANNETTE M. COUNCIL  
Chairman

KENNETH S. EDGE  
Vice Chairman

CHARLES E. EVANS  
MARSHALL FAIRCLOTH  
JIMMY KEEFE  
BILLY R. KING  
EDWARD G. MELVIN



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

**BOARD OF COMMISSIONERS**

CANDICE WHITE  
Clerk to the Board

KELLIE BEAM  
Deputy Clerk

**MEMORANDUM**

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

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

DATE: August 29, 2014

SUBJECT: Policy Committee Meeting – September 4, 2014

**There will be a regular meeting of the Policy Committee on Thursday, September 4, 2014 at 10:30 AM in Room 564 of the Cumberland County Courthouse.**

**AGENDA**

1. Approval of Minutes – May 8, 2014 Regular Meeting **(Pg. 2)**
  2. Consideration of Approval of Revision to Rule 24 of “Wrecker and Tow Service Rules and Regulations” **(Pg. 4)**
  3. Presentation on Smoke-Free Options **(Pg. 6)**
  4. Consideration of NCACC Legislative Goals Recommendations **(Pg. 9)**
  5. Other Items of Business **(NO MATERIALS)**
- cc: Board of Commissioners  
Administration  
Legal  
Communications Manager  
County Department Head(s)  
Sunshine List

# DRAFT

ITEM NO. 1

CUMBERLAND COUNTY POLICY COMMITTEE  
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
MAY 8, 2014 – 10:30 A.M.  
MINUTES

MEMBERS PRESENT: Commissioner Jimmy Keefe, Chairman  
Commissioner Charles Evans  
Commissioner Ed Melvin

OTHER COMMISSIONERS  
PRESENT:

Commissioner Marshall Faircloth  
Commissioner Kenneth Edge

OTHERS PRESENT: Amy Cannon, Interim County Manager  
Quentin McPhatter, Assistant County Manager  
Rick Moorefield, County Attorney  
Sally Shutt, Public Information Director  
Melissa Cardinali, Finance Director  
Jeffery Brown, Engineering and Infrastructure Director  
Kellie Beam, Deputy Clerk to the Board  
Press

Commissioner Keefe called the meeting to order.

1. APPROVAL OF MINUTES – MARCH 6, 2014 MEETING

MOTION: Commissioner Melvin moved to approve the minutes.  
SECOND: Commissioner Evans  
VOTE: UNANIMOUS (3-0)

2. CONSIDERATION OF APPROVAL OF AN ORDINANCE REGULATING  
THE USE OF WATER AND SEWER FACILITIES OPERATED BY THE  
COUNTY OF CUMBERLAND

BACKGROUND:

The purpose of the “Ordinance Regulating the Use of Water and Sewer Facilities Operated by the County of Cumberland” is to set uniform requirements for all of the counties water and sewer districts. Currently all of the water and sewer districts have their own set of rules and regulations. A uniform ordinance will also make it easier for the Engineering and Infrastructure Department to apply for funding since water and sewer districts must have an approved ordinance prior to receiving funding.

# DRAFT

## RECOMMENDATION:

The Engineering and Infrastructure Director and County Management recommend that the Policy Committee approve the Ordinance Regulating the Use of Water and Sewer Facilities Operated by the County of Cumberland and place it on the agenda for the May 19, 2014, Board of Commissioners meeting for adoption.

\*\*\*\*\*

Jeffery Brown, Engineering and Infrastructure Director, reviewed the background information and recommendation as recorded above and responded to questions.

MOTION: Commissioner Melvin moved to approve the Ordinance Regulating the Use of Water and Sewer Facilities Operated by the County of Cumberland and place it on the agenda for the May 19, 2014, Board of Commissioners meeting for adoption and also to repeal any other existing water and sewer ordinances.

SECOND: Commissioner Evans

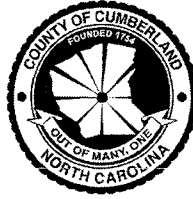
VOTE: UNANIMOUS (3-0)

## 3. OTHER ITEMS OF BUSINESS

There were no other matters of business.

MEETING ADJOURNED AT 11:17 AM

RICKEY L. MOOREFIELD  
County Attorney



PHYLLIS P. JONES  
Assistant County Attorney

ROBERT A. HASTY, JR.  
Assistant County Attorney

**OFFICE OF THE COUNTY ATTORNEY**

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

**MEMORANDUM FOR THE AGENDA OF THE  
SEPTEMBER 4, 2014 MEETING OF THE POLICY COMMITTEE**

**TO: POLICY COMMITTEE**

**FROM: WRECKER REVIEW BOARD**  
**THROUGH: LEGAL DEPARTMENT**

**DATE: August 25, 2014**

**SUBJECT: REVISION TO RULE 24 OF "WRECKER AND TOW SERVICE RULES  
AND REGULATIONS"**

**Requested by: Wrecker Review Board**

**Presenter(s): Jay Barr, Chairman, Wrecker Review Board**

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

**BACKGROUND:**

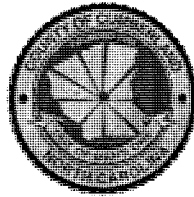
County Ordinance 9-64 states "The Board of Commissioners from time to time, may adopt such regulations and rules as deemed advisable for the administration of this article, whether on recommendation of the Wrecker Review Board or on the initiative of the Board of Commissioners." The Wrecker Review Board recommends that Rule 24 be revised as follows to make it more uniform with the Rules and Regulations with the City of Fayetteville Wrecker Review Board and to assist in securing payment for towing services.

Current Rule 24: Upon request or demand, the rotation wrecker companies will return personal property stored in or with the vehicle, whether or not the towing, repair, or storage fee on the vehicle has been or will be paid. Personal property for the purposes of this provision includes any goods, wares, freight or any other property not requiring tools to remove from the vehicle.

Proposed Rule 24: Upon request or demand, and proof of ownership or right to possession, the rotation wrecker operators shall return personal property stored in a vehicle, provided that all authorized charges for towing of the vehicle have been paid, with the exception that medicines and pocketbooks/wallets shall be returned to the owner upon request or demand whether or not the towing fee has been or will be paid. Rotation wrecker operators may not require payment of any storage fees as a prerequisite to release personal property. Any items attached to the vehicle such that a tool of any type is required for removal is not considered personal property under this provision.

**RECOMMENDATION/PROPOSED ACTION:**

The Wrecker Review Board recommends that Rule 24 be revised.



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

**DEPARTMENT OF PUBLIC HEALTH**

**MEMO FOR THE AGENDA OF THE SEPTEMBER 4, 2014  
MEETING OF THE POLICY COMMITTEE**

**TO: POLICY COMMITTEE MEMBERS**  
**FROM: BUCK WILSON, PUBLIC HEALTH DIRECTOR**  
**THROUGH: JAMES LAWSON, DEPUTY COUNTY MANAGER**  
**DATE: AUGUST 15, 2014**  
**SUBJECT: PRESENTATION OF SMOKE-FREE OPTIONS**

**Requested by: Buck Wilson**  
**Presenter(s): Buck Wilson, Public Health Director**  
**Ockidde Harris, CTG Coordinator**  
**Estimate of Committee Time Needed: 15 minutes**

**BACKGROUND:**

The Board of Health expressed interest in expanding the smoking ordinance. The presentation will highlight health and economic considerations and additional areas where smoking can be restricted.

**RECOMMENDATION/PROPOSED ACTION:**

Discuss and consider areas the Board of County Commissioners are interested in expanding the smoking ordinance.

Attachment (1)

/tlb



### **The Challenge:**

Cumberland County employees and citizens visiting county buildings and grounds have been awarded protections from the dangers of secondhand smoke exposure through Chapter 9.5, Article VII, Sec. 9.5-93 of the Cumberland County Code. Unfortunately, employees and citizens working in and/or visiting municipal buildings, municipal grounds (including parks and recreation areas), or indoor public places, are NOT guaranteed these same protections. These unprotected individuals are at increased risk of premature death and disease including cancer, asthma attacks, and heart disease.<sup>i</sup>

### **Why it matters here and now:**

#### Health Considerations:

- Scientific evidence indicates that there is not safe level of exposure to secondhand smoke<sup>ii</sup>
- The leading causes of death in Cumberland County are heart disease, cancer, and lower chronic respiratory disease, all of which have tobacco use as one of the leading risk factors
- Lung cancer is the leading cause of cancer death with smoking being the root cause for 90% of lung cancer deaths in men and 80% of lung cancer deaths among women
- Emergency room visits by North Carolinians experiencing heart attacks have declined by 21% since Jan 2010 start of the Smoke-Free Restaurant and Bar Law<sup>iii</sup>
- Outdoor exposure to tobacco smoke can be high, especially when someone is near a smoker, such as when sharing a bench or pushing a child on a swing<sup>iv</sup>
- Children exposed to secondhand smoke are at increased risk for acute respiratory infections, asthmas attacks and ear problems.

#### Economic Considerations:

- Annual healthcare costs in NC caused by smoking are estimated at \$2.46 billion<sup>v</sup> with secondhand smoke costing \$288.8 million<sup>vi</sup>
- The NC Restaurant and Lodging Association reports the smoking ban has had a positive impact on restaurant sales since the law's implementation.
- An unhealthy population generates costs in preventable health care expenditures, higher premiums from insurance companies and health care cost to business, and greater public expenditures on Medicaid and Medicare
- Businesses want to locate to regions with healthier populations because their costs are lower and productivity is higher<sup>vii</sup>

### **The Solution:**

The Board of Health and County Commissioners have the authority to protect workers, visitors, and residents from secondhand smoke exposure and create healthy social norms. Local governments can provide safe and healthy environments, both indoors and out, as well as reduce health care costs for ALL Cumberland County citizens, employees, and visitors by creating smoke-free environments. Areas where smoking can be restricted include:

- |  |  |
|--|--|
| • All County and Municipal buildings, vehicles, and grounds including playgrounds, trails, and athletic fields | • Public Transportation  |
| • Bus Stops  | • Common areas of multi-unit residential facilities/buildings                                  |
| • Sidewalks that are maintained by the County or Municipality  | • Office, retail, and other commercial establishments where the public is invited or permitted |

***Everyone should have the right to smoke-free air!***

## Issues that are perceived to be a problem in the community

Issue is problem in the community	No Problem	Minor Problem	Major Problem	Not Sure
Alcohol Abuse	13.8 %	23.0 %	48.8 %	14.4%
Drug Abuse	11.9	18.9	55.7	13.5
<b>SMOKING/TOBACCO USE</b>	<b>9.9</b>	<b>18.4</b>	<b>61.2</b>	<b>10.5</b>
Not using seatbelts	18.5	32.7	29.9	18.9
Homelessness	15.9	25.1	44.0	15.0
Poor eating habits	12.4	19.1	53.6	14.9
Lack of exercise	11.6	19.0	57.6	11.8
Violent behavior	14.8	24.5	41.8	19.9
Child abuse	18.1	19.7	36.4	25.8
Juvenile delinquency	16.0	19.8	42.2	22.0
Suicide	22.1	21.6	17.2	39.1
Work Safety	23.9	23.8	18.2	34.1
Youth Access To and Use of Weapons	16.6	18.8	38.5	26.1
Teen Pregnancy	13.6	17.9	52.5	16.0
Men's Health	15.3	21.5	32.8	30.4

2010 Cumberland County Community Health Assessment  
 No. of survey respondents = 1,225



<sup>i</sup> The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General, U.S. Department of Health and Human Services, October 2006.

<sup>ii</sup> The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General, U.S. Department of Health and Human Services, October 2006.

<sup>iii</sup> The NC Smoke-free Restaurants and Bars Law and Emergency Dept. Admissions for Acute Myocardial Infarction: A Report to the NC State Health Director, November 2011.

<sup>iv</sup> Neil E. Klepsis, et al., Outdoor Air Pollution in Close Proximity to Continuous Point Source, Atmospheric Env't, 2009.

<sup>v</sup> Centers for Disease Control and Prevention, 2011.

<sup>vi</sup> Plescia, M, Darryl Wansink, Hugh Waters, and Sally Herndon. Medical Costs of Secondhand Smoke Exposure in North Carolina. NC Medical Journal 2011; 72 (1): 7-12.

<sup>vii</sup> Health and Economic Development: A resource for the New York Regional Economic Development Council meetings, The New York Academy of Medicine, August 2011.





**CUMBERLAND**  
COUNTY  
NORTH CAROLINA

**PUBLIC INFORMATION OFFICE**

**MEMO FOR SEPTEMBER 4, 2014, POLICY COMMITTEE MEETING**

**TO:** POLICY COMMITTEE MEMBERS  
**FROM:** SALLY SHUTT, GOVERNMENTAL AFFAIRS OFFICER  
**THROUGH:** AMY CANNON, COUNTY MANAGER  
**DATE:** AUGUST 28, 2014  
**SUBJECT:** NCACC LEGISLATIVE GOALS RECOMMENDATIONS

**Requested by:** Commissioner Jeannette Council, Chairman,  
Board of Commissioners

**Presenter(s):** Sally Shutt

**Time Estimate:** 15 minutes

**BACKGROUND:** The N.C. Association of County Commissioners has outlined its state legislative goals development process for the 2015-16 biennial session and set a September 19 deadline for counties to submit their legislative proposals to the association for consideration.

As part of Cumberland County's process, we asked the Leadership Team to submit their recommendations and have compiled the attached list for your consideration. Your recommended goals will go to the full Board of Commissioners for approval at the September 15 meeting.

**RECOMMENDATION/PROPOSED ACTION:** Consider the attached goals and make a recommendation to the full Board of Commissioners for approval of the County's state legislative goals to be forwarded to the NCACC by the September 19, 2014, deadline.

## **Health & Human Services**

### **CHILD SUPPORT GOAL** *(submitted by Child Support Director Austin Keating)*

**Oppose the state retaining a portion of the federal Child Support incentive money that has been going to counties.**

The General Assembly has a section titled Program Evaluation Division, which released Report Number 2014-08 on July 16, 2014, titled “Revising State Child Support Incentive System Could Promote Improved Performance of County Programs.” The report recommends the General Assembly do the following:

- Direct the CSS State Office to retain 25 percent of federal incentive money to:
  - o improve centralized services
  - o provide employee incentive bonuses
- Direct counties to:
  - o report how incentive payments are being reinvested based on guidelines from the CSS State Office
  - o maintain county expenditures for child support services

If the State Office of Child Support retains 25 percent of incentives from the federal government that currently go to the counties, this will put added cost back on the county.

Reinvesting federal incentives is not an issue for counties that have out-of-pocket expenses to operate their Child Support programs.

### **DEPARTMENT OF PUBLIC HEALTH GOALS** *(submitted by Health Director Buck Wilson)*

- 1. Restore State support for accreditation program for local health departments.** NC G.S. 130A-34.1 requires all local health departments to obtain and maintain accreditation in accordance with this section. Local county health departments must pay \$2,750 per year. Health Departments had to receive initial accreditation by December 31, 2014, and must maintain accreditation every four years.
- 2. Oppose weakening of smoke-free restaurant and bars law.** This was included in last year’s NCACC goals and continues to be an important public health issue.
- 3. Support raising the state tax on tobacco, including electronic cigarettes to the national average.** It is proven that increasing state tax on tobacco results in less children smoking. Additional tax dollars are assigned to the state of North Carolina in which the legislators will decide how to utilize the increased revenue.

Source: <http://www.tobaccofreekids.org/research/factsheets/pdf/0146.pdf>

4. **Support using Tobacco Master Settlement funds for public health to provide evidence-based tobacco prevention and cessation programs.**
5. **Prioritize sustainability of State Local Aid to County funds for Local Health Departments.** The Local Aid to County funding is the only non-categorical allocation by the state to local health departments. This flexible funding is intended to address locally identified gaps in services and community needs. Cumberland County Department of Public Health receives \$233,180 of State Local Aid to County funds. Examples of how these funds are used for include:

- Environmental Health Specialists, which are required positions
- Additional training for staff
- Mobilize community partnerships to identify and solve health problems
- Monitor health status to identify health problems

**DEPARTMENT OF SOCIAL SERVICES GOAL** – *(submitted by Social Services Director Brenda Jackson)*

**Rescind the 10 percent increase in co-payments for all households receiving childcare subsidies and restore the proration of child care subsidy co-payments.**

The 10 percent increase in co-payments presents a financial hardship for parents and caregivers, which could prevent children from receiving childcare subsidies. The impact could lead to lack of proper supervision of children, an increase latch key children and a reduction in early education opportunities for children, which also increases incidents of child neglect.

**MENTAL HEALTH** – *(submitted by Commissioner Kenneth Edge)*

**Support the public behavioral health managed care organization model currently in place.**

As the General Assembly considers options for reshaping the state’s Medicaid system, it is in the best interest to maintain the current MCO model. The LME/MCOs across the state are proving to be highly effective in responding to their mandates to ensure high-quality services while containing costs. This has produced Medicaid budget predictability on the behavioral health side and \$153 million in system savings since the implementation of MCO operations statewide.

***Public Education***

**LIBRARY GOAL** – *(submitted by Library Director Jody Risacher)*

**Restore funding to State Aid to Public Libraries Fund to the pre-2011 level of \$15.7 million; and eliminate special provisions that distribute State Aid outside of the equitable formula developed by the State Library Commission.**

Public libraries are critical contributors to local workforce development by providing access to computers, job search assistance, small business support, and help with educational goals. Free early literacy programs and materials ensure that all children can attain the skills needed for success in the formal classroom. Summer activities counter the “summer slide” during which school-age children lose reading skills. Public libraries are integral to our communities as centers of lifelong learning accessible to all citizens.

Support for public libraries is a matter of state policy as described in GS 125-7. The State Aid fund supplements, but does not replace, local funding and is distributed to the 80 library systems by a population and per capita income based formula developed by the State Library Commission. As such, State Aid is a critical component of each library’s operating budget, especially for regional library systems that serve multi-county areas.

The state budget includes the following -

**CAP GRANTS FROM STATE AID TO LIBRARIES FUND**

**SECTION 19.2.** The Department of Cultural Resources shall not allocate a grant to any municipal or single-county library from the Aid to Public Libraries Fund that exceeds four hundred thousand dollars (\$400,000) for the 2014-2015 fiscal year.