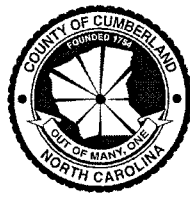


KENNETH S. EDGE
Chairman

W. MARSHALL FAIRCLOTH
Vice Chairman

GLENN B. ADAMS
JEANNETTE M. COUNCIL
CHARLES E. EVANS
JIMMY KEEFE
LARRY L. LANCASTER



CUMBERLAND
★ **COUNTY** ★
NORTH CAROLINA

BOARD OF COMMISSIONERS

CANDICE WHITE
Clerk to the Board

KELLIE BEAM
Deputy Clerk

MEMORANDUM

TO: Policy Committee Members (Commissioners Council, Evans and Keefe)
FROM: Kellie Beam, Deputy Clerk to the Board *KB*
DATE: June 1, 2015
SUBJECT: Policy Committee Meeting – June 4, 2015

There will be a regular meeting of the Policy Committee on Thursday, June 4, 2015 at 10:30 AM in Room 564 of the Cumberland County Courthouse.

AGENDA

1. Approval of Minutes – May 7, 2015 **(Pg. 2)**
2. Update on Wrecker Review Rotation Program **(Pg. 12)**
3. Consideration of Approval of Revisions to Section 9.5-101 of the Cumberland County Code Regarding Weapons Posting **(Pg. 13)**
4. Other Items of Business **(NO MATERIALS)**

cc: Board of Commissioners
Administration
Legal
Communications Manager
County Department Head(s)
Sunshine List

DRAFT

CUMBERLAND COUNTY POLICY COMMITTEE
COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
MAY 7, 2015 – 10:30 A.M.
MINUTES

MEMBERS PRESENT: Commissioner Charles Evans
Commissioner Jimmy Keefe

MEMBERS ABSENT: Commissioner Jeannette Council

OTHER COMMISSIONERS
PRESENT:

Commissioner Marshall Faircloth
Commissioner Larry Lancaster

OTHERS PRESENT:

Amy Cannon, County Manager
James Lawson, Deputy County Manager
Tracy Jackson, Assistant County Manager
Melissa Cardinali, Assistant County Manager for Finance/
Administrative Services
Sally Shutt, Governmental Affairs and Public Information
Officer
Rick Moorefield, County Attorney
Jeffery Brown, Engineering and Infrastructure Director
Vicki Evans, Finance Accounting Manager
Buck Wilson, Public Health Director
Kim McLamb, Public Health
Wanda Tart, Public Health
Jane Stevens, Public Health
Ronnie Mitchell, Sheriff's Office Attorney
Rebecca Rogers-Carter, City of Fayetteville
Candice White, Clerk to the Board
Kellie Beam, Deputy Clerk to the Board
Press

Commissioner Evans called the meeting to order.

1. APPROVAL OF MINUTES – APRIL 2, 2015

MOTION: Commissioner Keefe moved to approve the minutes.
SECOND: Commissioner Evans
VOTE: UNANIMOUS (2-0)

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2. ANNUAL REVIEW OF JAIL HEALTH MEDICAL PLAN

BACKGROUND:

The 2014 Jail Health Medical Plan was adopted by the Board of Commissioners in February 2014.

North Carolina General Statute 153A-225 requires the unit of county government to develop the plan. In developing the plan, the unit must consult with the sheriff, county physician, health director and the local medical society. In this context, the county manager has responsibility for seeing that the plan is developed.

Once the plan is developed, it must be approved by the health director, if, after consulting with the area mental health director, the health director finds it is adequate to protect the health and welfare of the prisoners. Upon approval by the health director, it must be adopted by the governing body. Finally, 10A NCAC 14J.1001(b)(7) requires the plan to be reviewed annually. A particular point of emphasis for County Management and the Public Health Director is to ensure the plan takes into account any issues impacting the Sheriff's standards, as the party responsible for managing the detention center facility and operations.

Over the course of the past year, there have been various interactions in regards to proposed changes to the plan. County Management has worked closely with Public Health Director Buck Wilson to ensure all the required consultation and input has taken place as referenced above. On April 10, 2015, a meeting was held to discuss and finalize changes in preparation for the annual approval and adoption of the 2015 plan. The meeting participants were Sheriff Butler, Chief Deputy Wright, Chief Jailer Trotter, Sheriff's Attorney Ronnie Mitchell, County Attorney Rick Moorefield, Mr. Wilson and several members of his Jail Health Staff, including Dr. Haq. Based on the outcome of this meeting, the revised plan has been finalized and agreed to by all relevant parties, and approved by Mr. Wilson. In addition, the group decided to implement a quarterly review of the plan to facilitate ongoing review and discussion in managing revisions to the plan.

Mr. Wilson will provide a brief overview of the attached revisions to the Policy Committee. A complete copy of the Medical Plan is available for review in the Clerk's Office.

RECOMMENDATION:

The Public Health Director and County Management recommend approval of the proposed 2015 Jail Health Medical Plan for submission to the Board of Commissioners for adoption.

James Lawson, Deputy County Manager, reviewed the background information and recommendation as recorded above. Mr. Lawson introduced Buck Wilson, Public Health Director, to introduce his staff.

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Mr. Wilson stated the Public Health Department is responsible for Jail Health and introduced Jane Stevens, Wanda Tart and Kim McLamb.

Ms. Stevens stated Jail Health provides medical care for inmates in the Cumberland County Detention Center. Ms. Stevens stated the Jail Health Medical Plan is a policy and procedure manual that has been in place for many years and is revised as needed. Ms. Stevens stated the first official adoption of the Jail Health Medical Plan by the Cumberland County Board of Commissioners was done in February 2014.

Ms. Stevens stated the types of revisions made to the medical plan are either wording changes or changes in the operation rule. Ms. Stevens stated the reasons for the proposed changes are either made by the 2014 Revisions of Standards by the National Commission on Correctional Health Care, requests from the Sheriff's Department, or to refine and improve the manual since it is such a long and detailed document.

Ms. Stevens detailed some of the revisions that have been made to the medical plan this year to include:

- The signature of the Sheriff and Jail Health Psychiatrist has been added to the signature page.
- Added "Medical, mental health, and dental health judgments are the sole province of the responsible clinicians."
- Added "Custody staff will report serious medical requests for care to medical staff. Medical staff will respond and make determination for medical care."
- Added "The Jail Health Administrative Committee includes but is not limited to: representatives from the area mental health, developmental disabilities, and substance abuse authority; the local medical society; the sheriff's office, the county physician, local health communicable disease nurse; the local health director, and the lead public health nurse supervisor for jail health."
- Added to the list of statistical items to report each month, "Nursing contracts, physical exams performed and follow-ups".
- Added "Each service area will be measured at least annually and according to the quality performance measures; accessibility, appropriateness of clinical decision making, continuity, timeliness, effectiveness (outcomes), efficiency, quality of clinician-patient interaction and safety."
- Medical staff determine the method of transporting patient to the triage site (i.e. use of back board, wheelchair, etc.)
- Added "Inmates housed in the detention center for one year or more will be screened/tested for TB annually as ordered by the jail physician."
- Detention Center Prison Rape Elimination Policy was adopted by reference.
- Requires review of clinical performance of all primary care providers at least quarterly.
- "In addition the Medical Staff shall prepare a copy of all health information and medical records and deliver that documentation to the transportation officer for delivery to another local confinement facility".

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- Added “high blood cholesterol, sickle cell and major mental illnesses” to chronic diseases. Also added new documentation requirements for chronic diseases.
- Added “The medical staff will notify the Jail Administrator or designee of the identification and nature of any disease or condition of any inmate who has a condition which might affect placement or classification of the inmate; or condition of confinement, whether the conditions is acute or chronic”.
- Added, “Medical staff shall notify the Jail Administrator, or designee, when an inmates’ physical or mental health affects the placement, classification, or condition of confinement or transport. The notification will include all known information necessary to provide for the health and safety of the inmate and others housed and working with the inmate”.

Commissioner Keefe stated he has been trying to look at innovative approaches to Jail Health for some time. Ms McLamb stated through Alliance Healthcare beginning July 1, 2015, there will be a follow-up program that will prepare inmates for post-release and will follow them throughout their release to make sure they are linked to a community resource and still getting the medications they need.

Commissioner Lancaster stated in speaking to the well-being of the inmates he wanted to know the status of the GED program for inmates in the Detention Center. Ronnie Mitchell, Sheriff’s Attorney, stated the GED program is on track but waiting on next fiscal year where the Sheriff’s Office has requested the proper funding to make sure this program can move forward.

Mr. Mitchell stated he appreciates the way the Public Health Department has worked with the Sheriff’s Office in modifying the Jail Health Medical Plan. Mr. Mitchell stated he is very confident with the plan this year and appreciates the cooperation. Mr. Lawson stated the complete version of the Jail Health Medical Plan is available in the Clerk’s office.

MOTION: Commissioner Keefe moved to recommend to the full board approval of the proposed 2015 Jail Health Medical Plan.

SECOND: Commissioner Evans

VOTE: UNANIMOUS (2-0)

3. UPDATE ON DRAFT 2015-2016 CUMBERLAND COUNTY STRATEGIC PLAN

BACKGROUND:

The Board of Commissioners and Leadership Team developed the draft 2015-2016 Strategic Plan during two work sessions held on March 10, 2015 and March 31, 2015.

RECOMMENDATION/ACTION REQUESTED:

Recommend the draft 2015-2016 Strategic Plan go before the full Board of Commissioners on May 18, 2015, for approval.

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Sally Shutt, Governmental Affairs and Public Information Officer, reviewed the background information and recommendation as recorded above. Ms. Shutt stated on March 10th and March 31st the Strategic Planning meetings and workshops were held.

Ms. Shutt reviewed some of the items in the Strategic Plan this year:

Goal 1: Ensure a safe and healthy community by providing needed services to our citizens in a timely manner.

- Educate County departments on the Summer Youth Program and encourage participation to provide job training opportunities.
- Support the grant-funded Critical Time Intervention program at the Detention Center.
- Support Drug, Sobriety and Veterans Courts. Seek grant funding for Mental Health Court.
- Continue and improve programs that promote responsible pet ownership, including offering a Pet Responsibility Class through FTCC Continuing Education and the SUMMERSCAPES Kid's Program.
- Continue targeted focus on animal cruelty investigations.
- Create and maintain inventory of available community resources to address issues impacting homelessness.
- Research models from other communities that have been successful in addressing homelessness through best practices.
- Identify and seek grant and other funding opportunities to assist in developing a comprehensive "wraparound" homeless resource.

Goal 2: Provide adequate infrastructure consistent with orderly growth of a dynamic county.

- Inventory and assess all County facilities and properties to determine usage, space availability, and feasibility of retrofit.
- Prioritize projects through a Capital Improvement Plan.
- Develop a Crown Complex facility plan (buildings, parking, properties, etc.) and consider possible funding options.
- Maintain a yearly updated 3 year countywide technology plan.
- Continue advancing the County's telecommunications plan by phasing in VoiceOver IP Phase 4 so all of County will be on a single system.
- Continue implementation of digital records system to include Child Support, DSS and Veterans Services.
- Continue application modernization to enhance customer service, specifically, Finance, HR and Jury software.

Commissioner Keefe stated the County needs one central phone number for citizens to call for information so employees are not receiving information calls often.

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Commissioner Keefe stated he would like to see this number fast tracked and be published for information and sent out to the community.

Goal 3: Promote economic development by creating and retaining jobs, and providing career opportunities, quality education, cultural and recreational services.

- Identify expectations for economic development including but not limited to, existing incentive programs and policies, utilization of existing business sites and industrial parks, and job creation.
- Establish a policy that promotes the use of local businesses for products and services, as allowed by N.C. General Statutes.
- Improve communication and partnership with Fort Bragg.
- Participate in and collaborate with local, regional and state military affairs and economic development organizations.

Goal 4: Educate, inform and engage employees, citizens, elected and appointed officials through effective and efficient communications.

- Share information on County resources with each municipality and on Fort Bragg.
- Educate commissioners about advisory board members' responsibilities and time commitment to assist in recruiting citizens with relevant experience to apply for vacancies.
- Enhance website, ensure information is current and links operational.
- Meet and communicate with Legislative and Congressional delegations to keep local issues in the forefront.

Goal 5: Employ motivated, professional and well-trained personnel who offer excellent customer service with PRIDE – Professionalism, Respect, Integrity with accountability, Diversity and Excellent Customer Service.

- Explore the feasibility of allowing flexible work schedules for our employees.
- Develop a “tell us about your experience” feedback system with a prominent link on homepage.
- Ensure feedback is reviewed and responded to by appropriate staff member.
- Identify training needs and areas of improvement.
- Prepare a risk assessment to determine safety issues that impact our employees in the workplace.
- Facilitate a detailed succession plan for each department to address turnover due to aging workforce.
- Promote Employee Assistance Program.
- Conduct an employee wellness survey.
- Explore further methods of offering incentives to employees for their participation in wellness programs.

Commissioner Lancaster stated he is very impressed with this plan. Commissioner Keefe stated he is amazed by all of the items that have been taken off the plan over the years.

No action taken.

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4. UPDATE ON FEDERAL LEGISLATIVE PROGRAM

BACKGROUND:

The City of Fayetteville, Fayetteville Regional Chamber of Commerce and Cumberland County have established a partnership to engage the federal government through advocacy and grant opportunities. Representatives from Faegre BD and the partnership participated in a federal engagement strategy workshop on April 24, 2015.

Sessions were held on various topics and elected officials were invited to a wrap-up briefing at the end of the day.

RECOMMENDATION:

For information purposes only.

Ms. Shutt reviewed the background information and recommendation as recorded above. Ms. Shutt stated she would briefly hit the highlights of the topics discussed at the Federal Engagement Strategy Workshop on April 24, 2015:

- Homelessness:
 - To further advance the issues, the Partnership proposes to:
 - Make a request to Veterans Affairs to identify a national homeless expert who will hold a workshop with the City and County elected leadership during the month of May 2015 to define the most important issues for Fayetteville/Cumberland County to address over the next fiscal year relating to the myriad of concerns regarding homelessness in our community.
 - In May 2015, make a request to HUD for technical assistance in the homelessness policy. The community would benefit from a third party review of the existing homeless programs to further identify gaps and areas where the local program has not adopted best practices (single point entry program, data analysis, diversion programs).
 - Evaluate the VA foreclosed home sales program, in conjunction with our community partners, and the HUD third party review.
- Census:
 - To further advance the issues, the Partnership would:
 - Request the Census Bureau undertake a review of the decades-old policy to prevent further undercounting in garrison communities and will ask the North Carolina Congressional delegation to support the needed changes.
- Law Enforcement/Criminal Justice:
 - To further advance the issues, the Partnership will:

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- Engage with the DOJ around policing and criminal justice problems in garrison communities in preparation for a convening before September 30, 2015.
- Reiterate the invitation to the DOJ to site the convening in Fayetteville, NC.
- Pursue federal assistance (either through the convening or via other avenues) for issues including human trafficking, military-connected suicides, and prescription drug abuse.
- Seek to identify possible research projects and partners that will be compelling to the DOJ to support for future projects.
- Seek funding for 300 law enforcement body cameras for City of Fayetteville and approximately 300 for the Sheriff's Office.
- Pursue federal assistance for the establishment of a Mental Health Court for Cumberland County.
- Housing Market:
 - To further advance the issues, the Partnership will:
 - Develop a set of criteria including seek data from the VA that will allow the City and the County to monitor the housing market, to identify impacted neighborhoods and to inform the City and County of impacts on tax revenues.
 - Determine whether the VA has the authority to make expenditures in areas where it has a high level of mortgage risk in an effort to stabilize the market.
- Impact Aid:
 - To further support our efforts, we would:
 - Request a third element to the LOT (Learning Opportunity Threshold) factor: a plus-up of XX percentage points for a narrow group of districts that meet a selective criteria around which a logical argument can be fashioned to support the additional funds.
- Office of Economic Adjustment:
 - To further support our efforts, we would request Congress authorize OEA to use appropriated funds to support communities affected by the military drawdown and outside of a BRAC process.
- Shared Service Agreements:
 - To further support our efforts to unitize the opportunity of shared service agreements between the military and local government we request:
 - The City will contact Ivan Bolden, the Chief of Privatization and Partnerships at Army Headquarters, to explain the current problem regarding transit opportunities and seek his assistance.
 - The Partnership will share examples of the current obstacles to shared service projects with the Armed Services Committees and seek support for Congressional direction supporting shared service contracts.
- Veterans Affairs Report Language:
 - To further support our efforts to understand the impact of the drawdown on economy generally, and the housing sector specifically, we will request

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the inclusion in relevant authorizing legislation or the Military Construction and Veterans Affairs Appropriations Bill for Fiscal Year 2017, report language directing the VA to study the issue of VA mortgage foreclosures and the resulting impact on communities in which VA loans make up a significant portion of the mortgage environment.

Questions and discussion followed. No action taken.

5. DISCUSSION REGARDING TERM LIMITS FOR CITIZENS SERVING ON COMMISSIONER-APPOINTED BOARDS AND COMMITTEES

BACKGROUND:

Commissioner Jimmy Keefe requested the following item “Discussion Regarding Term Limits for Citizens Serving on Commissioner-Appointed Boards and Committees” be placed on the Policy Committee agenda.

RECOMMENDATION/PROPOSED ACTION:

For discussion purposes.

Commissioner Keefe stated there is a policy that was adopted by the Board of Commissioners that determines how many terms a citizen can serve on a commissioner-appointed board and/or committee. Commissioner Keefe stated he is concerned with the number of requests to extend terms and he feels it is becoming more and more common. Commissioner Keefe stated he feels the board should try to enforce the policy to give others an opportunity to serve or not have the policy.

Commissioner Faircloth stated the policy does state that no citizen may serve more than two consecutive terms on any board/committee but the board reserves the right to waive this requirement, based on special circumstances. Commissioner Faircloth further stated he does not feel this policy has been abused at this point and thinks it should be looked at on a case by case basis.

Commissioner Evans stated he is concerned with elected officials serving on boards/committees. Commissioner Evans further stated he feels if you are elected to office after you have been appointed to a board/committee you should have to relinquish that seat. Commissioner Evans stated he feels an elected official would have more influence on the board/committee than a regular citizen.

No action taken.

6. OTHER ITEMS OF BUSINESS

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Commissioner Keefe recognized Gary Blackwell a citizen attending the meeting that wanted an update on the status of the Wrecker Rotation Ordinance and the comments he made at a previous Board of Commissioners meeting. Commissioner Evans stated he spoke with Mr. Blackwell after that meeting and told him he would put this matter on this Policy Committee agenda but since the agenda was so full he was not able to add Mr. Blackwell's item to the Policy Committee agenda in May.

Commissioner Evans requested this item be placed on the June 2015 Policy Committee agenda for discussion. Mr. Blackwell stated the Wrecker Rotation Ordinance states that no employee or state official can own a wrecker service and work for the county or the state but he feels this has been happening for years and would like the Board of Commissioners to look into this matter.

Ms. Cannon stated County Management will provide some helpful information that can be presented at the June 2015 Policy Committee meeting that may answer some of the questions.

MEETING ADJOURNED AT 11:22 AM

AMY H. CANNON
County Manager

JAMES E. LAWSON
Deputy County Manager

MELISSA C. CARDINALI
Assistant County Manager


W. TRACY JACKSON
Assistant County Manager



OFFICE OF THE COUNTY MANAGER

**MEMO FOR THE AGENDA OF THE JUNE 4, 2015
MEETING OF THE POLICY COMMITTEE**

TO: MEMBERS OF THE POLICY COMMITTEE

FROM: W. TRACY JACKSON, ASST. COUNTY MANAGER 

THROUGH: AMY H. CANNON, COUNTY MANAGER

DATE: MAY 26, 2015

SUBJECT: UPDATE CONCERNING WRECKER ROTATION PROGRAM

Presenter(s): W. Tracy Jackson, Asst. County Manager
Randy Beeman, Director of Emergency Services

Estimate of Committee Time Needed: 10 Minutes

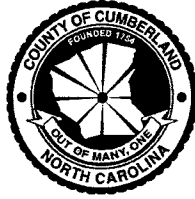
BACKGROUND

Robert Hasty, Assistant County Attorney, and I met with Mr. Gary Blackwell recently regarding his concerns with the County's wrecker rotation program. Mr. Blackwell let staff know that he had a disagreement with the deputy that was formerly in charge of the wrecker rotation program and another deputy that operates a towing service that *is not* on the County's wrecker rotation list. As a result of Mr. Blackwell's concerns, staff reviewed the wrecker ordinance, the wrecker rotation list, and the way in which the program is administered. Staff believes the ordinance and program are operating as intended, and that no one associated with administering the County's wrecker rotation program is operating a towing service that is dispatched through the County's wrecker rotation list.

RECOMMENDATION/PROPOSED ACTION:

It appears that Mr. Blackwell has an ongoing disagreement with at least two Sheriff's Deputies which have colored his opinion of the County's wrecker rotation program, but staff is unable to identify any current weaknesses in the ordinance or administration of the program. Staff has no further recommendations or proposed actions at this time.

RICKEY L. MOOREFIELD
County Attorney



PHYLLIS P. JONES
Assistant County Attorney

ROBERT A. HASTY, JR.
Assistant County Attorney

OFFICE OF THE COUNTY ATTORNEY

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

**MEMORANDUM FOR THE AGENDA OF THE
JUNE 4, 2015 MEETING OF THE POLICY COMMITTEE**

TO: POLICY COMMITTEE

**FROM: ROBERT A. HASTY, JR.
ASSISTANT COUNTY ATTORNEY**

DATE: May 26, 2015

**SUBJECT: REVISIONS TO SECTION 9.5-101 OF THE CUMBERLAND COUNTY
CODE REGARDING WEAPONS POSTING**

Requested by: Legal Department

Presenter: Robert A. Hasty, Jr.

Estimate of Committee Time Needed: 10-15 minutes

BACKGROUND:

A man has entered one of the Cumberland County libraries with an open carry firearm. He also emailed library personnel stating that the posting on its website prohibiting "carrying weapons of any kind" is unlawful and enforceable as North Carolina law preempts county rules over the carrying of handguns. He further states that he will continue to open carry unless he is provided with authority under state law allowing the library to prohibit firearms, and should his rights be violated, a lawsuit may result. Someone also visited the Historic Courthouse with a gun, and it is not known if it is the same person from the library.

The only ordinance Cumberland County appears to have on this issue is section (a) of 9.5-101 which states,

Concealed weapon posting. (a) *Posting of signs required.* The county manager is hereby ordered to post appropriate signage on each park, building or portion of a building now or hereafter owned, leased as lessee, operated, occupied, managed or controlled by Cumberland County, as well as the appurtenant premises to such buildings, indicating that concealed handguns are prohibited therein.

(Sections (b) through (c) of this ordinance provides directions for the posting of the signage as well as exceptions for law enforcement officers and others, but these subsections are not specifically relevant to this issue)

Open Carry

N.C.G.S. § 153A-129 allows a county, by ordinance, to regulate the display of firearms on public property. N.C.G.S. §14-409.40(f) allows a county to prohibit the possession of firearms in public-owned buildings, their grounds, and parking areas with the exception that firearms may be stored in vehicles while on the above-described property. These are the relevant statutes to apply to “open carry” of firearms.

Cumberland County’s ordinance cited above prohibiting weapons specifically references “concealed handguns”, so it does not apply to open carry. The ordinance must be revised or a new ordinance passed to prohibit the open carry of firearms on county property under the statutory authority.

Concealed Carry

It is unlawful for a person to willfully or intentionally carry a concealed pistol or gun, unless the weapon is a handgun and the person has a concealed handgun permit (there are other exceptions not relevant to this discussion). N.C.G.S. § 14-269. Any person with a concealed handgun permit may carry a concealed handgun unless otherwise specifically prohibited by law. N.C.G.S. § 14-415.11 (N.C.G.S. § 14-415.11(c) lists specific exceptions where handguns are not allowed even with a permit to include, schools, courthouses, law enforcement facilities, and venues where alcohol is sold or admission is charged).

N.C.G.S 14-415.23 states that “A unit of local government may adopt an ordinance to permit the posting of a prohibition against carrying a concealed handgun, in accordance with G.S. 14-415.11(c), on local government buildings and their appurtenant premises. Further, N.C.G.S. 14-415.23(b) provides that a county may adopt an ordinance to prohibit, by posting, the carrying of a concealed handgun on county recreational facilities that are specifically identified by the county (interestingly, “parks” were previously specifically mentioned as areas authorized by local governments for the prohibition of concealed weapons, but the word “parks” is removed in the current version of the statute. N.C.G.S. 14-415.23(c) provides that the term “recreational facilities” includes athletic fields, swimming pools, athletic event facilities, and the appurtenant facilities of these examples. The statute states that “recreational facilities” does not include any greenway or biking/walking path or any other area not specifically described therein. Therefore, it seems that a county may not ban concealed carry handguns in county owned parks. This is further supported because concealed handguns are specifically permitted in state parks in N.C.G.S. 14-415.11(c1).)

Based on the statutes discussed above, a county may prohibit the concealed carry of firearms in county building and their appurtenant premises as well as recreational facilities, but

not county parks. The current Cumberland County ordinance on concealed weapon posting appears consistent with the statutory authority other than it allowing the posting to prohibit handguns in parks.

The ordinance may be revised with language as follows to be consistent with the statutory authority to prohibit handguns (both concealed and open carry) on county property:

Sec. 9.5-101. - ~~Concealed~~ **Weapon** posting.

- (a) Posting of signs required. The county manager is hereby ordered to post appropriate signage on each ~~park~~, recreational facility, building or portion of a building now or hereafter owned, leased as lessee, operated, occupied, managed or controlled by Cumberland County, as well as the appurtenant premises to such buildings, indicating that **weapons, including** concealed handguns **and open carry handguns** are prohibited therein.

RECOMMENDATION/PROPOSED ACTION:

The Legal Department recommends that the ordinance be revised as above or with such other language to reflect the policy of Cumberland County with regards to the prohibition of open carry and concealed carry handguns on county property.