

CUMBERLAND COUNTY POLICY COMMITTEE  
June 7, 2007 – 8:30 AM  
REGULAR MEETING

PRESENT: Commissioner Diane Wheatley  
Commissioner Jeannette Council  
Commissioner Ed Melvin  
James Martin, County Manager  
Juanita Pilgrim, Deputy County Manager  
Cliff Spiller, Assistant County Manager  
Amy Cannon, Assistant County Manager  
Grainger Barrett, County Attorney  
Sara VanderClute, Public Information Officer  
Tom Cooney, Public Utilities Director  
Amy Hall, Administrative Assistant – Public Utilities  
Andrew Barksdale, Reporter – The Fayetteville Observer  
Marie Colgan, Deputy Clerk

Commissioner Wheatley called the meeting to order at 8:35 AM

1. Approval of Minutes: March 1, 2007

**MOTION: Commissioner Melvin moved to approve.**  
**SECOND: Commissioner Council**  
**VOTE: UNANIMOUS**

2. Discussion Regarding Noise Ordinance

County Attorney Grainger Barrett referred members to the handout and explained that concerns had been voiced by Ms. Georgina Burris, who lives on Nobie Street, regarding the noise which comes from a club which is located behind her residence. Her home is located in the City of Fayetteville, but the club is located in the unincorporated, commercially-zoned area of the County so the County's noise ordinance therefore applies. The Sheriff's Office has responded numerous times to her complaints, but each time the club was found to be in compliance with the decibel limits as set forth in the County Code. Attorney Barrett advised that the County's noise ordinance is the same as the City's. A decibel standard is used as it is an objective standard and Attorney Barrett stated that he recommends that the County stay with this standard and has concern about dropping the decibel level standard. Discussion ensued regarding concerns with trying to change the decibel level, even at the lower frequency scale. Members agreed to take this information under advisement.

3. Consideration of Policy on Disposal of Surplus Vehicles

County Attorney Grainger Barrett advised that he had been asked by Commissioner Wheatley to draft a policy on disposal of surplus vehicles in order to have some consistency for this process. County Attorney Barrett went over the draft policy stating that the only difference in the current process and the proposed one is that a list of surplus vehicles slated for disposal would be generated and the information would be placed on the County's website. Management explained the current process and feels that the process works well as it stands as the Commissioners vote on vehicles when they are purchased as well as their disposal to non-profit agencies. Commissioner Wheatley voiced her concern about other agencies not being made aware that vehicles are going to be available as she feels that everyone should have the same opportunity to make a request for a vehicle and that the County is missing an opportunity to

recoup some of the cost of the vehicle when they are transferred to outside agencies. Discussion ensued regarding how some vehicles have been disposed of in the past and current requests for surplus vehicles.

The consensus of the Committee was for the County Attorney to eliminate or revise item # 6 of the draft policy, to continue to work on the draft policy with management's input, and bring the document back to this Committee when complete.

#### 4. Review and Consideration of DENR Document

County Attorney Grainger Barrett explained that an update will be given to the Committee about the status of stormwater Phase I and II regulations. Attorney Barrett reminded members of the prior discussion regarding Phase 1 and Phase II of the Stormwater regulations. Phase II begins July 1 and discussions had been held with the Board of Commissioners regarding a request to be released from Phase I. However, the request is still in limbo at DENR. The Division of Water Quality does not seem to be enthusiastic about the request and has asked the County to submit a detailed justification for the request. As long as the County is under Phase I regulations, Phase II regulations do not need to be applied. Tom Cooney, Public Utilities Director, added that a consultant to the joint stormwater utility has drafted a justification outlining the reasons why the County should be released from Phase I and placed in Phase II with all the other counties.

#### 5. Consideration of Increasing the Sewer Rate for Norcross

Mr. Tom Cooney, Public Utilities Director, advised that the Norcross facility has been operating for a year and four months and that the revenues being collected are not meeting the cost being charged by PWC. Several factors have caused the request for an increase: (1) consultant did not taken into account the cost of the electricity for the lift stations nor the costs of any chemical additions to offset the long resident time of the waste in the force mains (the need of chemicals needed due to the facility being closed on weekends); (2) there appears to be water coming into the system without going through the meters (design of the system is being checked); and (3) collection of revenues. Mr. Cooney referred members to the spread sheet which shows a deficit of \$37,080.92 (does not include revenue from March, April and May). Commissioner Wheatley questioned whether it would be more cost effective to run the system on weekends in lieu of purchasing chemicals. Mr. Cooney stated that it would not be less expense as PWC will be paying for the chemicals and that would be less than its per gallon charge if water was used on weekends to maintain flow. The new rate being requested is \$4.50 per 1,000 gallons of waste water (an average increase of \$1.64) which should help create an operating reserve fund for expected and unexpected expenses. Mr. Martin agreed that a rate increase in needed.

By consensus of the Committee, it was agreed to request that a Closed Session be added to the agenda.

**MOTION:** Commissioner Council moved to go into Closed Session under Attorney-Client Matter – GS 143-318.11 (a) (3)

**SECOND:** Commissioner Melvin  
**VOTE:** UNANIMOUS

**MOTION:** Commissioner Council moved to return to Open Session.

**SECOND:** Commissioner Melvin  
**VOTE:** UNANIMOUS

**MOTION:** Commissioner Wheatley moved to recommend the rate increase for Norcross as presented and to send the recommendation to the next full Board meeting.  
**SECOND:** Commissioner Council  
**VOTE:** UNANIMOUS

6. Other Matters of Concern

Commissioner Wheatley advised that she would like to have discussion on consideration of a policy on how monies are appropriated to non-profits. Commissioner Wheatley voiced concern that monies are automatically placed in the budget for non-profits based on the prior year without some type of review process (looking at how monies are spent and ensuring how much of the money goes back into the community for delivery of services rather than administration). County Manager Martin explained the process for the budget, stating that the Commissioners make the decision as to adding new agencies and making increases, with the exception of his recommendation for additional funds to the Botanical Gardens this year. Discussion continued and Commissioner Wheatley questioned whether Rape Crisis was funded through the County and if the County was in some way responsible for the monies being cut this year to them based on the County's cut to Mental Health in 2001. The initial response from management was that the recent reduction in Rape Crisis Center funds from Mental Health was not due to the County but was a discretionary decision by the Mental Health Board. Management will look into the matter and provide further detail.

By consensus, the Committee agreed to consider a policy on appropriations to non-profits agencies at a future time.

MEETING ADJOURNED: 10:03 AM