

CUMBERLAND COUNTY POLICY COMMITTEE

May 1, 2008 – 9:30 AM

REGULAR MEETING

PRESENT: Commissioner Jeannette Council
Commissioner Kenneth Edge
Commissioner Ed Melvin
James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Amy Cannon, Assistant County Manager
Sara VanderClute, Public Information Officer
Grainger Barrett, County Attorney
Harvey Raynor, Assistant County Attorney
Larry Philpott, Animal Control Interim Director
Tom Cooney, Public Utilities Director
Amanda Smith, Health Department (CMAC Program)
Shelby Townsend/Don Townsend
Marie Colgan, Deputy Clerk

Commissioner Council called the meeting to order at 9:30 AM

1. Approval of Minutes: March 6, 2008

MOTION: Commissioner Edge moved to approve.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS

2. Update on Stormwater Phase II Regulations

Mr. Cooney reminded members that it had been six to seven months since a request was made to the State to be removed from the Stormwater Phase I joint utility agreement. The State has recommended the removal and it was sent to the EPA for final approval. As of this date, no reply has been received, but about a week remains before the end of the 90 day processing period. Since the County is still in a joint utility agreement, a decision needs to be made regarding how the County wants to proceed with Stormwater Phase II with regards to permitting. Although the State has assumed that responsibility and will continue to do that absent a decision by the County to assume that function, the Board of Commissioners will need to decide whether we want to do so. Local developers may rather have permitting locally and may be contacting members to request this be allowed. If the County were to decide to do it locally, it will require funding. Discussion ensued regarding the city's \$36 fee stormwater fee, the county's \$12 stormwater fee and the decision as to whether to keep the \$12 stormwater fee and how it would be used. County Attorney Barrett explained the County has the authority to continue a stormwater fee. A fee is a charge to users for use of a service or benefit provided, while a tax is a levy of general applicability for a public purpose. He has a legal concern about use of the fees for specific projects which would not benefit all the citizens paying the fee. Other ways to finance stormwater projects could be to create a service district and levy an additional tax or do special assessment projects. County Manager Martin advised that if the request to be removed from Phase I is approved, he recommends getting out of the joint utility and discontinuing the fee. The County Attorney agreed. However, if the county wants to continue in the joint utility, he believes that the fee will need to be raised in order to generate enough money for needed projects. Mr. Cooney advised that efforts continue to be made to locate monies such as grants to fund drainage projects. County Manager Martin reiterated that grant funds

are still being sought, especially for the Lock's Creek project. Commissioner Edge questioned what other metropolitan counties are doing in North Carolina to control stormwater issues, as well as how other states work directly with homeowner associations on this issue. Mr. Cooney will research the requested information and report back to the members. The committee agreed to make the decision on retaining the fee during the budget process.

3. Followup from Commissioner Jeannette Council's Request Regarding the NACo Drug Discount Card Program

Management provided members a handout. Commissioner Council voiced her concern for the County employees regarding prescriptions that are not covered under the County's insurance plan. Deputy County Manager Pilgrim advised that there are several options an employee can look into when a prescription is not covered to take advantage of the lowest cost; such as, seeing if a generic brand is available by using the Wal-Mart Prescription Program which provides generic medication for \$4 or using the NACo Drug Discount Card Program when no insurance is available. An alternate consideration is through the Cumberland County Medical Assistance Program (CCMAP) which Ms. Smith informed members could be used but it is based on income. If a person has Medicare Part D and a prescription is not available under the current insurance plan, the NACo Drug Discount Card can be used. Deputy County Manager Pilgrim advised that there is no charge for the drug discount card and Ms. Smith added that the card gives a 20% discount on prescriptions which can also be used in conjunction with the Wal-Mart \$4 charge for additional savings. Discussion ensued regarding the distribution of the cards and County Manager Martin stated he believed it would be a minor cost to distribute them through the normal methods. Ms. Smith informed members that the county has realized \$400,000 in savings since the start of the CMAC contract with the county jail system.

MOTION: Commissioner Melvin moved to pursue participation in the NACo Drug Discount Program.

SECOND: Commissioner Edge

VOTE: Unanimous

4. Consideration of Policy on Tethering of Dogs

County Attorney Barrett advised that in December, the Animal Control Board made a unanimous recommendation to request an ordinance be drafted regarding the tethering of dogs. Members were provided with a handout. The justification for prohibiting tethering is based on many studies which show that tethering increases the risk of anti social behavior by dogs and increases the risk of animal abuse. Discussion ensued regarding other effects of tethering. County Attorney Barrett recommended that the Cumberland County Board of Commissioners direct the Animal Control Interim Director and County Attorney to review experience and approaches of other jurisdictions in the state and possible anti-tethering proposals, present findings to the Animal Control Board, and then report back any recommendation to the Policy Committee. Commissioner Edge voiced a desire for restrictions of tethering dogs on the back of trucks to be addressed also. Don and Shelby Townsend, Cumberland County residents, were introduced and Mrs. Townsend spoke in support of the tethering ordinance based on personal experiences.

5. Other Matters of Concern

MEETING ADJOURNED: 10:20 AM