

CUMBERLAND COUNTY POLICY COMMITTEE  
January 8, 2009 – 9:30 AM

PRESENT: Commissioner Kenneth Edge  
Commissioner Billy King  
Commissioner Marshall Faircloth  
James Martin, County Manager  
Grainger Barrett, County Attorney  
Sara VanderClute, Public Information Officer  
Shelby Townsend, Cumberland County Resident  
Marie Colgan, Deputy Clerk

Commissioner Edge called the meeting to order at 9:30 AM.

1. Selection of Chair for 2009

**MOTION: Commissioner Faircloth moved to appoint Kenneth Edge as Chairman of this Committee for 2008**

**MOTION: Commissioner Edge moved to appoint Billy King as Chairman.**

**Commissioner Faircloth withdrew his motion.**

**SECOND: Commissioner Faircloth**  
**VOTE: UNANIMOUS**

2. Approval of Minutes: September 4, 2008

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

**SECOND: Commissioner Faircloth**  
**VOTE: UNANIMOUS**

3. Consideration of Animal Control Board Recommendation Regarding Restraint of Dogs

County Attorney Barrett informed members of concerns regarding restricting dogs on a tether which causes a problem for the animal's welfare for things such as food and shelter. Strong statistics also show that restricting dogs by tethering causes higher dog bites incidences. County Attorney Barrett advised that the Animal Control Board unanimously adopted a recommendation prohibiting tethering back in November, 2007. At that time an ordinance was drafted and presented to the Policy Committee in April, 2008. The Committee requested information as to how other counties in North Carolina dealt with this subject which further delayed the completion of the ordinance. County Attorney Barrett added that the City of Fayetteville had considered an animal control ordinance with a tethering provision a number of years ago, but when it became controversial, it was dropped by the City Council. Since then, it created an Animal Control Ad Hoc Committee which meets sporadically and asked early in 2008 for a proposal on tethering. Follow-up on the Policy Committee recommendation from April 2008 was delayed due to the change in leadership at Animal Control and after receiving guidance from the Board, work on the ordinance was continued. The County Attorney at Commissioner Henley's request provided a status report to the Commissioners in October 2008. However, the Animal Control Board has now requested that a trolley

chain device be used in lieu of full tethering. It seems clear, however, that opponents of tethering will not support the trolley chain device option.

Attorney Barrett advised that Mrs. Shelby Townsend, opponent to tethering, feels that a review of this subject by a full time Animal Control professional is in order and he is in agreement with her. Commissioner King asked Mrs. Townsend to speak to the Committee. Mrs. Townsend voiced her concern regarding tethering or using a trolley system for dogs by sharing her experience with numerous years of animal rescue work. Mrs. Townsend requested that the Committee wait on a decision on this subject until a new Animal Control Director is hired and has had a chance to thoroughly review the proposed ordinance.

Commissioner Faircloth questioned whether the ordinance passed by the County affects the municipalities. County Attorney Barrett advised that it does not, but that the County does enforce whatever ordinance the municipality has in place.

Commissioner Edge stated that he had reviewed the current draft as opposed to the original draft and clarified that the only difference in the draft document presented in the materials presented today is that Section 2, Item 5a-5h was added and County Attorney Barrett answered yes. Commissioner Edge also questioned whether changes could be made in the future should the draft be adopted as is. County Attorney Barrett acknowledged that changes could be made at a later date.

Commissioner King voiced concern about how tethering will affect residents in the rural areas and County Attorney Barrett clarified that the ordinance calls for an enclosure for dogs, such as, fencing.

County Manager Martin stated that it may be quite awhile before an Animal Control Director is hired and would prefer not to wait for that person's expertise.

County Attorney Barrett explained that if the Policy Committee approves the proposed ordinance, it would then go before the Full Board and if unanimously adopted on the first reading, the effective date could be set at a later time in order to allow for education of the citizens.

**MOTION:** Commissioner Edge moved that the original ordinance be adopted effective July 1, 2009.  
**SECOND:** Commissioner Faircloth  
**VOTE:** UNANIMOUS

4. Other Matters of Concern

County Manager Martin briefed the Committee on a Municipal Services Partnership which is being sought by the Department of Defense with the County and the City of Fayetteville through Ft. Bragg. Last July, County Manager Martin met with representatives from Ft. Bragg and a consulting firm regarding the potential of the County handling the collection and disposal of solid waste for Ft. Bragg. Federal legislative authority chose Ft. Bragg as one of a few locations for this partnership which also includes contracts for library services. County Manager Martin and Ms. VanderClute attended some meetings at Ft. Bragg in December regarding this proposal.

Obviously the City of Fayetteville would most likely handle the collection of solid waste, while the County would handle the disposal. Waste to energy with Ft. Bragg is of interest and County Manager Martin feels that it is worth advancing the discussion on this subject.

Commissioner Edge questioned County Manager Martin if there has been communication between the County and PWC regarding the Cedar Creek Project as he had been questioned about the financing of the project by an individual that should already have this information. County Manager Martin indicated he would check into this.

Commissioner Faircloth voiced a concern of his about the growing number of boards that the Commissioners were being asked to attend. Commissioner Edge advised that several of the boards are new boards that have come about since Commissioner Faircloth served on the Board and that traditionally Commissioners were asked to assess the need based on their attendance at meetings, with the understanding that attendance at some boards are mandated. Commissioner King agreed that this subject should be revisited and Commissioner Edge added that he has gained a better understanding of the inner workings of the county boards by attending these meetings.

MEETING ADJOURNED