COUNTY POLICY COMMITTEE
MARCH 18, 1999
MINUTES

MEMBERS
PRESENT: Chairman Ed Melvin
Commissioner Talmage Baggett
Commissioner Breeden Blackwell

OTHERS: Cliff Strassenburg, County Manager
James Martin, Deputy County Manager
Grainger Barrett, Senior Staff Attorney
Jimmy Teal, Asst. Manager (Fayetteville)
Jim Alexander, Fayetteville Inspections Department
Hope Barnhart, Planning Department
Marsha Fogle, Clerk to the Board
Press

Chairman Melvin called the meeting to order.

1. Approval of Minutes: January 21, 1999

The Board unanimously approved the Minutes.

2. Discussion of Proposed Landscape Ordinance and Gateway Corridor Planning

Commissioner Baggett asked the City to discuss the City Ordinance and any concerns and/or problems they have had in enforcement.

Mr. Jim Alexander noted that there are virtually no problems connected with the Ordinance in dealing with new businesses. However, there is an enormous enforcement issue with existing businesses. In addition to enforcement issues, cost to the existing businesses is a concern. In addition, trees and other landscape materials that die are required to be replaced in a year.

Commissioner Baggett noted the importance of enhancing the corridors to our community; however noted some concerns about small property owners and business owners enduring the hardships connected with having to redo their properties to meet the ordinance requirements.

Timmy Teal, Assistant City Manager, said the Appearance Commission is really more concerned with the Ordinance applying to new businesses as opposed to old businesses. It was noted the City can address the Ordinance enforcement issues when new areas are annexed into the City.

Chairman Melvin used his tire business as an example of a business having to meet the landscaping requirements. He noted it cost him about $2,000 to come into compliance with the Ordinance.

Commissioner Baggett noted a project in which there was a cooperative program between the City and business owners along Cool Spring Street in that the owners provided the money for the landscaping and the City of Fayetteville actually did the planting, watering and upkeep of the trees.

Commissioner Blackwell suggested we compromise as far as the Ordinance is concerned by making it apply to new businesses and that the County join the City in a cooperative effort to make our corridors more attractive. He also noted a Chamber of Commerce program "Putting Down Roots" that the County may want to look into.

Commissioner Baggett inquired as to whether the DOT participates in funding any of the landscaping projects. It was noted they do participate some at the interchanges.

Cliff Strassenburg, County Manager, suggested the Committee ask the Planning Department to draft an ordinance, consistent with the City's, that would apply to new construction that is within the urban services boundary. In addition, he said the Planning Department can also investigate the Chamber's program, DOT funding and other funding possibilities. The Planning Department will bring this information back to the Policy Committee for review and recommendation to the full Board of Commissioners.

MOTION: **Commissioner Blackwell moved to follow the Manager's suggestion and ask the Planning Staff to draft an Ordinance, consistent with the City of Fayetteville's, that would apply to new construction within the urban services boundary, and bring it back to the Policy Committee for review.**
SECOND: **Commissioner Baggett**
VOTE: UNANIMOUS

3. Discussion/Consideration of the composition of the Cape Fear Valley Health System Board of Trustees

Chairman Melvin noted that all of the County Commissioners had been poled to see if they want to give up their seat on the Hospital Board. The result of the survey is the Commissioners do want to remain on the Hospital Board. One commissioner, Mr. Baggett, said he would be willing to talk about it. Chairman Melvin made the following suggestion for the make-up of the Hospital Board:

- 7 commissioners
- 5 physicians
- 2 nurses
- 6 public/at large seats

Mr. Melvin said with the purchase of Highsmith Rainey Hospital he thought the addition of 5 seats would make sense. This would bring the number of trustees to 20.

Commissioner Baggett noted that he had proposed a Board made up of five commissioners, five physicians and 5 public/at large seats. He said while it was a privilege for him to serve as a member of the Hospital Board, it would not necessarily bother him to get off in order to make things work. He also pointed out that a survey of other public hospitals showed that no one has as many commissioners serving on their Boards as we do. He said he thought the proposed make-up of the Board as suggested by Chairman Melvin was feasible. He asked if 20 members on a Board was manageable. Chairman Melvin said it was only five more than we currently have, and he felt it would not be a problem. Commissioner Baggett noted a concern of the doctors relative to appointing the public/at-large members in that the doctors feel the Board could be stacked in support of Commissioners' views. He said, however, the doctors concerns relative to this issue are not substantiated, in fact it seems to be just the opposite.

Senior Staff Attorney Grainger Barrett told the Committee that Bond Counsel at some point in time may have some concerns if there are too many changes taking place with respect to appointments to the Hospital Board of Trustees. At this point in time, the Bond Counsel looks on the hospital as an instrument of County government. While one single characteristic may not affect this thinking, a combination of changes in the way we make appointments and control the Hospital Board could at some point in time raise a flag, which could complicate the tax status of the hospital. Mr. Barrett said that if in fact we want the doctors to have some input as to the public/at-large members on the Board, the Board of Commissioners should actually make the appointments.

Commissioner Blackwell said he had originally thought we should wait until the purchase of Highsmith Rainey is final before addressing the composition of the board. However, he said he has rethought this position. He asked that we not forget that this is a county-owned hospital, an asset of the county. It provides the health providers a place to practice. In addition he noted that the Board of Commissioners as the ultimate decision makers need to be fully involved on the Board. Mr. Blackwell said it is his perception that the physicians' problems appear to be more with administration than with the Board of Commissioners.

**MOTION: Commissioner Baggett moved to recommend the following configuration to the Board of Commissioners for consideration as to the composition of the Hospital Board of Trustees:**

- **7 commissioners**
- **5 doctors**
- **2 nurses**
- **6 public/at-large members**

**SECOND: Commissioner Blackwell**
**DISCUSSION: The Committee also recommended that if the even number was a problem as far as tie votes on issues, the President would vote only in case of a tie.**
**VOTE: UNANIMOUS**

Grainger Barrett, Senior Staff Attorney, asked the Committee to adopt a Resolution clarifying the term of membership of the commissioners on the Hospital Board of Trustees, i.e., they are members once they have taken office as a commissioner and their term expires when they no longer serve on the Board of Commissioners.

**MOTION:** **Commissioner Baggett moved to recommend adoption of the Resolution to the Board of Commissioners.**
**SECOND:** **Commissioner Blackwell**
**VOTE:** UNANIMOUS

RESOLUTION CLARIFYING TERM OF MEMBERSHIP OF CUMBERLAND COUNTY COMMISSIONERS ON THE BOARD OF TRUSTEES OF CUMBERLAND COUNTY HEALTH SYSTEMS, INC.

WHEREAS, by action dated July 28, 1987, the Cumberland County Board of Commissioners provided that members of the Board of Commissioners be appointed to the Board of Trustees of Cumberland County Health System, Inc. (the "Hospital"); and

WHEREAS, since that time, it has been the uniform and consistent policy of the Board of Commissioners to appoint its members in office from time to time to the Hospital's Board of Trustees; and

WHEREAS, it is desirable to clarify the terms of such appointments,

NOW, THEREFORE, BE IT RESOLVED by the Cumberland County Board of Commissioners, that each Commissioner of this Board shall be deemed to take, or to have taken, office as a member of the Hospital's Board of Trustees automatically, without any further action or resolution of this Board, as of the time that each such individual Commissioner shall qualify or have qualified for his or her office as a Commissioner of this Board; and

BE IT FURTHER RESOLVED, that the term of appointment of each individual Commissioner of this Board to the Hospital's Board of Trustees shall be deemed to terminate, or to have terminated automatically, without any further action or resolution of this Board, as of the time that each such individual's term of office as a Commissioner of this Board terminates or terminated, and

BE IT FURTHER RESOLVED, that all acts of the Commissioners of this Board from time to time serving or having served on the Hospital's Board of Trustees, are approved, ratified and confirmed in all respects.

BE IT FURTHER RESOLVED, that this shall be a continuing resolution of this Board and shall continue in full force and effect until amended, revised or rescinded by formal action or resolution of this Board.

**MEETING ADJOURNED**