

Cumberland County Policy Committee
October 3, 2002, 8:30AM

Members Present: Chairman Jeannette Council
Commissioner Talmage Baggett
Commissioner John Henley
Others: James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Cliff Spiller, Asst. County Manager
Grainger Barrett, County Attorney
Marsha Fogle, Clerk to the Board

Chairman Council called the meeting to order.

1. Approval of Minutes: July 2, 2002

MOTION: Commissioner Baggett moved to approve.
SECOND: Commissioner Henley
VOTE: UNANIMOUS.

- * 2. Consideration of a policy on the use of county facilities

Grainger Barrett, County Attorney, reviewed and answered questions on the proposed policy. The proposed policy as set out will apply to all county facilities. However, each county department shall adopt a policy governing the use of that specific facility. The Attorney pointed out that county facilities are not unlimited public fora where anyone or any group can disseminate their messages. However, a facilities use policy for facilities which by their nature are intended for widespread, diverse uses by the public, such as libraries and parks, may be flexible to accommodate uses which traditionally have been associated with such facilities.

All policies shall be reviewed by the County Attorney prior to its promulgation.

MOTION: Commissioner Baggett moved to forward the policy to the Board of Commissioners, recommending its adoption.
SECOND: Commissioner Henley
VOTE: UNANIMOUS

3. Discussion of a joint Human Relations Commission

The County Manager told the Committee that the City Manager will discuss this issue with the City Council at its next meeting to see what it is willing to offer the County regarding this joint venture. One issue of course would be funding.

5. Consideration of County Facilities Committee report and recommendations:\

- a. To seek a site other than the Alphin property for the location of an animal control facility and to defer commencement of the design process.

BACKGROUND: Members of the Finance Committee expressed concerns that an animal control facility adjacent to our new Industrial Business Center may affect its viability.

ACTION: Approve seeking a site other than the Alphin property for the location of a new facility.

- b. To solicit designs for a Cumberland County seal

BACKGROUND: The County now uses the State seal as its official seal. It was suggested that the County contact the high schools and inquire if students in the arts program would like to submit a design for a county seal.

ACTION: Approve solicitation of designs for a county seal.

- c. To add the Greater Fayetteville Futures slogan (History, Heroes and a Hometown Feeling

BACKGROUND: Chairman Blackwell suggested updating our "Welcome to Cumberland County" signs by adding a panel with "History, Heroes, and a Hometown Feeling". Estimated cost is \$2,650. Funds are available in the budget for this.

ACTION: Add panel.

MOTION: Commissioner Warren moved to approve 5a,5b & 5c.

SECOND: Commissioner King

DISCUSSION: Chairman Blackwell noted the importance of moving forward as soon as possible with a new animal control facility. Commissioner Warren asked that management put the "History, Heroes and a Hometown Feeling" on the county's website.

VOTE: UNANIMOUS

6. Consideration of County Policy Committee report and recommendation

- * a. To adopt a policy on public use of county-owned facilities

BACKGROUND: The Policy Committee, at its meeting on October 3, 2002, recommended adoption of a policy for the use of county-owned facilities. Since then, the DSS Department has submitted comments to some of the policy, i.e., use of the room for lobbying purposes, definition of "excessively loud", the standard that a use policy be consistent with the particular goals and mission of the department may be unintentionally limiting, and the phrase that allows use of a meeting room for training where no fee, or only a nominal fee is charged, conflicts with the provision that a facility's use policy give consideration to reimbursement of staffing or clean-up costs.

ACTION: Consider whether to approve the Policy as recommended by the Policy Committee or send back to Policy for further review.

MOTION: Commissioner Council moved to approve.

SECOND: Commissioner Henley

VOTE: UNANIMOUS

7. Nominations to Boards and Committees

- A. Adult Care Home Community Advisory Committee (2 vacancies)

BACKGROUND: On September 16, 2002, the Board appointed Ms. Diane Noel to one of the three vacant positions. Ms. Noel has declined the appointment. Also, Mr. Thomas E. Jones has completed his initial appointment. He is eligible for reappointment.

Nominees: Thomas E. Jones (reappointment)

CUMBERLAND COUNTY BOARD OF COMMISSIONERS POLICY ON PUBLIC USE OF COUNTY-OWNED FACILITIES

PURPOSE: The policy of the Cumberland County Board of Commissioners is that County-owned facilities are provided to conduct the business of the County and of its associated governmental agencies. County facilities are not unlimited public fora where anyone or any group can disseminate their messages. Public groups and individuals do not have an unlimited right to use County-owned facilities as a platform for propagation of their messages. Limited public use of County-owned facilities will be permitted, however, when consistent with the governmental use of such County-owned facilities and consistent with the provisions of this Policy

POLICY: Each County department or affiliated agency that has custody of a County-owned facility shall adopt a written policy governing public use of that facility. Each facilities use policy shall be promulgated by the department head or chief executive officer of the affiliated agency. The Assistant County Manager for Operations shall be deemed the custodian of the New County Courthouse. Each official promulgating a facilities use policy shall give consideration to reimbursement for incremental staffing and/or clean-up costs so that significant use is not made of taxpayers funds to subsidize such expenses. Each facilities use policy shall be consistent with the criteria set forth in paragraphs A and B below.

Every facilities use policy for use of County-owned buildings shall be submitted to the Office of the County Attorney for review prior to its promulgation.

- A. A facilities use policy shall not allow use of County-owned facilities for commercial or profit-making purposes. This shall not include, however, a facility such as the Cumberland County Civic Center where the primary purpose of the facility is intended to be for a variety of commercial events for which patrons usually pay.

A facilities use policy shall not allow use of County-owned facilities for religious worship, proselytizing or other activities which actively promote religion.

A facilities use policy shall prohibit use of the facility for personal or group political proselytizing or lobbying.

A facilities use policy shall prohibit use of County-owned facilities for activities which are purely personal in nature.

A facilities use policy shall prohibit the distribution or use of alcoholic beverages or any smoking.

A facilities use policy shall prohibit the presence of weapons of any kind, except for law enforcement officers while on duty.

A facilities use policy shall prohibit obscene, disruptive, abusive or excessively loud conduct.

A facilities use policy shall ban discrimination on the basis of race, creed, sex, age, national origin, handicap or disability.

- B. A facilities use policy shall be consistent with the particular mission and goals of the departments or associated governmental agency at the facility.

A facilities use policy may allow the use of the facility by governmental organizations (including for recognition or award ceremonies for individual government employees) so long as such use does not interfere with the customary and usual business of the facility.

A facilities use policy may, but need not, allow use of the facility by groups closely connected with the mission of the facility and complementary to the mission and goals of the organizations at the facility.

A facilities use policy may, but need not, allow use of the facility for training open to the public at large where no fee is charged (or only a nominal fee to recoup cost of supplies or equipment).

A facilities use policy may allow non-profit, non-partisan groups to use the facility, such as for organizational meetings, seminars, study groups, planning sessions, training programs and similar type activities.

Each facilities use policy shall reserve the right of reasonable inspection by the County Engineer, County Building Inspectors, and the Fire Marshall.

Notwithstanding the above, a facilities use policy for facilities which by there nature are intended for widespread, diverse uses by the public, such as libraries and parks, may be flexible to accommodate uses which traditionally have been associated with such facilities.

- c. Effective Date. This policy shall become effective the __ day of _____, 2002.