

CUMBERLAND COUNTY POLICY COMMITTEE
OCTOBER 6, 2005 – 8:30 AM
REGULAR MEETING

PRESENT: Chairman Talmage Baggett
Commissioner Breeden Blackwell
James Martin, County Manager
Amy Cannon, Assistant County Manager
Cliff Spiller, Assistant County Manager
Grainger Barrett, County Attorney
Tammy Gillis, Senior Internal Auditor
Ann Hymes, Deputy Clerk

1. Approval of Minutes: August 4, 2005

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

2. Consideration of Amending Storm Water Utility Ordinance to Create Two-Tier Rate Structure to Allow Municipality to Authorize Additional Level of Fee to be Used for Storm Water Quality Projects in that Municipality

The County Attorney said that at a recent joint meeting with the City of Fayetteville a presentation was given regarding suggested projected financial levels for the storm water utility. At that time the City expressed an interest in authorizing a two-tier rate system. The additional storm water fee would be in addition to a base rate for which the proceeds are dedicated to operating the joint storm water project. The additional storm water fee would be directed to storm water quantity projects in the City. The proposed storm water ordinance revision adds references to a monthly service rate which will be a base rate to be applied to implement the joint storm water management program, and delegates to a participating municipality's governing board authority to authorize an additional fee of up to the amount of the monthly service rate set by the Board of Commissioners. The additional fee would be used for storm water control improvements and storm water quantity mitigation measures and facilities within that municipality. The municipality's governing board would include that additional charge in its budget prior to July 1 each year. The City operates the Storm Water Program by an interlocal agreement and the County collects the charge in conjunction with the property tax. Commissioner Baggett expressed concern that this could be perceived as a county tax increase. The Committee decided to refer this item to an upcoming meeting with the City of Fayetteville for further discussion.

MOTION: Commissioner Blackwell moved to refer the storm water item to the Joint Meeting with the City of Fayetteville on October 25, 2005, or to the City-County Liaison Meeting on October 27, 2005.
SECOND: Commissioner Baggett
VOTE: UNANIMOUS

3. Fire Protection Contract Issues

Grainger Barrett, County Attorney, explained the purpose for addressing this issue is to assure that the Fire Protection Contracts meet legal requirements to ensure that public tax funds are expended for the public purpose of fire protection and that the contracts ensure accountability for and reporting of the expenditure of those public tax funds. The County entered into a standard form of continuing fire protection contracts with all the volunteer fire departments in the County in 1996. Under the fire protection contracts, taxes raised in a fire district are collected exclusively to provide fire protection services in that fire district. Mr. Barrett referred to a list of issues that might be considered for the contract.

Another related issue is what Board of Commissioners' policy governs allocation and disbursement of the supplemental/low wealth fire tax funds. In 1989 the Board approved the fire protection service district for the purpose of assisting financially distressed fire departments. The Board found that there was a need for equalization of funding of fire departments. In 1990, 1991, 1992, and 1993 the Board approved a distribution schedule of the low wealth funds to financially distressed rural fire districts. Not since 1993 has the allocation been placed on the Board of Commissioners' consent agenda. In 1994 the Fire Chiefs Association submitted proposals for a Special Fire Service District Funds Contract and a Foam Trailer Financing Plan to provide for coordination of fire protection services among the various fire departments in the County. Sixty percent of the funds generated were to be used to assist financially distressed fire districts and 40% of the funds would go to the Association for expenditure on projects approved by the Board of Commissioners through the annual budget process. There is no indication that this proposed contract was ever executed. The County Attorney said the Board must approve how the special fire protection service district funds are budgeted each year, or delegate that to the Fire Chiefs Association according to guidelines established by the Board of Commissioners.

Fire Chief, Freddy Johnson, said four fire districts have closed since the City of Fayetteville began annexing. Discussion continued on the need for procedures regarding how leftover funds are to be spent when a fire station dissolves.

MOTION: Commissioner Blackwell moved to direct the County Attorney, Emergency Services Director and the County Manager to draft a proposed contract with the Fire Chiefs Association for disbursement of supplemental fire tax, and revisions to existing fire protection contract with fire departments, consistent with guidance by the Policy Committee and return the draft contracts to the Policy Committee for consideration.

SECOND: Commissioner Baggett

VOTE: UNANIMOUS

4. Other Matters of Concern

There were no other matters for discussion.

MEETING ADJOURNED: 9:45 AM