

**Minutes of the
Albemarle Commission Board of Delegates
August 16th, 2018
7:00 PM**

Opening

Chairwoman Marion Gilbert called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Chairwoman Marion Gilbert led the Board in the Pledge of Allegiance.

Invocation

Vice Chairman Leroy Spivey led the Board in the Invocation.

Determination of Quorum

The presence of a quorum was determined by Clerk and Program Administrative Coordinator Laura Rollinson with eight (8) Members present.

<u>Name</u>	<u>County</u>
Sandra Duckwall	Camden
Marion Gilbert	Currituck
Rob Ross	Dare
Linda Hofler	Gates
Lloyd Griffin	Pasquotank
Fondella Leigh	Perquimans
Leroy Spivey	Tyrrell
Tracey Johnson	Washington

Absent Members:

Clayton Riggs	Camden
John Mitchener	Chowan
Elizabeth White	Currituck
Earl Pugh	Hyde

Partners, guests, and staff present:

Albemarle Commission Attorney John Leidy of Hornthal, Riley, Ellis and Malland was present. Staff members Cathy Davison, David Whitmer, Laura Alvarico, Angela Welsh, Carolyn LaDow, Laura Rollinson were present. Zach

Bray, Chairman of the Northeastern Workforce Development Board was present and signed in to give Public Comments. Also, in attendance were Daily Advance contributing author Holly Audette and previous employee Dawn Giordano (previously known as Dawn Kent).

Agenda:

Chairwoman Marion Gilbert made a motion to amend the agenda by moving Item eleven (11) to Item 4 A. Closed Session in accordance to NCGS 143-318 (11) (a) (3), modify Item 6 to exclude Chairman Comments, modify Item 9 to remove consideration of Updated Personnel Policy and amend Item 11 to Closed Session in accordance to NCGS 143-318.11 (a)(6) for a specific Personnel Matter. Her motion was seconded by Board member Rob Ross, and with no further discussion, the motion was carried unanimously.

Closed Session NCSS 143-318 (11) (a) (3)

Chairwoman Marion Gilbert made a motion to enter into closed session in accordance to NCSS 143-318 (11) (a) (3) to discuss existing litigation re: Stiletto Mfg., et. al. at 7:10 pm. Her motion was seconded by Vice Chairman Leroy Spivey, and with no further discussion, the motion carried unanimously. Board member Lloyd Griffin made a motion to come out of closed session and back into open session at 7:52 pm. His motion was seconded by Board member Fondella Leigh, and with no further discussion, the motion carried unanimously.

Approval of July 19th Minutes (VOTE):

Chairwoman Marion Gilbert presented the July 19th minutes. Board Member Rob Ross stated the follow corrections were needed: page eight (8), change the word professions to provisions, page ten (10), replace the period with a question mark after Holly Audette's question on how long employees have been here. Board member Tracey Johnson stated the following corrections were needed: page 7, correct the word boar to board midway down on the page, page ten (10), change the word seen to see on the second line, page twelve (12) change the word theft to thief, change Mr. to Mrs. On the first line and change the word slander to slandered on line seven (7). Board Member Tracey Johnson made a motion to approve the minutes with the noted correction. Her motion was seconded by Board Member Rob Ross, and with no further discussion, the motion was carried unanimously.

Public Comments:

Chairwoman Marion Gilbert opened the floor to Public Comments, reminding everyone there is a three (3) minute time limit. Zach Bray, Chairman of the Northeastern Workforce Development Board was recognized as having signed in to speak. Mr. Bray thanked the Albemarle Commission board for the opportunity to speak. Mr. Bray advised the board of the hard work of the Northeastern Workforce Development Board staff, noting the Regional Pathways that have been approved, the \$250,00 Innovation Grant they have received and The ways in which

staff have used those funds to receive out to the service area and offer skills training in conjunction with the regional library system and how the Tratify software is being utilized throughout the prosperity zone and in the Career Centers. Mr. Bray also informed the Albemarle Commission board that staff Assistant Director Emily Nicholson and RPO Director Angela Welsh were continuing their ad hoc Transportation committee to improve transportation Barriers currently experienced by regional workers and businesses. Mr. Bray commended Northeastern Workforce Development Board Director David Whitmer for his hard work. Mr. Bray also invited everyone present to attend a Northeastern Workforce Development Board meeting. Board member Tracey Johnson asked Northeastern Workforce Director David Whitmer why the seats on the board had been lowered for Higher Education, asking if a previous seat holder could be added back. Director Whitmer explained the membership had decreased but that he would be happy to receive any information concerning anyone in higher education who would like to be a member.

The second public speaker introduced herself Dawn Giordano, formerly Kent. She stated she worked for the Albemarle Commission for nearly nine (9) years and was the former Finance Director. Ms. Giordano stated she had not received any written warnings prior to her sudden termination with Albemarle Commission. Ms. Giordano advised the board she had recently applied for a Grant Manager position and had been going through the interview process. She stated the company was extremely interested in her to fill the position until the interviewer was advised by a current staff member at Albemarle Commission that they needed to contact Cathy Davison directly in regards to her (Ms. Giordano) reason for termination with the commission. Ms. Giordano stated that the interviewer informed her that even though she did not think the information provided to her by Mrs. Davison was factual, she was obliged to present the information received to her board members. Ms. Giordano stated that once again, Executive Director Cathy Davison had acted as judge, jury and executioner, preventing her from being offered the position. Ms. Giordano advised the board that she has personally reached out to all the other Council of Governments to make sure they were aware of what Executive Director Cathy Davison has done to her professionally. Ms. Giordano ended her Public Comments by asking the board members to ask themselves who they believed, herself or Cathy Davison.

Chairwoman closed the floor to Public Comments as no one else had signed in or was expressed a desire to make Public Comments.

Reports

Chairwoman Gilbert opened the floor to the staff to present their reports. Staff were given a time limit of three minutes to make their presentations.

a. Training

Chairwoman Gilbert opened the floor to Northeastern Workforce Development Board Director David Whitmer. Director David Whitmer presented his report. He advised the Board with his recent new hire, he is fully staffed. Director Whitmer stated his staff have increased their training and outreach events. He informed the board the last career fair has eighty (80) job seekers and twenty (20) employers. Director Whitmer informed the board

they local school systems are assisting with the Tratify Software by pitching in \$9,000.00. Director Whitmer advised the board four Career Cafes were held since the last board meeting and the next Real World would be held on September 25, 2018 at the Museum of the Albemarle. Mr. Whitmer invited all board members to attend.

b. AAA& Senior Nutrition

Chairwoman Gilbert opened the floor to Area Agency on Aging and Senior Nutrition Director Laura Alvarico. Director Laura Alvarico presented her printed annual report to all board members. Director Alvarico informed the board there are still a few fans left, to please reach out to her if they know of anyone in need. She advised the board of her staffs upcoming community outreaches including three Scam Jams that have been scheduled. Director Alvarico expressed the need for volunteers to join the Community Advisory Committee and requested the board pass that need on to members of their communities. She advised the board one hundred and twenty (120) of the \$24 Farmer Market vouchers had been given out in the region. Director Alvarico also informed the board a contract has been signed with Moms Meals. This company will ship meals that meet nutritional guidelines to individuals in need who are not on a Meal Delivery route.

c. Mapping, Planning and Transportation

Chairwoman Gilbert opened the floor to Albemarle RPO Director Angela Welsh. Director Welsh advised the Board she has recently been appointed to two (2) additional RPO committees, one is a committee that will tally the numbers of projects presented under Spot and the second was an appointment onto the Administrative Documents committee. Director Welsh advised the board by sitting on these two additional committees, her intent is to be able to move on to the SPOT workgroup. Director Welsh further advised the board there will not be any additional travel or time out of the office incurred by her appointment onto the new committees. Director Welsh advised the board the Eastern North Carolina Freight Plan has been slightly delayed. Director Welsh also advised the board that on September 10th, the ARPO will be reviewed by the Transportation Planning Division. Director Welsh finished her report by informing the board Julie White, NCDOT Deputy Director of Modal Transportation will visit our region. Chairwoman Marion Gilbert requested that Director Welsh resend the email with the locations and times of Ms. White's visit out to the Board Members.

d. Money

Chairwoman Gilbert opened the floor to Finance Officer Carolyn LaDow. Finance Officer LaDow advised the Board the July Bank account information has not been received from AHRS. She explained to the board the report given to them in their packet may appear to be low, this is due to paying in arrears for items not received in July. She advised the board she and Executive Director Cathy Davison were preparing for the upcoming audit.

Report of the Executive Director

Chairwoman Gilbert opened the floor to Albemarle Commission Executive Director Cathy Davison. Executive Director Cathy Davison advised the board STAR Award recommendations are being accepted and reminded the board for the need for members to sit on the Review Committee. She advised the board one (1) Revolving Fund Loan application has been received. Executive Director Davison also advised the board she had submitted the Northeastern Workforce Development Board NextGen Program Career Café as a nomination to receive a NADO Innovation Award. Director Davison advised the board staff development is continuing in conjunction with staff potlucks. Director Davison thanked board member Tracey Johnson for her submission of the photo for the Building Vibrant Places for the NADO Conference. She advised the board Albemarle Commission continues to work with the Albemarle Overdose Prevention Coalition, noting that October 22th there will be a Regional Prescription Drug Take Back Day. Director Davison advised the board she is continuing her work with the Innovate Project, advising the board she will attend the September 28th NCGrowth SmartUp component of this project. She advised the board NCDEQ Staff will have a Session on Funding Infrastructure Projects on September 20th to be held here at Albemarle Commission. She invited board members to attend.

Review of By-laws

Chairwoman Gilbert opened the floor to a review and votes to amendments of the by-laws.

- Board member Lloyd Griffin made a motion to the specific language amendments to all sections in the By-Laws as presented by Attorney Leidy that specifically make the document gender neutral. His motion was seconded board member Sandy Duckwall and with no further discussion the motion carried unanimously.
- Board member Lloyd Griffin made a motion to approve the amendment in **Article VI Section IV the Governing Body of the Albemarle Commission** as submitted by Attorney Leidy that after a Board member misses three consecutive meetings, the Chairman will determine if extenuating circumstances exists or if a request to the appropriate governing officials in the Board members county will be contacted for the purpose of obtaining a replacement. His motion was seconded by Board member Linda Hofler and with no further discussion the motion carried unanimously.
- Board member Fondella Leigh made a motion to approved the amendment as presented by Attorney Leidy to **Article VII Section III Executive Committee** to read Attendance of all three members of the Executive Committee shall be necessary to constitute a quorum at any meeting of the Executive Committee. Her motion was seconded by Board member Tracey Johnson and with no further discussion the motion was carried unanimously.
- Board member Rob Ross made a motion to amend **Article XII Section IV Finance Committee** to read a committee will be appointed in January of each year instead of in November. He also suggested removing the second line. His motion was seconded by Lloyd Griffin and with no further discussion

was carried unanimously.

- Board member Lloyd Griffin made a motion to amend **Article XII Section V Revolving Loan Committee** to state the committee would be appointed to include three unaffiliated voting members by January of each year. His motion was seconded by Board member Linda Hofler and with no further discussion was carried unanimously.
- Board member Leroy Spivey made a motion to amend **Article XIII Section I Voting Quorum** to increase the percentage of members need to meet quorum from 40% to 50%. Board member Lloyd Griffin seconded his motion and with no further discussion, the motion was carried unanimously.
- Board member Tracey Johnson made a motion to delete **Article XIII Section II Voting Quorum** that would only require members of the Executive Committee to be present to constitute a regular or special meeting. Her motion was seconded by Board member Lloyd Griffin and with no further discussion the motion carried unanimously.
- Board member Sandy Duckwall made a motion to amend **Article XIV Section I Meeting of the Board** to follow the order of business as typed below:
 - I. Establish Quorum
 - II. Adopt/Approve Agenda
 - III. Approve/Amend Minutes
 - IV. Public Comments not to exceed 3 minutes per speaker
 - V. Unfinished Business
 - VI. New Business
 - VII. Reports of Staff
 - VIII. Report of the Executive Director
 - IX. Report of Committees
 - X. Chairman and Board Member Comments
 - XI. Adjournment

Her motion was seconded by Board member Leroy Spivey and with no further discussion was passed unanimously.

- Board member Rob Ross made a motion to amend **Article XIV Section II Board Meetings by Electronic/Remote Participation** by combining the following that was numbered one through six:
 1. A quorum of the Board must be physically present for the meeting.
 2. The remote participant must be able to hear the Board's discussion and any presentations made to the Board during the meeting.
 3. Technical arrangements must be made so that the remote participant's comments can be heard by all present for the meeting, including the Public.
 4. The remote participant must notify the Board Chair and the Executive Director sufficiently in advance of the meeting to ensure that all requirements for remote participation, including technical and equipment needs can be addressed in advance of the meeting.
 5. The remote participant may not vote on any matter.
 6. The remote participant will not be included in determining whether a quorum is present for the meeting. The remote participant cannot participate in closed sessions.His motion was seconded by Lloyd Griffin and with no further discussion was carried unanimously.

- Chairwoman Marion Gilbert made a motion to amend **Article XIV Section II Board Meetings by Electronic/Remote Participation** to limit the number of times a Board member could participate in a board meeting remotely to once a year. Her motion was seconded by Board Member Rob Ross. Board members in support of the motion were: Marion Gilbert, Rob Ross, Leroy Spivey and Linda Hofler. Board members opposed were: Lloyd Griffin, Sandy Duckwall, Fondella Leigh and Tracey Johnson. The motion did not carry.
- Board member Tracey Johnson made a motion to amend **Article XIV Section II Board Meetings by Electronic/Remote Participation** to limit the number of times a Board member could participate in a board meeting remotely to twice a year. Her motion was seconded by Board Member Sandy Duckwall. Board members in support of the motion were: Lloyd Griffin, Sandy Duckwall, Fondella Leigh and Tracey Johnson. Board members opposed were: Marion Gilbert, Rob Ross, Leroy Spivey and Linda Hofler. The motion did not carry.
- Attorney Leidy informed the Board that due to their inability to carry a motion stating an exact matter of times a Board member could attend via remote participation, they were passing the By-laws with no set limit. Board member Lloyd Griffin made a motion to table all action on **Article XIV Section II Board Meetings by Electronic/Remote Participation** until a later date. His motion was seconded by Board member Rob Ross and without further discussion the motion was carried unanimously.

Chairwoman Gilbert closed the floor to By-Law discussions.

New Business-Budget Amendment #1

Chairwoman Gilbert opened the floor to new business, presentation of Budget Amendment #1. Finance Officer presented Budget Amendment #1 to the board. She advised the board it would be used to move funds to continue to fund the Business Engagement Coordinator position. Board member Lloyd Griffin made a motion to approve Budget Amendment #1. His motion was seconded by board member Rob Ross and with no further discussion the motion carried unanimously.

Closed Session NCSS 143-318 (11) (a) (6)

Board member Sandra Duckwall made a motion to go into closed session in accordance with North Carolina General Statute 143-318.11 (a)(6) for a specific personnel matter. Her motion was seconded by Board member Lloyd Griffin and with no further discussion, the motion was carried unanimously. The Board entered into closed session on 9:57 pm.

Open Session/Other Business

Board member Lloyd Griffin made a motion to return to open session. His motion was seconded by Board member Rob Ross and with no further discussion, the motion was carried unanimously. Chairwoman Marion Gilbert returned the Board to open session at 10:22 pm. Chairwoman Marion Gilbert asked if there was any other business and no one came forward.

Adjournment

Board member Lloyd Griffins made a motion to adjourn the Board meeting. His motion was seconded by Board member Rob Ross and with no further discussion, the motion was carried unanimously. The meeting adjourned at 10:23 pm.

Marion Gilbert
Chairwoman Marion Gilbert

10/18/18
Date

Attested by: Laura M Rollinson

Clerk to the Board, Laura M Rollinson

10/18/18
Date