

**Minutes of the
Albemarle Commission Board of Delegates
July 19th, 2018
7:00 PM**

I. Opening

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

Introductions:

Chairwoman Marion Gilbert asked everyone to introduce themselves. Everyone obliged. Chairwoman Gilbert introduced Albemarle Commission Attorney John Leidy. Chairwoman Gilbert advised everyone Attorney Leidy will be acting as the Albemarle Commission Board Parliamentarian, as well as attorney, going forward.

II. Pledge of Allegiance

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

III. Invocation

Vice Chairman Leroy Spivey led the Board in the Invocation.

IV. Determination of Quorum

The presence of a quorum was determined by Clerk and Program Administrative Coordinator Laura Rollinson with eleven (11) Members present.

<u>Name</u>	<u>County</u>
Sandra Duckwall	Camden
Gary Meiggs (alternate)	Camden
John Mitchener	Chowan
Marion Gilbert	Currituck
Elizabeth White	Currituck
Rob Ross	Dare
Linda Hofler	Gates
Earl Pugh	Hyde
Lloyd Griffin	Pasquotank
Wallace Nelson (unofficial alternat)	Perquimans
Leroy Spivey	Tyrrell
Tracey Johnson	Washington

Absent Members:

Clayton Riggs
Fondella Leigh

Camden
Perquimans

Partners, guests, and staff present:

County Manager Frank Heath and Nelson Wallace were present on behalf of Perquimans County. 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, and Golden Leaf Scholars Intern Deja Gainey were present. Also, in attendance were Daily Advance contributing author Holly Audette and her spouse Michael Audette, Daily Advance contributing author Bill West and previous employee Dawn Giordano (previously known as Dawn Kent).

V. Agenda:

Chairwoman Marion Gilbert made a motion to amend the agenda by moving Item nine (9) to Item seven (7), Item seven (7) to Item to eight (8) and Item eight (8) to Item nine (9). She stated this was to allow the reports to be heard prior to closed session, allowing the staff, with the exception of Clerk Laura Rollinson, to adjourn prior to closed session. Board member Sandra Duckwall advised Chairwoman Marion Gilbert that according to the current bylaws, Public Comments should also be added to the agenda. Chairwoman Gilbert referred to Albemarle Commission Attorney John Leidy, stating this meeting is a work session. Board member Lloyd Griffin objected, stating this was a regularly scheduled meeting, not a work session. Attorney John Leidy stated if this is a regular meeting, public comments would need to be on the agenda per the current by-laws. Chairwoman Gilbert amended her motion to add Public Comments to item seven (7) a. Attorney Leidy suggested the public comments be moved to item eleven (11) a and Chairwoman Gilbert agreed. Her motion was seconded by Board member Lloyd Griffin, and with no further discussion, the motion was carried unanimously.

VI. Approval of June 21st Minutes (VOTE):

Chairwoman Marion Gilbert presented the June 21st 2018 minutes. Board Member Lloyd Griffin made a motion to approve the minutes as written. His motion was seconded by Board Member Rob Ross, and with no further discussion, the motion was carried unanimously.

Approval of June 28th Minutes (Vote):

Chairwoman Marion Gilbert presented the June 28th 2018 minutes. She stated the follow corrections were needed: Chairwoman Marion Gilbert lead the

Pledge of Allegiance and Invocation. Board Member Linda Hofler made a motion to approve the minutes with the noted correction. Her motion was seconded by Board Member Gary Meiggs, and with no further discussion, the motion was carried unanimously.

VII. Reports:

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 his Northeastern Workforce Development Board is now a full Board with the appointment of Janet Russ. He stated his plan had been approved and will receive funding next year. Director Whitmer advised the Board during his Northeastern Workforce Board meeting, an ad-hoc transportation committee had been formed to try to resolve workforce transportation issues. He advised the Board, Northeastern Workforce Development Board Assistant Director Emily Nicholson agreed to head that committee. Assistant Director Nicholson, RPO Director Angela Welsh, IPTCA Director Herb Mullen, Hyde County transit, HR Directors from Regulator Marine and Jimbo Jumbos, along with representatives from Enterprise, met to discuss these concerns. IPTCA is unable to assist with the specific needs of industries in a ride share project due to Insurance liabilities. Enterprise does currently have a 350-van pool option that includes mapping a company's current employees addresses for effectiveness that appears to be a possible solution. Regulator and Jimbo Jumbos are two local companies that have agreed to meet with Enterprise to see if this option will resolve the employee transportation issue. Assistant NWDB Director Emily Nicholson will be facilitating this meeting. Board member Tracey Johnson inquired if Riverlight Transit from Washington County was invited to the ad-hoc transportation meeting. ARPO Director Angela Welsh stated they were not invited, that they started by just inviting a few, but it will be opened up to all. She stated ICPTA was invited because they had already attempted to provide a service for the transportation dilemma, but was unable to due to insurance regulations. Director Whitmer and ARPO Director Angela Welsh advised the Board that Riverlight would be invited to future discussions. NWDB is in the process of replacing the director of the Elizabeth City career center. This month, the Elizabeth City Career Center has held three hiring events: Harbor Freights, Hard Hat and Paramount Builders. They will have another for Quality Staffing this month. The Business Support Services Career Pathway has received certification from the NC Works Commission. That is the third approved career pathway. Director Whitmer stated his staff have four upcoming Career Cafés that were developed by their Youth Service Coordinator. Washington county has submitted their application to achieve their Work Ready Community status. Chairwoman Gilbert advised the Board she attended the last NWDB Board meeting. She stated all of their Board members are engaged and involved. She encouraged all Board members to attend one of the upcoming NWDB Board meetings. She commended Director Whitmer and all Board members for active participation on their Board and community matters.

b. Economic Development & Administration

Chairwoman Gilbert opened the floor to Albemarle Commission Executive Director Cathy Davison. Executive Director Cathy Davison presented her report. She advised the Board the Broadband results had been rolled out in partnership with State Broadband Office with six (6) counties and their teams in attendance and participating. Three (3) providers were also in attendance at the meeting. She advised the Board that there are funds in the state budget bill for broadband the counties cannot apply for, but the providers can in rural or tier one (1) counties. We will be working with the providers when those applications roll out. Board member Lloyd Griffin questioned if the most up to date information was presented and if the funds for broadband for Eastern North Carolina were still available because it is his understanding those funds are now going to the larger metropolitan areas in the western part of the state. Executive Director Davison assured the Board the most up to date information based on the partnership with the State Broadband Infrastructure office was presented and the state budget bill specifies the funds are for Tier One (1) county providers only. She advised the Board members that Board Packets and Minutes will be uploaded to the Albemarle Commission website. She advised the Board staff luncheons and development are ongoing. Executive Director Davison called the boards attention to the Economic Development District 101 flier that will be held at Albemarle Commission on August 9th, 2018. Economic Development Administration North Carolina Hillary Sherman will be presenting at that session. She stated all Albemarle Commission Board members, county managers and economic developers in our region had been sent an invitation to attend. She also asked the Board to review the flyer for the NCDEQ. NCDEQ Staff and Water Resource Division will be presenting a funding infrastructure project session with an overview of the State Infrastructure Plan at Albemarle Commission on September 20th, 2018. This is a joint meeting of County Board of Commissioners, Chair Persons, Mayors, County and Town Managers, as well as our Economic Developers. Executive Director Cathy Davison presented her annual schedule of known meetings to the board. She advised the Board Albemarle Commission had received the 2019 rates for the State Health Plan, we had planned a \$51 dollar increase in our budget. The actual amount of the increase is \$19.96. Board member Mitchener asked if the September 20th Infrastructure Plan would be in reference to the meeting he attended at the Whitehouse in March in reference to the funding for Tier One (1) counties. She advised him it would not, this meeting is for state infrastructure plan for water and waste water.

c. AAA& Senior Nutrition

Chairwoman Gilbert opened the floor to Area Agency on Aging and Senior Nutrition Director Laura Alvarico. Director Laura Alvarico advised the Board her department will be hosting an eight (8) week Matter of Balance program in Camden and Currituck counties. She advised the Board this program is for older adults who have a fear of falling that limits their ability to get out in their communities and be active. This is a free program. She stated her staff is also working on the upcoming Power Tools for Caregivers workshop that will be held in Washington county. She advised the Board her staff has partnered with the Washington County Senior Center to provide this eight-week long workshop to provide caregivers resources available to them and tools to use in their caregiving roles. She stated staff are still busy working on the

Dementia Friendly Communities projects, four (4) projects are upcoming. Two (2) projects will be in Chowan county, and two (2) in Perquimans. Director Alvarico thanked County Manager Frank Heath for scheduling one of the Dementia Friends evidence-based programs that present signs of dementia and how to deal with those individuals to all interested Perquimans County employees. A First Responders training and a Support Group Facilitator training is being planned for the fall to be hosted by the Dementia Allegiance of North Carolina. She advised the Board her department has just signed with Mid-East Commission to administer Project Care again this year. This will allow her department to be able to provide fifty (50) to sixty (60) vouchers for individuals caring for their loved ones in their homes. She reminded the Board her staff is in the middle of Operation Fan Heat Relief. She advised the Board she is also in the middle of her annual plan update and asked the Board members to send her any county or area specific concerns to her to be included in the plan. Director Alvarico gave each Board member a flyer that showed a partnership with the Edenton Steamers baseball team which would provide the public with a discounted Entry fee in exchange for toiletry items for Meals on Wheels or homebound individuals. The Edenton Steamers also will feature a Senior Choir at this ball game. Director Alvarico advised the Board her staff have begun to distribute the Senior Nutrition Farmers Market vouchers, that although it is open to all 10 counties, only four (4) chose to participate because the Elizabeth City Farmers Market was the only farmers market approved in our region. 120 (one hundred twenty) \$24.00 vouchers can be given out. She further stated a new Southern Shores Meals on Wheels routed has started.

d. Mapping, Planning and Transportation

Chairwoman Gilbert opened the floor to Albemarle Commission RPO Director Angela Welsh. Director Welsh advised the Board she had attended the US17/64 Association Board meeting on June 27th, 2018. She stated Governor Cooper signed the Build NC Bond Act into law on June 20th, 2018. Director Welsh stated she is hopeful that NC DOT can sell some bonds off by the end of this year to allow some movement of the state projects. She stated more will be known in January 2019. Director Welsh stated Director Whitmer had covered the ad-hoc NWDB Transportation Committee meeting fairly well, however, there were a few items she would like to add that she felt were of interest. Director Welsh stated that being in such a rural area, some people cannot afford to travel ten (10) miles to a job. She advised the Board the Enterprise staff stated the average travel to and from a job site was 100 (one hundred) to 120 (one hundred twenty) round trip miles, or 50 (fifty) to 60 (sixty) miles one way, which will be beneficial to our area. She further advised the Board Enterprise also provides the mapping for the employer of their current employees. Director Welsh stated she and Assistant NWDB Director Emily Nicholson have discussed a consultant producing marketing materials for our regional area. Director Welsh advised the Board she and Director Nicholson had discussed splitting the cost of the consultant between their programs. Director Welsh advised the Boards she would reach out to Washington County's Riverlight transit for the next ad-hoc meeting. Director Welsh advised the Board members that Dare County Donna Creef applied for the US DOT Federal Grants. The application has been approved by her board. They are asking for funding to design and build 3.5 miles of a multi-use path

and purchase four (4) trams for use in Hatteras Village and this is to support the passenger ferry. Director Welsh stated she reached out to Hyde county and they are applying to replace sections of missing sidewalks, signage issues, etc., to get ready for the passenger ferry next Spring. Director Welsh advised the Board they are also looking at a section of Board Walk at Silver Lake Harbor. She advised the Board a feasibility study is needed and public support is needed prior to that moving forward. Director Welsh advised the Board members the Freight Plan is still moving forward, every county will be involved in Divisions One (1), and Four (4). She stated once a consultant is selected, she will reach out to the counties to get ideas for stakeholders and economic developers. She advised the Board this would need to be completed by August 2019. Director Welsh stated she has completed the ARPO annual report and Project Dashboard. She advised the Board it has been forwarded to the TCC and TAC Board members. Director Welsh stated the Annual Report and Dash Board have been made available to Executive Director Cathy Davison for use in her Albemarle Commission Annual Report.

e. Money

Chairwoman Gilbert opened the floor to Finance Officer Carolyn LaDow. Finance Officer LaDow advised the Board Albemarle Commissions June 2018 Financial Reports were not available due to working with Albemarle Regional Health Services for Year End Adjustments and Close Outs, and budget clean ups. She advised them in order to provide them with the most accurate information, the June Financial Reports will be available at the next Board meeting.

VIII. Review Commission By-Laws

Chairwoman Gilbert presented the current Albemarle Commission By-Laws to the board. Chairwoman Gilbert stated to the Board a reoccurring question of Board members being able to call in during the absence to a Board meeting was a question she would like Attorney John Leidy to review. Attorney Leidy advised the Board remote participation is a common topic of concern because there is not opening meeting laws that specifically address this issue, however, the UNC School of Government has presented their observations that there would be a minimal risk as long as remote participants are not used to make quorum, remote participates are not allowed to participate in a closed session, and remote participates are not allowed to cast a vote on a Board issue. Attorney Leidy also stated the number of times a member is allowed to remotely participate should also be monitored and stated in the by-laws. Attorney Leidy advised the Board an amendment to the current by-laws could be made to allow remote participation and could outline the rules governing remote participation. Attorney Leidy also suggested to the Board that steps need to be in place to allow everyone at the meeting to also hear the remote participant. Chairwoman Gilbert requested for Attorney Leidy to submit a draft of the above-mentioned by-laws. Board member Linda Hofler stated that remote call ins on a cellular phone would not always be an option due to "spotty" coverage in different areas of the region. Board member Mitchener requested Attorney Leidy be specific in his terminology in what call in capabilities would be acceptable. Board member Lloyd Griffin Article 7, Consecutive Absences, be reviewed. He stated that this should only be for regular scheduled meetings, not for rescheduled and weather delayed meetings. Board member

Earl Pugh requested Article 13, Percentage of Board Present to Make Quorum, also be reviewed, as it is currently only forty (40) %. Attorney Leidy advised the Board Albemarle Commission Board is a self-governing Board and can set the quorum qualifications, but stated fifty-one (51) % is typical for most boards. Chairwoman Gilbert asked Attorney Leidy to review this article and to present his recommended changes, if any, to the board. Board member Lloyd Griffin requested Article 12 also be reviewed for possible updates. He also requested the formation of the following sub committees: Revolving Loan Committee, and Appointed Grievance Committee. Chairwoman Gilbert also stated a Finance Committee needed to be added as well. Board member Lloyd Griffin further stated Article fourteen (14) also need to clarify Public Comments and Public Hearing. He stated Public Comments are typically at the beginning of meetings. Chairwoman Gilbert requested Attorney Leidy to address those concerns to the board. Attorney Leidy stated that unlike a Board of Commissioners or a County Board, the Albemarle Commission is not required to have a monthly Public Comment session at its meetings. Attorney Leidy advised the Board the current by-laws do provide an order of business to be followed. Attorney Leidy stated it is common to have Public Comments at the beginning of a meeting, but it is not required to do so. Board member Tracey Johnson inquired if Article fourteen (14) section four (4) is in reference to the committees in Article twelve (12) or does that reference the Directors reports. Attorney John Leidy stated it is in reference to the committees. Board member Tracey Johnson stated the by-laws now state how and when the Directors present the report. Chairwoman Gilbert stated that if the Directors are not going to present their reports, each Board member should be engaged and chair a subcommittee that could keep the Board advised of the productivity of the Albemarle Commission. She further stated she would take and present suggestions for additions or deletions of current Board presentations. Board member Hoffer stated she feels we need to hear the staff reports. Attorney John Leidy addressed the Board and advised them at least two-thirds (2/3) of the Board members in total would have to vote in favor to amend the current by-laws and only if the suggested amendments were received at least ten (10) day in advance of Board meeting. Chairwoman Gilbert stated the amendments would be sent out prior to the August meeting and that the Board would in fact be meeting in August. Board member Tracey Johnson stated that she believed that State County Commissioners meeting would fall on that same date. Chairwoman Gilbert stated if it did, the Board would meet the following month. Board member Rob Ross asked that the entire document be written gender neutral. Chairwoman Gilbert agreed with his recommendation. Board member Lloyd Griffin stated he wanted clarification on Article eight (8) section "a", Duties of the Executive Director, he noted his concern is if there is a difference of opinion between the Executive Director and the members of the board, that it appeared to be an over reach. Attorney John Leidy stated it appears the intent is to make the Executive Director the Chief Executive Officer empowered to hire, discipline, and terminate personnel. He further stated the only exception to that would be if the Board approved a contract with an employee to change the "at will". Attorney Leidy informed the Board this it is standard organizational practice for the Executive Director to be Chief Executive Officer. Board member Sandra Duckwall asked Attorney Leidy if that meant the Executive Director could fire an employee without consulting the Board first. Attorney Leidy informed her that is correct. Board member Sandra Duckwall stated she was not sure she was comfortable with that. Chairwoman Gilbert responded they could look at bringing on a new position, a

Human Resource Professional, but that it would also be a budget issue as well.

IX. Review of Personnel Policy

Chairwoman Gilbert opened the floor to a review of the Personnel policy. Board member Lloyd Griffin asked Attorney Leidy if he was able to provide guidance at this time on the current personnel policy. Attorney Leidy responded he was prepared to discuss the grievance policy and overtime provisions, including compensatory time. Attorney Leidy stated a grievance policy is not mandated by law for this organization, but they are standard. The policy varies greatly when there is one in place. He stated he has written the policies to allow for a review from a third party or that allows with a meeting of some sort with the CEO, the only one who has disciplinary authority over the employee. These both give the employee a chance to present their concerns through a process, with the intent to resolve the issues at the lowest step possible, while still giving the employee a chance to be heard. Board member Sandra Duckwall asked if an employee wanted to submit a grievance, could it be refused. Attorney Leidy responded it would depend on how the policy is written, Board member Lloyd Griffin suggested a Grievance Committee made up of volunteers of local head of Human Resources Departments to allow employees to present a grievance to a third party. Board member Griffin further suggested a county manager could head the three-member (3) committee, with two (2) Human Resource Directors. Board member Griffin elaborated that would keep all Board members and partiality or impartiality out of the equation if there is an employee grievance. Attorney Leidy clarified for the Board that a Grievance Committee could make a recommendation, not a directive, the Chief Executive Director as the by-laws are currently written. Chairwoman Gilbert requested Attorney Leidy to review and submit recommended changes to the current Grievance personnel policy. Board member Sandra Duckwall stated she wants to ensure there is a grievance policy in place and that if an employee wants to submit a grievance, that it is not ignored. Board member Lloyd Griffin stated he is not comfortable with the current step 3 in the current Grievance Policy, because it stops at the employee's supervisor. He stated with his suggestion, it would take it outside to a third party.

Chairwoman Gilbert opened the floor to Attorney Leidy to discuss Albemarle Commission's current Compensatory Time Policy. Attorney Leidy explained the difference to the Board of Exempt and Non-Exempt employees and the difference in compensatory time rate earned. Attorney Leidy explained there is no monetary value for an Exempt employee's comp time in the Albemarle Commission current personnel policy. He stated most personnel policies require non-exempt employees to use their comp time first. Chairwoman Gilbert advised the Board all employees at the commission keep a timesheet. Board member Lloyd Griffin inquired if travel time, working at time, etc. was considered work time and could result in an employee receiving comp time. Attorney Leidy stated travel time is considered work time. He further stated any time spent towards work is considered work time. Board member Lloyd Griffin inquired if the Executive Director comp hours are currently over the stated amount of allowed comp time per the Albemarle Commissions personnel policy. Executive Director Cathy Davison advised the Board the personnel policy only caps comp time for non-exempt employees because there is a monetary value on their comp time,

whereas there is not for exempt employees. Board member Sandra Duckwall stated most companies prohibit the accumulation of comp time for exempt employees. Chairwoman Gilbert responded the Albemarle Commission is not a private company, that comp time is allowed for exempt employees per the personnel policy. Attorney Leidy further stated a supervisor must enforce the policy and ensure staff are not working additional work hours without permission. Chairwoman Gilbert suggested wording be put into the personnel policy that employees must receive a supervisor's direct consent prior to working over their schedule. Board member Elizabeth White asked exempt employees are automatically earn comp time because they complete a timesheet. Chairwoman Gilbert advised her that is correct.

**Chairwoman Gilbert allowed the Board to take a water break at 8:43 pm.
Chairwoman Gilbert called the Board back into session at 8:47 pm.**

Chairwoman Gilbert asked the Board if there were any other sections of the Personnel Manual they wanted the legal counsel to review to discuss at the next Board meeting. Board member Lloyd Griffin stated Sections Three (3), Four (4), Five (5) of Article Five (5). He stated he wanted clarification of Outside Employment, Employment of Relatives and Conflict of Interest. He also states he would like consideration of an outside committee in place for a grievance remedy for Section six (6) of Article nine (9).

X. County Updates

Chairwoman Gilbert opened the floor to the Board to provide county updates. Board member Linda Hofler advised the Board Gates County had been approved by LGC to borrow money for the school construction project. Board member John Mitchener advised the Board that Chowan County Board of Education and County Commissioners have put together a committee to discuss a future high school. No other counties provided an update.

XI. Public Comments

Chairwoman Gilbert opened the floor to public comments. Each speaker was given three (3) minutes for their public comments. The first speaker introduced herself as Holly Audette of Main St., Elizabeth City, NC. Mrs. Audette advised the Board she was excited to address a Board who oversees an agency that spends public funds. She further stated it was her hope public comments would not be taken out of the agenda when discussing by-laws and the such. She stated that what gives confidence in governing process and when that process is consistently followed. She further stated she loved all the dirty looks and nasty public body language that is given when the public stands up to addresses their people. Mrs. Audette stated that it was pretty typical. She stated people are cynical about things like this. Mrs. Audette went on to say if employee A is supervised by a supervisor A, when employee A has a grievance about something that supervisor A did something to her or him, and you all think the process ought to be for that person to appeal directly to that person they felt they have a grievance with and that that person should have the full authority to

determine if the grievance has merit. Mrs. Audette stated this is why the public is absolutely crazy about governing, because they see no common sense in those kinds of decisions. She stated she was grateful for a number of things, first being seeing the County Manager from Perquimans and to see a Perquimans County Commissioner, because as a member of the Public who has observed this body for a while now, I want to be able to say to Perquimans thank you so much for hosting a governing organization like the Albemarle Commission and spending exorbitant amounts of money to try to please them about their facility, I think it's been one-hundred thousand dollars (\$100,000) , is that right Mr. Manager, I personally think that is extraordinary and as a member of the general public I want to thank you for being willing to do that. Mrs. Audette went on to say that she wanted to thank everyone for their public service and she had made major request to Albemarle Commission for public records and both the attorneys representing the Commission and the Commission staff were very generous with their time and responding to her requests for those records, I got almost everything I asked for and it was hundreds and hundreds of pages, so I think it's only appropriate that if I'm going to get up and complain about something, that I am also willing to compliment also when I think things are done very well and it was incredibly responsive and I thank them. She further stated she wanted to thank the members of the board, when I passed on public records to them and my concerns I got a lot of really positive response thanking the public for having an interest in the boards that oversee public expenditures. Mrs. Audette went on to say it is very discouraging when you have a simple set of by-laws like this Board does, I mean it is brief, it is simple, and it is direct, and we don't even have the agenda outlined in the order that your bylaws set out. She questioned and how many years has the Board been around, how many years have these employees been here? Mrs. Audette stated the website does not have Board agendas or meeting minutes, there has been some improvement in the past week or two however and I am glad of that because I did send some input about how useless the website was as a tool for the public, and there has been some stepping up with that and I think that is very good, but I think your by-laws are critical and I can't believe anyone would agree to serve on a body that's not familiar with them, let alone the employees of the organization. She stated she hoped with all the revisions were done you remember you agreed to represent her as member of the public on the Board that you take the time to be familiar with the by-laws and at least make sure the basic processes are followed, because that's what make the public confident with governing, when there is a process in place that it looks like people are following, consistently, not selectively. Mrs. Audette was advised by Attorney Leidy her three (3) minutes were up at this point.

The second public speaker introduced herself Dawn Giordano, formerly Kent. She stated she didn't know there was a three-minute time limit. She stated she worked for the Albemarle Commission for nearly 9 years and was the former Finance Director. Ms. Giordano stated she and Executive Director Davison became instant friends even before she started working for the Albemarle Commission, as soon as they discovered her middle name and my first name were the same, they were connected. She stated for almost 3 years, they were the best of friends. Ms. Giordano stated when she decided to leave an abusive martial situation in March of 2016, Mrs. Davison was one of the first people she confided in – for both personal and professional reasons, that Mrs. Davison was of her best friends, but in the spring of 2017, for reasons still unknown to her, all that changed. Ms. Giordano

continue on by stating she had received a full 2% merit-based increase on July 1, 2017 for a job well done and then six weeks later she was holding a letter outlining all the things that I had done and was doing wrong. Mrs. Giordano stated the letter included the following bullets:

- It was stated Mrs. Giordano was working too many hours. This complaint was mostly based on Mrs. Davison's misunderstandings of situations. Mrs. Giordano stated her comp hours were a small in comparison to the number of hours that other staff were allowed to accrue.
- It stated Mrs. Giordano failed to correct Board members at Board meetings in front of all other Board members. Ms. Giordano stated she still feels that there is a place and time for this and the middle of a Board meeting was not the place nor the time.
- The letter stated Ms. Giordano's financial reports to the Board needed work. She stated she had been providing the same type of reports for nearly 9 years and there had been no complaints or requests to change them until the summer of 2017. Mrs. Davison suggested that she meet with Rob Ross to discuss how the reports could be more meaningful. She states she did this but just not quickly enough for her liking.
- Ms. Giordano states she was told she needed to organize my office to Cathy's standards so that she could find things. She stated she herself knew where things were and the organization made sense to her, but she was instructed to reorganize for Cathy
- All Albemarle Commission staff were told to write down their top 5 work tasks and to provide procedures for these tasks. All staff were given a deadline of October 1st to accomplish their list, however Ms. Giordano states her due date was 3 months prior to all other staff, she had to provide all of my procedures documented by mid-September.
- Ms. Giordano stated she used her own discretion when deciding when to email documents to Cathy for signature and when to hold them for her to sign when she was in the office. She stated she based her decisions on what she knew about her timelines, etc. She states Mrs. Davison began to question her decisions even if she could defend them and wanted her to do it the way Mrs. Davison told her to.
- During the RPO's FHWA audit, Ms. Giordano stated she was asked for additional documentation. She states she excused myself from the meeting provided the requested documents. She states she failed to keep copies of the additional documents that she pulled and forgot to high-light the charges that were RPO specific. Ms. Giordano stated she knew exactly where she pulled the documents from so she did not see the need in making copies.

Ms. Giordano stated she corrected everything outlined in the letter. On October 18, 2017 Ms. Giordano had a follow-up meeting with Executive Director Davison and Director Whitmer and stated she was told at that meeting that, after nearly 9 years with the Commission, she was being let go because Mrs. Davison had no confidence in my ability to perform my job. She states she was she was escorted to her office to pack. When she got to her car, she noticed that there was a police car parked next to hers. Ms. Giordano also stated all other Albemarle Commission staff who were in the building were in a fake meeting in this very room. At this time, Attorney John Leidy informed Ms. Giordano her time was up, to conclude her statement quickly. Ms. Giordano went on to state Mrs. Davison has told the

Commission staff she was a thief and that was not true. Mrs. Giordano stated Mrs. Davison told staff of the Commission not to speak to her if I were to call or email them, she told them to delete me from their social media. Ms. Giordano stated staff did not remove her from their social media accounts until after the previous Board meeting, at which time four (4) staff members did remove her, because they said they were afraid for their jobs and had to remove her. Ms. Giordano stated Executive Director Davison has slandered her name in the public and created an atmosphere of fear and that she had no recourse, no avenue to take her grievance, that she had reached out to Chairwoman Gilbert several times with no response.

Chairwoman Marion Gilbert asked if there were any other speakers. She closed the floor to public comments when no other speakers came forward.

XII. Chairwoman's Comments

Chairwoman Gilbert applauded all Board members for reviewing the by-laws and personnel policy. She stated as a unit, they would all bring Albemarle Commission forward.

XIII. Closed Session

Board member Tracey Johnson made a motion to go into closed session in accordance with North Carolina General Statute 143-318.11(a)(3) to allow the Board to confer with their legal counsel and General Statute 143-318.11(a)(6) for a specific personnel matter. Board member Tracey Johnson request Attorney John Leidy and Executive Director Cathy Davison to remain for closed session. Her motion was seconded by Board member Rob Ross and with no further discussion, the motion was carried unanimously. The Board entered into closed session on 9:05 pm.

XIV. Open Session/Other Business

Board member Tracey Johnson made a motion to return to open session. Her 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 10:02 pm. Board member John Mitchener made a motion for Albemarle Commission to accept a \$11,000 cashier check from Executive Director Cathy Davison. His motion was seconded by Board member Leroy Spivey, and with no further discussion, the motion was carried unanimously. Board member Elizabeth White stated Albemarle Commission should consider a Communication Public Relations strategy if it does not already have one in place. Chairwoman Marion Gilbert asked if there was any other business and no one came forward.

XV. Adjournment

Board member Lloyd Griffins made a motion to adjourn the Board meeting. His motion was seconded by Board member Garry Meiggs and with no further discussion, the motion was carried unanimously. The meeting adjourned at

10:07 pm.

Marion Gilbert
Chairwoman Marion Gilbert

8/16/18
Date

Attested by: Laura M Rollinson
Clerk to the Board, Laura M Rollinson

8/17/18
Date