



**ALBEMARLE COMMISSION
BOARD OF DELEGATES MEETING**

DATE: Thursday, February 21st, 2019
TIME: 6 p.m. Board Meeting
LOCATION: Albemarle Commission Offices

A light dinner will be provided at 5:30 Prior to the meeting.

AGENDA

Item 1.	Opening	Page 02
Item 2.	Pledge of Allegiance	Page 02
Item 3.	Invocation	Page 02
Item 4.	Determination of a Quorum	Page 02
Item 5.	Adoption of Agenda Vote	Page 02
Item 6.	Approval of Minutes from January 2019 Vote	Page 03
Item 7.	Public Comments	Page 09
Item 8.	Unfinished Business	Page 10
	a. VoIP Phone System Vote	Page 11
	b. Server Replacement/Security Vote	Page 23
	c. Charter/Bylaws Vote if needed	Page 25
	d. Personnel Policy Vote if needed	Page 32
Item 9.	New Business	Page 92
	a. Audit Presentation by TPSA	Page 93
	b. Equipment Surplus Resolution Vote	Page 94
	c. Budget Amendment Resolutions Vote	Page 101
	d. Program Directors Required Attendance at Board Meetings Vote	Page 110
Item 10.	Reports from Staff	Page 111
Item 11.	Executive Director Report	Page 123
Item 12.	Reports from Committees	
Item 13.	Chairman & Board Delegate Comments	Page 125
Item 14.	Adjournment	Page 126

Attachment: Board Travel Reimbursement Sheet

NEXT MEETING

**Thursday, March 21st, 2019
6 p.m.**

- CAMDEN
- CHOWAN
- CURRITUCK
- DARE
- GATES
- HYDE
- PASQUOTANK
- PERQUIMANS
- TYRRELL
- WASHINGTON
- COLUMBIA
- CRESWELL
- DUCK
- EDENTON
- ELIZABETH CITY
- GATESVILLE
- HERTFORD
- KILL DEVIL HILLS
- KITTY HAWK
- MANTEO
- NAGS HEAD
- PLYMOUTH
- ROPER
- SOUTHERN SHORES
- WINFALL



1. Opening

2. Pledge of Allegiance

3. Invocation

4. Determination of a Quorum

5. Adoption of Agenda - VOTE



6. Meeting Minutes

Approval of the Albemarle Commission Minutes from the **January 2019** meeting – **VOTE**

**Minutes of the
Albemarle Commission
Board of Delegates
January 17th, 2019**

Opening

Executive Committee Delegate Linda Hofler called the meeting to order at 6:00 p.m.

Pledge of Allegiance

Executive Committee Delegate Linda Hofler led the Board in the Pledge of Allegiance.

Invocation

Board Delegate Fondella Leigh 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 thirteen (13) members present.

<u>Name</u>	<u>County</u>
Clayton Riggs	Camden
Sandra Duckwall	Camden
Robert Kirby	Chowan
Paul Beaumont	Currituck
Elizabeth White	Currituck
Rob Ross	Dare
Howard Swain	Dare
Linda Hofler	Gates
Earl Pugh	Hyde
Lloyd Griffin	Pasquotank
Fondella Leigh	Perquimans
Jordan Davis	Tyrrell
Tracey Johnson	Washington
Marion Gilbert	Ex Officio

Absent Members

None

Partners, guests, and staff present:

Albemarle Commission Attorney John Leidy of Hornthal, Riley, Ellis and Malland was present.

Staff members:

Robert Murphy, Interim Executive Director
David Whitmer, NWDB Director
Angela Welsh, RPO Director
Carolyn LaDow, Finance Officer
Laura Rollinson, Clerk and Program Coordinator

Guests and Partners

None

Agenda (VOTE):

Interim Executive Director Robert Murphy requested the agenda be amended to all for a discussion to take place concerning the audit and audit contract. Board Delegate Lloyd Griffin made a motion to approve adding the audit and audit contract on the agenda, his motion was seconded by Board Delegate Jordan Davis, and with no further discussion, the motion carried unanimously.

Closed Session:

Board Delegate Tracey A Johnson made a motion to enter into Closed Session to discuss and prevent the disclosure of information that is confidential by law, pursuant to NCGS 143-318.11 (a)(l); to confer with the Board attorney regarding a matter within the attorney/client privilege and to preserve that privilege pursuant to NCGS 143-318.11 (a)(3); and to discuss one or more confidential personnel matters as allowed by NCGS 143-318.11 (a)(6). Her motion was seconded by Board Delegate Fondella Leigh, and with no further discussion, the motion carried unanimously. The Board entered into closed session at 6:04 pm. Board Delegate Tracey A Johnson made a motion to return to Open Session. Her motion was seconded by Board Delegate Fondella Leigh, and with no further discussion, the motion carried unanimously. The Board returned to Open Session at 6:54 pm.

Approval of November 2018 Minutes (VOTE):

Board Delegate Linda Hofler presented the November 2018 Albemarle Commission Board Meeting minutes. Board Delegates Tracey A Johnson and Lloyd Griffin requested grammatical and spelling corrections. Board Delegate Lloyd Griffin made a motion to approve the minutes with the stated corrections made. His motion was seconded by Board Delegate Rob Ross, and with no further discussion, the motion carried unanimously.

New Business:

Executive Committee:

Attorney John Leidy proceeded with the nominations and voting for the new Albemarle Commission Board of Delegates Executive Committee. The Nomination Committee Chairperson, Delegate Tracey A Johnson, announced the slate of delegates to the Board as follows: Delegates Lloyd Griffin and Tracey A Johnson were nominated for Executive Chair, Delegates Clayton Riggs and Rob Ross were nominated for Vice Chair, and Delegate Linda Hofler would be running unopposed for Secretary. Delegate Earl Pugh made a motion to close nominations from the floor. His motion was seconded by Board Delegate Linda Hofler, and with no further discussion, the motion carried unanimously. Attorney Leidy asked for a show of hands vote for the Executive Committee Chair

position. In a show of hands, Board Delegates voted seven (7) to six (6) to appoint Board Delegate Tracey A Johnson to Executive Committee Chair. With a majority vote, the vote to appoint Board Delegate Tracey A Johnson as the Executive Committee Chair carried. Attorney Leidy asked for a show of hands vote for the Executive Committee Vice Chair position. In a show of hands, Board Delegates voted ten (10) to three (3) to appoint Rob Ross as the Executive Committee Vice Chair. With a majority vote, the vote to appoint Rob Ross as the Executive Committee Vice Chair carried. Attorney Leidy requested a show of hands vote for Board Delegate Linda Hofler to be appointed as the Executive Committee Secretary. Board Delegates voted unanimously to appoint Board Delegate Linda Hofler as the Executive Committee Secretary. All Executive Committee Members thank the board for their support. Board Delegate Earl Pugh made a motion to close the voting of Executive Committee members. His motion was seconded by Board Delegate Fondella Leigh, and with no further discussion, the motion carried unanimously.

New Albemarle Commission Executive Director:

Attorney John Leidy introduced potential Albemarle Commission Executive Director, Melody Wilkins, to the Board. Attorney Leidy advised the Board Delegates Executive Director Wilkins had been selected after an extensive search and interview process by himself, his staff, as well as the Interview Selection Committee, which consisted of Board Delegates Lloyd Griffin, Linda Hofler, Rob Ross and Interim Executive Director Robert Murphy. The terms of her employment, if approved by the Board, would be a yearly salary of \$98,000, all benefits currently offered by the Albemarle Commission, and up to \$5,000 in moving expenses reimbursed. Attorney Leidy informed the Board Ms. Wilkins had been advised if she was selected for the position, she would not be eligible to receive any compensatory time. If approved, her start date would be January 28th, 2019. A motion was made by Board Delegate Linda Hofler to appoint Melody Wilkins as the Albemarle Commission Executive Director. Her motion was seconded by Board Delegate Lloyd Griffin, and with no further discussion, the motion carried unanimously.

New VoIP Phone System and Fiber Internet

Interim Executive Director Robert Murphy presented the Board with a proposal to upgrade from their current DSL internet to Fiber. Mr. Murphy presented information from CenturyLink and IT staff supporting the upgrade, as well as a quote for the upgrade. Board Delegate Clayton Riggs made a motion to approve the upgrade. His motion was seconded by Board Delegate Fondella Leigh, and with no further discussion, the motion carried unanimously. Interim Director Robert Murphy presented the board with a proposal to update the twenty-year-old multi account phone system. After a discussion was held on the matter, Board Delegate Clayton Riggs and Delegate Lloyd Griffin advised Interim Director Robert Murphy to research State Contract options, speed requirements and to resubmit a cost analysis at the next Board meeting. Board Delegate Lloyd Griffin advised Interim Director Murphy to consider researching Soundside for cyber security.

Amendment to Contract Audit Accounts (Agenda Add On)

Interim Executive Director Robert Murphy requested the Board of Delegates allow an Amendment to the Contract to Audit Accounts. Interim Executive Director Murphy explained to the Board of Delegates that Albemarle Commission did not request an OPEB actuarial study in time to receive their audit by the due date, thereby delaying the completion of the audit. In addition, there has been significant turnover at the commission, including the Executive Director and Finance Officer. Board Delegate Lloyd Griffin made a motion to approve the amendment to

contract audit accounts. His motion was seconded by Board Delegate Paul Beaumont, and with no further discussion, the motion passes unanimously.

Unfinished Business:

Charter & Bylaws:

Attorney Leidy presented a resolution requesting an amendment to the 1997 resolution modifying and amending resolutions creating the Regional Planning Commission known as the Albemarle Commission and the first amendment to the 1997 resolution modifying and amending resolutions creating the Regional Planning Commission known as the Albemarle Commission in an effort to bring the Albemarle Commissions Bylaws and Charter in line with one another. Attorney Leidy explained all ten (10) counties would have to agree to the changes. A discussion was had and it was determined additional changes were needed. Board Delegate Earl Pugh made a motion for the Ex Officio to carry a one-year term and be a non-voting delegate. Board Delegate Lloyd Griffin seconded his motion and by a majority vote, the motion carried. Chairperson Tracey A Johnson requested Attorney Leidy to be certain to include the following revisions:

1. Adding 3 recitals (“Whereas” paragraphs at the beginning) generally explaining the need and purpose of the requested changes;
 2. Clarifying that the at-large rotational system continues even through reaching the end of the alphabet and starting over again;
 3. Making clear that the delegates appointed by the governing boards – those elected “commissioner delegates” and “at large delegates – all serve two-year terms (to be consistent with the Bylaws adopted and followed by the AC);
 4. Indicating that the immediate past chair will serve a one-year term as ex-officio, non-voting member (unless they are reappointed as a Commissioner or At Large delegate);
 5. Clarifying that it is encouraged, but not mandatory, to make appointments that will result in at least 4 delegates being racial minorities;
 6. Clarifying that the annual budget presented by the Commission to the member governments by May 1 each year will show the anticipated contribution of each county.
- Board Delegate Rob Ross made a motion to update the charter to reflect Board Delegates would receive compensation plus mileage reimbursement. His motion was seconded by Paul Beaumont, and with no further discussion, the motion carried unanimously. Board Delegate Jordan Davis made a motion to approve the resolution requesting an amendment to the 1997 resolution modifying and amending resolutions creating the Regional Planning Commission known as the Albemarle Commission and the first amendment to the 1997 resolution modifying and amending resolutions creating the Regional Planning Commission known as the Albemarle Commission with the revisions noted. His motion was seconded by Board Delegate Earl Pugh, and with no further discussion, carried unanimously.

Reports

Reports of Staff:

Department Directors Angela Welsh, David Whitmer and Carolyn LaDow provided the Board of Delegates with an update of their respective programs. Director Alvarico was not present at the

Board meeting due to the passing of her mother. The Board of Delegates requested flowers be sent to Director Alvarico and expressed their condolences.

Report of the Interim Executive Director:

Interim Director Robert Murphy expressed his gratitude to the staff and Board and welcomed Executive Director Melody Wilkins to Albemarle Commission.

Report of Committees

No Committee Reports were presented.

Board Member Comments:

Chairpersons Tracey E Johnson thanked her fellow delegates for their vote of confidence in her ability to chair the Board of Delegates. Chairperson Johnson welcomed the newly appointed Board Delegates Robert Kirby, Paul Beaumont, Howard Swain and Jordan Davis. Vice Chairperson Rob Ross thanked the Board Delegates for their vote of confidence in him. Board Secretary Linda Hofler thanked her fellow Board Delegates for their vote for her and welcomed Executive Director Melody Wilkins to the Albemarle Commission.

Closed Session NCSS 143-318 (11) (l) (6):

Board Delegate Earl Pugh made a motion to enter into a closed session in accordance with North Carolina General Statute 143-318. (11) (1) (6) for a specific personnel matter. His motion was seconded by Board Delegate Linda Hofler and with no further discussion the motion was carried. The Board entered into closed session at 8:15 pm.

Open Session:

Board member Rob Ross made a motion to return to open session. His motion was seconded by Board member Linda Hofler and with no further discussion, the motion was carried unanimously. Chairwoman Marion Gilbert returned the Board to open session at 8:24 pm. Chairperson Tracey A Johnson returned the Board to open session at 9:20 pm.

Adjournment

Chairperson Tracey A Johnson made a motion to adjourn the Board meeting at 9:21 pm. Her motion was seconded by Board Delegate Linda Hofler and with no further discussion, the motion was carried unanimously. The meeting adjourned at 9:20 pm.

Chairperson Tracey A Johnson

Attested by:

Clerk to the Board Laura Rollinson



7. PUBLIC COMMENTS



8. Unfinished Business

- A. **VoIP Phone System-** VOTE
- B. **Server Replacement/Security-** VOTE
- C. **Charter/Bylaws County Updates**
Gates County and Tyrrell County
have sent notification of approval.
- D. **Personnel Policy-** VOTE

Laura Rollinson

From: Bray, Michael W <Michael.W.Bray@centurylink.com>
Sent: Monday, January 28, 2019 2:23 PM
To: Laura Rollinson
Cc: Robert Murphy; 'Ty Adams'; Alston, William
Subject: RE: Hosted VoIP Board of Delegates Questions

CAUTION: This message originated from an email address outside the agency. Please do not click any links or open any attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#).

This product isn't on the State Contract.

Michael Bray
Sr. Government Relationship Manager
Alert - New Office phone number below!!
(O) - (919) 569-8910
(C) - (919) 604-5722
michael.w.bray@centurylink.com

Helpful Numbers: Be Sure to Have your Circuit ID

CenturyLink Customer Service (minor moves, adds changes): 800-786-6272
Email: care.inquiry@centurylink.com

Products and Services within the CenturyLink Local Service Area:

CenturyLink Business: 800-786-6272 opt 2, opt 1: Local Line issues, or 888-862-8293

CenturyLink Data Services; 800-603-8044

CenturyLink Design Services Center: 888-862-8291 opt 1: Private Line, Ethernet, DS3, Optical Services and local PRI.

QCC Help/Repair: 800-860-1020

Control Central Help Desk: 877-726-6875

MTU/GPON (Fiber+/Fiber +E) Repair: 800-524-5249

****For Hosted VOIP Customer Repair issues, please contact IP Technical HelpDesk at 1-877-878-7543 or 611 from your telephone. ****

****For Managed Office Phone or Network Repair issues, please contact NMS Network Helpdesk at 1-855-558-1133 or 123 from your telephone.****



From: Laura Rollinson <lrollinson@accog.org>
Sent: Monday, January 28, 2019 2:20 PM
To: Bray, Michael W <Michael.W.Bray@centurylink.com>
Cc: Robert Murphy <rmurphy@accog.org>; 'Ty Adams' <ty.adams@arhs-nc.org>; Alston, William <William.Alston@centurylink.com>
Subject: RE: Hosted VoIP Board of Delegates Questions

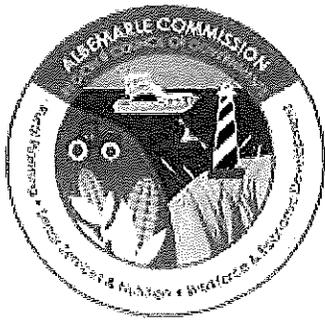
Thank you for answering those questions. Would the pricing being any lower with state contracting?

Best regards,

Laura Rollinson
Administrative & Volunteer Coordinator
lrollinson@accog.org

**Albemarle Commission Area Agency on Aging
& Senior Nutrition**
512 S. Church Street
Hertford, NC 27944

252-426-7093 ext. 230
Fax: 252-426-8482
www.albemarlecommission.org



From: Bray, Michael W <Michael.W.Bray@centurylink.com>
Sent: Tuesday, January 22, 2019 10:57 AM
To: Laura Rollinson <lrollinson@accog.org>
Cc: Robert Murphy <rmurphy@accog.org>; 'Ty Adams' <ty.adams@arhs-nc.org>; Alston, William <William.Alston@centurylink.com>
Subject: RE: Hosted VoIP Board of Delegates Questions

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Laura,

The Bandwidths are big enough as the new circuit is 50M. For 25 phone seats, if everyone made a call at the same time, it would only use 2.5M of the 50M. The pricing I received was from our Special Pricing group. This is not State Contracting as I sell CenturyLink Services to Counties and local Governments directly. We haven't moved this product to the State contract.

Michael Bray
Sr. Government Relationship Manager

Alert - New Office phone number below!!

(O) - (919) 569-8910

(C) - (919) 604-5722

michael.w.bray@centurylink.com

Helpful Numbers: Be Sure to Have your Circuit ID

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****For Managed Office Phone or Network Repair issues, please contact NMS Network Helpdesk at 1-855-558-1133 or 123 from your telephone. ****



CenturyLink®



From: Laura Rollinson <lrollinson@accog.org>

Sent: Tuesday, January 22, 2019 10:16 AM

To: Bray, Michael W <Michael.W.Bray@centurylink.com>

Cc: Robert Murphy <rmurphy@accog.org>; Ty Adams <ty.adams@arhs-nc.org>

Subject: RE: Hosted VoIP Board of Delegates Questions

Importance: High

Good morning Mr. Bray. This was proposed to our Board of Delegates at the last board meeting. Prior to the Executive Director being allowed to enter into this contract, we were instructed to receive verification of a few things. The board wants to ensure this is the best deal available, that there will be enough speed to adequately handle the phone system and downloads and uploads of staff and lastly, that this is state contracting. Please respond as soon as possible. Thank you for your assistance with this matter.

Best regards,

Laura Rollinson

Administrative & Volunteer Coordinator

lrollinson@accog.org

Albemarle Commission Area Agency on Aging

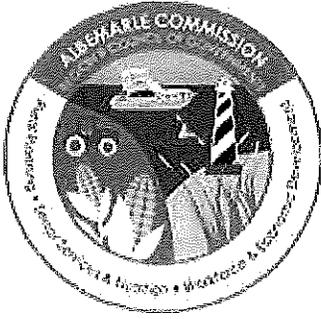
& Senior Nutrition

512 S. Church Street

Hertford, NC 27944

252-426-7093 ext. 230

Fax: 252-426-8482



From: Bray, Michael W <Michael.W.Bray@centurylink.com>
Sent: Wednesday, January 16, 2019 10:37 AM
To: Laura Rollinson <lrollinson@accog.org>; 'Ty Adams' <ty.adams@arhs-nc.org>
Cc: Robert Murphy <rmurphy@accog.org>
Subject: RE: Hosted VoIP

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Laura,

See attached.

Michael Bray
Sr. Government Relationship Manager
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michael.w.bray@centurylink.com

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****For Managed Office Phone or Network Repair issues, please contact NMS Network Helpdesk at 1-855-558-1133 or 123 from your telephone.****



From: Laura Rollinson <lrollinson@accog.org>
 Sent: Wednesday, January 16, 2019 10:24 AM
 To: Ty Adams <ty.adams@arhs-nc.org>
 Cc: Robert Murphy <rmurphy@accog.org>; Bray, Michael W <Michael.W.Bray@centurylink.com>
 Subject: RE: Hosted VoIP
 Importance: High

Can we get a contract stating such with all the details emailed to us ASAP?

From: Ty Adams <ty.adams@arhs-nc.org>
 Sent: Wednesday, January 16, 2019 10:20 AM
 To: Laura Rollinson <lrollinson@accog.org>
 Cc: Robert Murphy <rmurphy@accog.org>
 Subject: Hosted VoIP

CAUTION: This message originated from an email address outside the agency. Please do not click any links or open any attachments unless verified. Send all suspicious email as an attachment to Report Spam.

Was able to work with Mike Bray with Centurylink to get the cost of the hosted VoIP down to \$648.00 which should be the same or slightly less than what you are paying now. It is an very good deal. Because Centurylink provides all of the hardware (including the phones), and you will avoid the \$10,000-12,000 in estimated upfront costs, including the annual support fees to both ARHS and Avaya.

Ty Adams, MS, ISTM
 Information Technology Director
 Albemarle Regional Health Services
 Ph: 252-338-4418
 Fx: 252-337-7900

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Customer Name: **Albemarle Commission**
 Order #: Q-00651758
 Order Generation Date: 1/10/2019 4:55:56 PM
 Cutoff/Expiration Date: 1/27/2019
 Currency: USD

Customer Information	Account Information	Prepared By
Name: Albemarle Commission Primary Contact: Laura Rollison Primary Contact Phone: (252) 426-5753 Primary Contact Email: lrollinson@accog.org Billing Contact: Billing Contact Phone: Billing Contact Email:	BPID: 4212154 Billing Account: Billing Address: 512 South Church Street Hertford, NC 27944 Contract ID#: NEW (Internal Use Only)	Name: Michael Bray Phone: (919) 569-8910 Email: michael.w.bray@centurylink.com

Order

Pricing Table

Product	Qty	Location	Service Address	Service Details	Service Attributes	Term (Months)	MRC	NRC	Waived NRC
Hosted VoIP	1		512 S CHURCH ST HERTFORD NC 27944		Total Seat Band: 1-50 Seats	36 Months	\$0.00	\$0.00	
	25			Seat Type : Standard	Polycom VVX 311	36 Months	\$500.00	\$725.00	\$725.00
	2			Seat Type : Conference Room	Polycom SoundStation IP 6000	36 Months	\$90.00	\$58.00	\$58.00
	1			Seat Type : Receptionist	Polycom VVX 301 w/ 1 Sidecar	36 Months	\$32.00	\$29.00	\$29.00
	1			Auto Attendant(s)			\$14.95	\$10.00	\$10.00
	1			Basic White Page Listing			\$1.95	\$0.00	
	2			Hunt Group(s)			\$9.90	\$20.00	\$20.00
Service Sub Total:							\$648.80	\$0.00	

"Terms and Conditions for CenturyLink Hosted VoIP Service"

Hosted VoIP terms and conditions are located in the CenturyLink Hosted VoIP Service Exhibit.

1. Hosted VoIP Pricing. CenturyLink will charge Customer and Customer will pay the rates set forth in this Order and in the Hosted VoIP Service Rate Sheet located at <http://www.centurylink.com/legal/HostedVoIP/ALaCarteRatesv1.pdf>. In the event of a conflict, the following order of precedence will apply in descending order of control: this Order, the Hosted VoIP Service Rate Sheet, and any other pricing documents.

1.1 Seat Pricing. Seat pricing tables are found in the Hosted VoIP Service Rate Sheet. Charges are based on the Initial Term length, and the total number of seats across all locations. Customer will review the seat range pricing before making modifications in the VoIP portal.

1.2 Phone Upgrade Pricing. Pricing for phone upgrades is found in the Hosted VoIP Service Rate Sheet.

1.3 Additional Charges. Please see the Hosted VoIP Service Rate Sheet for additional charges, which includes pricing for additional features such as Hunt Groups, Auto Attendant, Receptionist Web Console, Business Communicator, Voice Mail Seats, Available TNs, white page listings, and directory assistance; the terms and pricing for LD/TF Offer; Upgrade/MACD charges; and other charges. Any reference to "Basic White Page Listing" in the table above is also known as "Basic business white page listing" in the Hosted VoIP Service Rate Sheet.

1.4 MACD. In the event customer chooses to move, add, change or delete a Hosted VoIP Service or a portion of such Service, Customer must access the VoIP portal at <https://centurylink.com/voip> to place orders. Modifications made by Customer in the VoIP portal may impact pricing for Services ordered under this Order.

1.5 911. Service is subject to the 911 Emergency Service Acknowledgment below.

911 EMERGENCY SERVICE ACKNOWLEDGMENTS:

Customer Initials: _____ I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTOOD THE GENERAL 911 LIMITATIONS IN THE "911 EMERGENCY SERVICES-VOIP" SECTION OF THE TERMS AND CONDITIONS APPLICABLE TO ALL VoIP SERVICES AND THE SERVICE-SPECIFIC 911 LIMITATIONS IN THE PROVISIONS APPLICABLE TO MY VoIP SERVICE (COLLECTIVELY, "VoIP PROVISIONS") IN THE APPLICABLE SERVICE EXHIBIT ATTACHED TO THE CENTURYLINK MASTER SERVICE AGREEMENT OR, AFFIATE AGREEMENT. IF I HAVE NOT EXECUTED A CENTURYLINK MASTER SERVICE AGREEMENT OR AN AFFIATE AGREEMENT THEN I ACKNOWLEDGE THAT I HAVE READ AND UNDERSTOOD THE GENERAL 911 LIMITATIONS IN THE "911



Customer Name: Albemarle Commission

Order #: Q-00651758

Order Generation Date: 1/10/2019 4:55:56 PM

Cutoff/Expiration Date: 1/27/2019

Currency: USD

EMERGENCY SERVICES-VOIP" SECTION OF THE TERMS AND CONDITIONS APPLICABLE TO ALL VoIP SERVICES AND THE SERVICE-SPECIFIC 911 LIMITATIONS IN THE PROVISIONS APPLICABLE TO MY VoIP SERVICE (COLLECTIVELY, "VoIP PROVISIONS") IN THE CURRENT STANDARD SERVICE EXHIBIT THAT IS EFFECTIVE AS OF THE DATE OF THIS ORDER.

Customer: Albemarle Commission
Authorized Signature
Name Typed or Printed
Title
Date

Service(s) Total for Services priced in this Order		
	Monthly Recurring Charges (\$)	Non-Recurring Charges (\$)
Total	\$ 648.80	\$ 0.00

Terms and Conditions Governing This Order

1. This confidential Order may not be disclosed to third parties and is non-binding until accepted by CenturyLink ("CenturyLink"), as set forth in section 4. Customer places this Order by signing (including electronically or digitally) or otherwise acknowledging (in a manner acceptable to CenturyLink) this document and returning it to CenturyLink.
2. Prior to installation, CenturyLink may notify Customer in writing (including by e-mail) of price increases due to off-net vendors. Customer has 2 business days following notice to terminate this Order without liability; or otherwise, Customer is deemed to accept the increase.
3. If a generic demarcation point (such as a street address) is provided, the demarcation point for on-net services will be CenturyLink's Minimum Point of Entry (MPOE) at such location (as determined by CenturyLink). Off-net demarcation points will be the off-net vendor's MPOE. If this Order identifies aspects of services that are procured by Customer directly from third parties, CenturyLink is not liable for such services.
4. The Service identified in this Order is subject to the CenturyLink Master Service Agreement(s) and applicable Service Schedule(s) or Service Exhibit(s) between CenturyLink Communications, LLC and Customer (or its affiliate if expressly provided for under such affiliate Master Service Agreement). If Customer has not executed a CenturyLink Master Services Agreement with CenturyLink Communications, LLC but has executed a services agreement for applicable services with an affiliate of CenturyLink ("Affiliate Agreement"), then the terms of the most recent Affiliate Agreement will apply to the Service (to the extent not inconsistent with this Order); in such cases, the current standard Service Schedule applicable to the Services will apply. If CenturyLink and Customer have not executed a CenturyLink Master Service Agreement and/or applicable Service Schedule(s) governing the Service and have not executed an Affiliate Agreement, CenturyLink's current standard Master Service Agreement/Service Schedule(s) will govern, a copy of which are available upon request. The CenturyLink invoicing entity is the entity providing Services.

Notwithstanding anything in any Affiliate Agreement to the contrary, CenturyLink will notify Customer of acceptance of requested Service in this Order by delivering (in writing or electronically) the date by which CenturyLink will install Service (the "Customer Commit Date"), by delivering the Service, or by the manner described in a Service Schedule. CenturyLink will deliver a written or electronic notice that the Service is installed (a "Connection Notice"), at which time billing will commence. Unless otherwise provided in a Service Attachment, at the expiration of the Service Term, Service will continue month-to-month, and rates are subject to change upon 30 days' notice from CenturyLink. If the Affiliate Agreement governs and does not include early termination charges and if Customer cancels or terminates Service for any reason other than CenturyLink's uncured default or if CenturyLink terminates due to Customer's uncured default, then Customer will pay CenturyLink's standard early termination liability charges as identified in the CenturyLink Master Service Agreement, Affiliate Agreement, Service Exhibit or Service Schedule. "Affiliate Agreement" for CenturyLink Communications, LLC or any companies that were affiliates of CenturyLink Communications, LLC before the merger between CenturyLink and Level 3 Communications ("Merger") means only an applicable Interexchange Carrier (IXC) network agreement, e.g. CenturyLink Total Advantage Agreement, CenturyLink Total Advantage Express Agreement, or CenturyLink Wholesale Services Agreement, for non-government customers (each, a CenturyLink Affiliate Agreement). Affiliate Agreement also includes an Agreement between Customer and any entity that was an affiliate of Level 3 Communications before the Merger.

5. Neither party will be liable for any damages for lost profits, lost revenues, loss of goodwill, loss of anticipated savings, loss of data or cost of purchasing replacement service, or any indirect, incidental, special, consequential, exemplary or punitive damages arising out of the performance or failure to perform under this Order. Customer's sole remedies for any nonperformance, outages, failures to deliver or defects in Service are contained in the service levels applicable to the affected Service.
6. All transport services ordered from CenturyLink will be treated as interstate for regulatory purposes. Customer may certify transport service as being intrastate (for regulatory purposes only) in a format as required by CenturyLink, but only where the transport services are sold on a stand-alone basis, the end points for the service are located in the same state and neither end point is a CenturyLink provided IP port ("Intrastate Services"). Where Customer requests that services be designated as Intrastate Services, Customer certifies to CenturyLink that not more than 10% of Customer's traffic utilizing the Intrastate Services will be originated or terminated outside of the state in which the Intrastate Services are provided. Such election will apply prospectively only and will apply to all Intrastate Services stated in this Order.
7. Charges for certain Services are subject to (a) a property tax surcharge of 3.75% and (b) a cost recovery fee of 4.25% per month to reimburse CenturyLink for various governmental taxes and surcharges. Such charges are subject to change by CenturyLink and will be applied regardless of whether Customer has delivered a valid tax exemption certificate. For additional details on taxes and surcharges that are assessed, visit <http://www.centurylink.com/taxes>.
8. Customer will pay CenturyLink's standard: (a) expedite charges (added to the NRC) if Customer requests a delivery date inside CenturyLink's standard interval duration (available upon request and (b) ancillary charges for additional activities, features or options. If CenturyLink cannot complete installation due to Customer delay or inaction, CenturyLink may begin charging Customer and Customer will pay such charges.



Customer Name: **Albemarle Commission**

Order #: **Q-00651758**

Order Generation Date: **1/10/2019 4:56:56 PM**

Cutoff/Expiration Date: **1/27/2019**

Currency: **USD**

9. Charges/Orders. CenturyLink will charge Customer the rates for the Services shown above. If Customer changes any of the Bundle/Package or Service Details or moves a Service Address, these rates will not apply. Rates and charges for Service elements not identified appear in the applicable terms and conditions. The terms of this Order including the "Other Provisions", "Terms and Conditions Governing This Order," "Terms and Conditions for VP Checkbook Credit Offer," and "Business Applications Provisions" for the Services control except that the "Terms and Conditions" that appear under the pricing table for the Services will only apply if Customer's Agreement is a CenturyLink Total Advantage Express Agreement and will not apply if Customer's Agreement is a CenturyLink Total Advantage Agreement, CenturyLink Master Service Agreement or CenturyLink Loyal Advantage Agreement. Existing services, bundles, offers, or packages will continue to be governed by the terms and conditions incorporated by attachment or reference when previously added to the Agreement. If the Agreement does not allow for rates to be set forth in a quote, this Order amends the Agreement to include CenturyLink-approved signed quotes as a method to order the Services listed above. Despite anything to the contrary in the Service-specific terms and conditions and for purposes of this Order only, NRCs are NOT waived unless this Order expressly states NRCs are waived or the NRCs appear in the waived column in the above table(s). If a Cancellation Charge requires Customer to pay the amount of any waived or discounted NRC, the NRC will be the amount stated in this Order or shown in the "Waived NRC" column in the above table(s) despite anything to the contrary in the Existing Agreement or Agreement. If in this Order Customer is upgrading, moving, disconnecting or otherwise changing an existing Service, cancellation charges may apply as set forth in the Agreement.

Laura Rollinson

From: Melody Wilkins
Sent: Tuesday, February 05, 2019 11:58 AM
To: Laura Rollinson
Subject: FW: Incident INC000004678179 Description: REQ: Phone System Quote
Attachments: Cisco Phone model comparison.xlsx

Laura,

Here is the State's proposal on the phones. Note that for the least expensive package, the cost per phone is \$445/2=\$222.50 x 25 phones would be an upfront cost of \$5562.50. It is my understanding that Century Link is not charging for upgraded phones making their proposal the most cost effective.

Melody

-----Original Message-----

From: Henderson, Michael H <michael.henderson@nc.gov>
Sent: Monday, February 04, 2019 12:16 PM
To: Melody Wilkins <mwilkins@accog.org>
Subject: FW: Incident INC000004678179 Description: REQ: Phone System Quote

CAUTION: This message originated from an email address outside the agency. Please do not click any links or open any attachments unless verified. Send all suspicious email as an attachment to Report Spam.<mailto:report.spam@arhs-nc.org>

Hey Melody,

I just received a request to contact you in regards to phone systems? I have a few questions.

- 1)total phones is 25?
- 2)are you looking at a VOIP system(uses the WANDATA circuit to the building)
- 3)do you require ADD on modules for the phones? If so, how many? (usually the main receptionist has these)
- 4)How big(size 10MB, 20MB, 50MB, 100MB, 1GIG) is your DATA/WAN circuit to the building?
- 5)do you have a specific price range to stay under in regards to each phone?
- 6)monthly available budget for lines?

I have attached the latest document with the new CISCO model VOIP phones. This is what most of state government is going to. For pricing, look at list price and take 1/2 to determine your 1x phone cost.

Also, we offer a managed or unmanaged service. The managed service is a tad more expensive BUT the caveat being you do not have to support your phone system. So, warranty issues, firmware/software pushes etc are handled by DITS.

<https://it.nc.gov/services/telephony>

Michael H. Henderson
WAN/LAN Specialist
NC Department of Information Technology

Service Type: User Service Request
Priority: Low
Customer Name: Melody Wilkins
Agency: Boards, Councils, and Comm - BCC Site Address:

Summary: REQ: Phone System Quote
Notes: Customer Name: Melody Wilkins / 10 county region - Albemarle Commission in Hertford, NC

Email: mwilkins@accog.org

Contact Phone #: 919-333-9512

Notes: looking into replacing 25 phones, wanting to see about getting pricing or if it is something that the State could provide.

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

Key Features per Model	Cisco IP Phone 8811	Cisco IP Phone 8843	Cisco IP Phone 8845	Cisco IP Phone 8851	Cisco IP Phone 8855	Cisco IP Phone 8861R (Non-Radio)
Display	5 inch Black and White	5 inch Color				
Integrated Switch	10/100/1000	10/100/1000	10/100/1000	10/100/1000	10/100/1000	10/100/1000
Programmable (Soft) keys	5	5	5	5	5	5
Fixed Feature Keys	Keypad, media, conferencing, transfer, hold, apps, directories, voice messaging	Keypad, media, conferencing, transfer, hold, apps, directories, voice messaging	Keypad, media, conferencing, transfer, hold, apps, directories, voice messaging	Keypad, media, conferencing, transfer, hold, apps, directories, voice messaging	Keypad, media, conferencing, transfer, hold, apps, directories, voice messaging	Keypad, media, conferencing, transfer, hold, apps, directories, voice messaging
Add-on Key Expansion Modules (optional)	Yes	Yes	Yes	Yes	Yes	Yes
Wall-Mountable (optional wall-mount kit)	Yes	Yes	Yes	Yes	Yes	Yes
Headset Port	Yes - RJ9 ; Aux Port	Yes - RJ9 ; Aux Port ; Bluetooth	Yes - wired RJ9 ; Aux Port ; Bluetooth	Yes - wired RJ9 ; Aux Port ; Bluetooth ; USB	Yes - wired RJ9 ; Aux Port ; Bluetooth ; USB	Yes - wired RJ9 ; Aux Port ; Bluetooth ; USB
USB (physical ports)	-	-	-	-	-	-
High-definition video (720p)	-	-	-	-	-	-
Cisco Intelligent Proximity	-	-	-	-	-	-
Colors	White or Charcoal					
List Price (DIT Discount typically 50% off List)	\$445.00	\$515.00	\$575.00	\$615.00	\$725.00	\$795.00
Link to phone data sheet	https://www.cisco.com/go/8811prodinfo	https://www.cisco.com/go/8843prodinfo	https://www.cisco.com/go/8845prodinfo	https://www.cisco.com/go/8851prodinfo	https://www.cisco.com/go/8855prodinfo	https://www.cisco.com/go/8861rprodinfo

Expansion Module Accessory	Part Number	Price
Programmable keys	Program 14 physical keys per module	\$445.00
Integrated keys	View both voice messages and missed calls counts on display	\$445.00
Status of available staff with Busy Lamp Field support	Status of available staff with Busy Lamp Field support	\$460.00
List Price		\$460.00

Key Features per Model	Cisco IP Conference Phone 8821	Cisco IP Conference Phone 8822	Conf Rm. Wired Mic Kit (Pair)
Display	3.5 inch Black and White display	3.9 inch Color display	Conf Rm. Wired Mic Kit (Pair)
Conf Room dimensions	Small to Large Conf Rooms up to 1340 sq ft	Medium to Large Conf Rooms up to 800 sq ft	
Dial Pad	Wired Control panel and dial pad	Integrated within unit	
Microphones	Wired and Digital Equipment Cordless Telephony (DECT) wireless extension microphones - Supports up to 2	Wired and Digital Equipment Cordless Telephony (DECT) wireless extension microphones - Supports up to 2	
Programmable (Soft) keys	4 Programmable soft keys	4 Programmable soft keys	
List Price (DIT Discount typically 50% off List)	\$1,795.00	\$1,995.00	\$700.00
Link to phone data sheet	https://www.cisco.com/go/8821prodinfo	https://www.cisco.com/go/8822prodinfo	https://www.cisco.com/go/8821prodinfo

Conference Room recommended layouts	Small Office	Standard Conf Room	Boardroom	Large Boardroom
Base unit only	Base unit and 2 wired or wireless extension mics	Galaxy chain 2 base units	Galaxy chain 2 base units and 2 wired or wireless extension mics	Wireless extension mics

Server Replacement Plan

This project will replace the aging virtual server and associated virtual guests as well as firewall at Albemarle Commission's. This will require replacing the existing file server, domain controller, mail server and Windows Server Update Services server. The Project will also involve increasing the overall security of the network by utilizing best practices and security controls in accordance with the software vendor as well as NIST SP800-53 security and privacy controls recommendations.

Overview

The Dell Poweredge T620 server which houses the virtual servers responsible for your agency's core IT functions (e.g. file sharing, printing, authentication, antivirus, e-mail.) is past its five-year mark. The recommended replacement cycle for critical servers is typically 3 to 5 years, with 5 being more realistic. At this point, the manufacturer's warranties have expired and certain replacement parts become difficult to find new (used/refurbished parts are still available).

In addition to that aging hardware, all of your servers run the Windows Server 2008 R2 Operating System, with your mail server also running Microsoft Exchange 2010. On January 14, 2020, these applications will reach End of Life (EOL) which means no more support from Microsoft for [Windows Server 2008 R2](#), [Microsoft Exchange 2010](#) (your email server version) and the [Windows 7](#) desktop operating system. After that date, any machine still that run this software will no longer receive security updates or patches, leaving the organization vulnerable to newly discovered threats. Running EOL/unpatched systems also, leads to lack of compliance (e.g., HIPAA, PCI-DSS., etc) as many of compliance measures require the identification and mitigation of these types of vulnerabilities within IT systems.

This project will replace the aging server and the soon-to-be retired operating system with an updated server and operating systems. This will be accomplished by running the new system in parallel with the old system while periodically moving services to the new server in order to significantly reduce downtime.

Scope

The scope of the project is to determine all that is needed to streamline the project and reduce downtime. An analysis of the project will include

Information Technology

1. Determine the hardware requirements select server, firewall and supporting software.
2. Configure and test hardware and software.
3. Improve security of wireless network by incorporating WPA/2 Enterprise and appropriate encryption for the wireless network.

4. Set up separate guest network on separate VLAN in order to separate guest network traffic from the primary network.
5. Set up a PKI for authorization.
6. Implement a more secure and integrated VPN network by using the SSTP encryption protocol in conjunction with RADIUS authentication.
7. Providing training for connecting to new VPN.

The scope of this project includes and excludes the following items:

In scope:

- ARHS will provide installation services including configuration of hardware and software.

Out of scope:

- Purchase of server, firewall and operating system software

FIRST AMENDMENT TO 1997
RESOLUTION MODIFYING AND
AMENDING RESOLUTIONS CREATING
THE REGIONAL PLANNING COMMISSION
KNOWN AS THE ALBEMARLE COMMISSION

WHEREAS, in 1970 the Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans and Tyrrell, (the "Initial Counties"), began a regional cooperative effort by creating a regional planning and economic development commission known as the Albemarle Commission; and

WHEREAS, the County of Washington was granted membership in 1971 with unanimous consent of the ~~existing members; and~~ Initial Counties (the Initial Counties and the County of Washington may be referred to individually as a "County" and collectively as the "Counties"); and

WHEREAS, N.C. Gen. Stat. '153A-391 provides that the Counties may, by unanimous action, modify and amend the resolution creating the Albemarle Commission; and

WHEREAS, in 1997, the Counties unanimously modified and amended the resolution creating the Albemarle Commission by adopting that certain document entitled "Resolution Modifying and Amending Resolutions Creating the Regional Planning Commission known as the Albemarle Commission" (the "1997 Resolution"); and

WHEREAS, Article II of the 1997 Resolution provides the method for the appointment of delegates by the member Counties, including terms for such appointments, that the governing board of the Albemarle Commission has requested be changed as set forth below; and

WHEREAS, the Counties, after due and diligent consideration, desire to modify and amend the 1997 Resolution ~~creating the Albemarle Commission.~~ through this First Amendment to the 1997 Resolution to change the method for appointment of delegates and the terms for

delegates.

NOW, THEREFORE, BE IT RESOLVED by each of the Boards of Commissioners for the Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell and Washington, in separate sessions duly convened, by the adoption and enactment of this **First Amendment to the 1997 Resolution** by each of the Boards, do hereby modify and amend the 1997 Resolution ~~creating the Albemarle Commission~~ as follows:

Section 1. By replacing Articles I through VIII thereof with the following:

ARTICLE I

NAME

The name of the regional planning commission shall be the ALBEMARLE COMMISSION.

ARTICLE II

ALBEMARLE COMMISSION MEMBERSHIP AND GOVERNING BOARD

A. Albemarle Commission Membership – The Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell and Washington shall be member governments of the Albemarle Commission. The Albemarle Commission shall be governed by a board of ~~14~~ 15 members appointed as follows:

- 1) The governing board of each member government shall appoint one “Commissioner” delegate who must be a member of the member government’s governing board. ~~Commissioner delegates who no longer hold office as an elected member of their member government’s governing board are unable to continue as a delegate unless they can be and are approved as an at large delegate.~~

2) Four additional “At Large” delegates who do not hold an elective office shall be initially appointed as follows:

- (a) One delegate appointed by Camden County’s governing board;
- (b) One delegate appointed by Chowan County’s governing board;
- (c) One delegate appointed by Currituck County’s governing board;
- (d) One delegate appointed by Dare County’s governing board.

~~Following the initial appointment of delegates pursuant to this subsection, successors shall thereafter be appointed by governing board’s member governments in a rotating manner which order shall be determined alphabetically.~~

~~By the appointment of delegates pursuant to subsection (1) and (2) of this section, the member governments shall ensure that at least four delegates are a member of a racial minority described in G.S. 143-128(f)(2).~~

The At Large delegates appointed as of the adoption of this Resolution may continue to serve the remainder of their terms as set forth below.

Successors shall thereafter be appointed by the governing board’s member governments in a rotating manner which order shall be determined alphabetically until the end of the alphabet is reached and then starting over (e.g., two years after the year in which this Resolution is adopted one delegate would be appointed by each of the following counties: Gates, Hyde, Pasquotank, and Perquimans; two years thereafter, one delegate would be appointed by each of the following counties: Tyrrell, Washington, Camden, and Chowan; and the appointments would continue rotating every two years in this alphabetical manner).

3) The immediate past chair shall serve for one year as an ex-officio, non-

voting member unless they can be and are appointed as a Commissioner Delegate or an At Large Delegate.

The member governments are encouraged to consider making appointments that will result in at least four delegates being racial minorities.

B. Terms; Removal; Vacancies – Delegates of the Albemarle Commission shall serve ~~one~~ two-year terms. Terms shall be measured by calendar years but shall end on December 31, regardless of the date of appointment by the appointing authority. A delegate may be removed with or without cause by the appointing member government's governing board. Appointment to fill vacancies shall be made for the remainder of the unexpired term by the respective appointing member government's governing board.

C. Officers; Compensation – ~~Following~~ Those officers currently serving as of the date of adoption of this resolution, ~~the Albemarle Commission governing board shall meet at a time and place agreed upon by the member governments to elect a chair and vice chair by simple majority vote of those delegates present and voting and at that meeting shall adopt by laws for the conduct of its business.~~ shall continue serving until the next organizational meeting of the Albemarle Commission governing board.

Thereafter, the Albemarle Commission governing board shall hold an organizational meeting annually in January to elect a chair, vice-chair and secretary by simple majority vote of those delegates present and voting at a properly constituted meeting. Only Commissioner ~~those~~ delegates, i.e., those delegates who are members of a member government's governing board, shall be eligible to hold an office, other than the non-voting office of immediate past chair.

Delegates ~~shall not~~ may be compensated and reimbursed for their expenses at an appropriate mileage rate by the Albemarle Commission ~~Commission~~ for attendance at

~~meetings of the Albemarle Commission governing board. but shall be compensated by their member government pursuant to the member government's policy.~~

ARTICLE III

POWERS AND DUTIES

The Albemarle Commission shall possess the following powers:

- (1) Apply for, accept, receive, and disburse funds, grants, and services made available to it by the State of North Carolina or any agency thereof, the federal government or any agency thereof, any unit of local government or any agency thereof, or any private or civic agency;
- (2) Employ personnel;
- (3) Contract with consultants;
- (4) Contract for services with the State of North Carolina, any other state, the United States, or any agency of those governments;
- (5) Study and inventory regional goals, resources, and problems;
- (6) Prepare and amend regional development plans, which may include recommendations for land use within the region, recommendations concerning the need for and general location of public works of regional concern, recommendations for economic development of the region, and any other relevant matters;
- (7) Cooperate with and provide assistance to federal, state, other regional, and local planning activities within the region;
- (8) Encourage local efforts toward economic development;
- (9) Make recommendations for review and action to its member governments and other public agencies that perform functions within the region;
- (10) Exercise any other power necessary to the discharge of its duties.

ARTICLE IV

FINANCES

Funding for the Albemarle Commission’s administrative and general operational requirements shall, in addition to other funds which might become available, be provided by member governments. Each member government’s proportionate share shall be determined by a per capita assessment based on the most recent United States Census. Thereafter, the Albemarle Commission governing board shall develop and adopt, by simple majority vote, an annual budget for each up-coming fiscal year ~~which shall be submitted showing the anticipated contribution of each county which budget shall be submitted~~ to the member governments for review and comment not later than May 1.

ARTICLE V

BUDGETARY AND FISCAL CONTROL

The Albemarle Commission budget and fiscal affairs shall comply with the procedures set forth in the Local Government Budget and Fiscal Control Act, Chapter 159, Subchapter III of the North Carolina General Statutes.

The Albemarle Commission shall cause to be made an annual audit of its books and records by an independent certified public accountant at the end of the each fiscal year and a certified copy of the audit shall be filed promptly with each member government.

ARTICLE VI

WITHDRAWAL

A member government may withdraw from the Albemarle Commission by giving at least two years’ written notice to the other member governments.

ARTICLE VII

AMENDMENTS

This resolution may be amended, modified or repealed by the unanimous action of the member governments.

ARTICLE VIII

DISSOLUTION

If the Albemarle Commission is dissolved by the unanimous action of the member governments then the proceeds that may be derived from the sale of the Albemarle Commission's assets, less payment of debts and liabilities, shall be distributed among the member governments pursuant to the following formula:

$$\frac{\text{Member Government Population}}{\text{Total population of Member governments}} \times \text{Total Dollar Value of Albemarle Commission assets} = \text{Member government's Share}$$

Section 2. All provisions of ~~prior~~ resolutions creating, amending or modifying the 1997 Resolution ~~creating the Albemarle Commission~~, which are not re-enacted by this resolution, are hereby repealed.

Section 3. This resolution shall take effect immediately upon its unanimous adoption by the Counties.

ADOPTED the ____ day of _____, 2019.

Chairman, _____ County
Board of Commissioners

ATTEST:

Clerk to the Board
(SEAL)

HORNTHAL, RILEY, ELLIS & MALAND, L.L.P.

M. H. HOOD ELLIS
DAVID C. GADD
BENJAMIN M. GALLOP
ROBERT B. HOBBS, JR.
L. P. HORNTHAL, JR.
L. PHILLIP HORNTHAL, III
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RETIRED
MARK M. MALAND

OTHER OFFICES
NAGS HEAD, NC
COLUMBIA, NC

MEMORANDUM

TO: Board of Delegates

FROM: John D. Leidy

DATE: February 15, 2019

RE: Third Set of Revisions to Personnel Policy Manual

At the November Board meeting, the Board reviewed a number of proposed revisions and additions to several different provisions of the personnel policy manual. We were asked to prepare some further revisions, additions and clarifications. I have done so, and my observations and recommendations regarding these most recent revisions are discussed below. (NOTE: revisions proposed and discussed as of the November, 2018 meeting appear in red; revisions requested at that meeting and discussed below appear in blue.)

1. Typographical errors were corrected in Article 10, Section 2 (replacing “above” with “below”); Section 4, Part C (correcting “executor” to be “executive”); Section 5, Step 3 (replacing “may” with “shall”); and Section 6, Part C.10 (replacing “my” with “may”).

2. The Board discussed expanding on Article V, Section 10 “Substance Abuse Policy”; a more expansive and detailed policy is set forth in the current revisions.

3. The Board discussed expanding on Article V, Section 12 “Computer Usage Policy”; a more detailed and comprehensive policy is set forth now.

4. The Board requested clarification in Article V, Section 1 regarding compensatory time, and clarifying that it is not paid out at retirement or termination. A revision has been made to make clear that compensatory time “is not subject to reimbursement. It cannot be applied to retirement and is not paid out at termination.”

5. The Board discussed how employees could make complaints about unlawful harassment against the Executive Director using a process that did not require them to submit the complaint to the Executive Director. Accordingly, an addition has been made in Article V, Section 6 that makes clear that any complaint of unlawful harassment or bullying by the Executive Director can be submitted to the Chair of the Board or any member of the Executive Committee. This addition also emphasizes that no retaliation will result from such complaints.

6. The Board wanted to give some further thought to changing the \$25 monthly reimbursement for staff for personnel cell phone usage. No specific guidance was given as to a different amount to be used. Also, the Board wanted to give some further thought to the shared leave policy. The current policy is pretty standard. No specific guidance was given as to any needed changes. The Board may wish to discuss these items in further detail.

I will look forward to discussing these proposed changes with the Board.

**ALBEMARLE COMMISSION
PERSONNEL POLICIES**

Table of Contents

ARTICLE I. GENERAL PROVISIONS4

 Section 1. Purpose of the Policy4

 Section 2. At Will Employment4

 Section 3. Merit Principle4

 Section 4. Responsibilities of the Albemarle Commission Board4

 Section 5. Responsibilities of the Albemarle Commission Executive Director4

 Section 6. Human Resources Responsibilities5

 Section 7. Application of Policies, Plan, Rules and Regulations6

 Section 8 Definitions6

ARTICLE II. POSITION CLASSIFICATION PLAN8

 Section 1. Purpose8

 Section 2. Composition of the Position Classification Plan8

 Section 3. Use of the Position Classification Plan8

 Section 4. Administration of the Position Classification Plan8

 Section 5. Authorization of the Position Classification Plan9

 Section 6. Request for Reclassification9

ARTICLE III. THE PAY PLAN10

 Section 1. Definition10

 Section 2. Administration and Maintenance10

 Section 3. Starting Salaries10

 Section 4. Trainee Designation and Provisions10

 Section 5. Probationary Pay Increases11

 Section 6. Salary Effect of Promotions, Demotions, Transfers, and Reclassifications11

 Section 7. Salary Effect of Salary Range Revisions12

 Section 8. Transition to a New Salary Plan12

 Section 9. Effective Date of Salary Changes12

 Section 10. Overtime Pay Provisions13

 Section 11. Payroll Deduction13

 Section 12. Hourly Rate of Pay13

 Section 13. Longevity Pay14

 Section 14. Pay for "Acting" in a Higher Level Classification15

 Section 15. Accumulated Vacation Time Payout15

ARTICLE IV. RECRUITMENT AND EMPLOYMENT15

 Section 1. Equal Employment Opportunity Policy15

Section 2. Implementation of Equal Employment Opportunity Policy	16
Section 3. Recruitment, Selection and Appointment	16
Section 4. Probationary Period.....	17
Section 5. Promotion	17
Section 6. Demotion	17
Section 7. Transfer.....	18
ARTICLE V. CONDITIONS OF EMPLOYMENT	19
Section 1. Work Hours, Schedule and Compensatory Time	19
Section 2. Political Activity	20
Section 3. Outside Employment.....	21
Section 4. Employment of Relatives and/or Elected Officials	21
Section 5. Conflict of Interest.....	21
Section 6. Harassment Prohibited.....	21
Section 7. Acceptance of Gifts and Favors	22
Section 8. Performance Evaluation.....	22
Section 9. Safety	23
Section 10. Substance Abuse Policy	23
Section 11. Travel Policy	23
Section 12. Computer Usage Policy.....	25
ARTICLE VI. EMPLOYEE BENEFITS	28
Section 1. Eligibility.....	28
Section 2. Health and Dental Insurance	28
Section 3. Group Life Insurance	28
Section 4. Other Optional Group Insurance Plans.....	28
Section 5. Retirement.....	28
Section 6. Supplemental Retirement Benefits.....	28
Section 7. Social Security.....	29
Section 8. Workers' Compensation.....	29
Section 9. Unemployment Compensation.....	29
Section 10. Tuition Assistance Program.....	29
Section 11. Cell Phone Usage and Reimbursement	30
Section 12. Post-Employment Benefits	31
ARTICLE VII. HOLIDAYS AND LEAVES OF ABSENCE.....	32
Section 1. Policy	32
Section 2. Holidays.....	32
Section 3. Holidays: Effect on Other Types of Leave	32
Section 4. Vacation Leave	32
Section 5. Vacation Leave: Accrual Rate	32

Section 6. Vacation Leave: Maximum Accumulation.....	32
Section 7. Vacation Leave: Manner of Taking	33
Section 8. Vacation Leave: Payment upon Separation.....	33
Section 9. Vacation Leave: Payment upon Death	33
Section 10. Bereavement Leave.....	33
Section 11. Sick Leave.....	33
Section 12. Sick Leave: Accrual Rate and Accumulation.....	34
Section 13. Sick Leave: Transfer	34
Section 14. Sick Leave: Medical Certification.....	34
Section 15. Family and Medical Leave	35
Section 16. Family and Medical Leave – Certification.....	36
Section 17. Leave Without Pay	36
Section 18. FMLA and Leave Without Pay: Retention and Continuation of Benefits	37
Section 19. Workers’ Compensation Leave	37
Section 20. Military Leave	37
Section 21. Reinstatement Following Military Service	38
Section 22. Civil Leave	38
Section 23. Educational Leave with Pay	38
Section 24. Parental School Leave.....	39
Section 25. Voluntary Shared Leave	39
ARTICLE VIII. SEPARATION AND REINSTATEMENT.....	43
Section 1. Types of Separations	43
Section 2. Resignation.....	43
Section 3. Reduction in Force.....	43
Section 4. Disability.....	44
Section 5. Voluntary Retirement.....	44
Section 6. Death.....	44
Section 7. Dismissal	44
Section 8. Reinstatement	44
Section 9. Rehiring.....	45
ARTICLE IX. UNSATISFACTORY JOB PERFORMANCE AND DETRIMENTAL PERSONAL CONDUCT	46
Section 1. Disciplinary Action for Unsatisfactory Job Performance.....	46
Section 2. Unsatisfactory Job Performance Defined	46
Section 3. Communication and Warning Procedures Preceding Disciplinary Action for Unsatisfactory Job Performance.....	46
Section 4. Disciplinary Action for Detrimental Personal Conduct.....	47
Section 5. Detrimental Personal Conduct Defined	47
Section 6. Pre-Dismissal Conference	48
Section 7. Non-Disciplinary Suspension	48

ARTICLE X. GRIEVANCE PROCEDURE AND ADVERSE ACTION APPEAL.....	49
Section 1. Policy	49
Section 2. Grievance Defined	49
Section 3. Purposes of the Grievance Procedure	49
Section 4. Procedure.....	50
Section 5. Grievance and Adverse Action Appeal Procedure for Discrimination	52
ARTICLE XI. RECORDS AND REPORTS	55
Section 1. Personnel Actions	55
Section 2. Remedies of Employees Objecting to Material in File	55
Employee Affirmation:	56

ARTICLE I. GENERAL PROVISIONS

Section 1. Purpose of the Policy

The purpose of this policy is to establish a personnel system that will promote a fair and effective means of employee recruitment and selection, develop and maintain an effective and responsible work force, and provide the means for removal of unsatisfactory employees. This policy applies to all employees under the supervision of the Albemarle Commission Executive Director.

Section 2. At Will Employment

Nothing in this policy creates an employment contract or term between the Albemarle Commission and its employees. No person has the authority to grant any employee any contractual rights of employment. All employees of the Albemarle Commission are considered an "at will" employee which means that employees are free to leave the Albemarle Commission's service at any time and that employees may be terminated at any time.

Section 3. Merit Principle

All appointments and promotions shall be made solely on the basis of merit. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range. No applicant for employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee because of such individual's race, color, religion, sex, national origin, political affiliation, non-disqualifying disability, or age.

Section 4. Responsibilities of the Albemarle Commission Board

The Albemarle Commission Board shall be responsible for establishing and setting goals to achieve the purposes of the Commission and may change the personnel policy, position classification, pay plan, table of organization for approved budgeted positions, and benefits at will from time to time. The Board also acts as the hiring, firing and supervising authority of the Executive Director

Section 5. Responsibilities of the Albemarle Commission Executive Director

The Albemarle Commission Executive Director shall be responsible to the Albemarle Commission Board for the administration and technical direction of the personnel program with the Albemarle Commission Board having final approval for all changes to the Albemarle Commission's personnel policy. The Albemarle Commission Executive Director shall appoint, suspend, and remove all Albemarle Commission employees. The Albemarle Commission Executive Director shall make appointments, dismissals, and suspensions in accordance with these policies.

The Albemarle Commission Executive Director shall:

- a) make recommendations to the Albemarle Commission Board of any needed revisions to the personnel system;
- b) make changes as necessary to maintain an up-to-date and accurate position classification plan;
- c) recommend necessary revisions to the pay plan;
- d) determine which employees shall be subject to the overtime provisions of FLSA;
- e) determine the design of the organization chart and designate which positions serve as department heads;
- f) develop and administer such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the Albemarle Commission;
- g) perform such other duties as may be assigned by the Albemarle Commission Board not inconsistent with this Policy; and
- h) serve as Human Resources Officer or may appoint a Human Resources Officer to carry out the day-to-day personnel administration of the Albemarle Commission.

Section 6. Human Resources Responsibilities

Human Resource duties will be the responsibility of the Albemarle Commission Executive Director, unless the Executive Director elects to appoint someone to serve as the Human Resource Officer.

The person ultimately responsible for providing Human Resources leadership shall;

- a) recommend rules, procedures, and revisions to the personnel system to the Albemarle Commission Board for the Board's final approval;
- b) recommend changes as necessary to maintain an up-to-date and accurate position classification plan;
- c) recommend necessary revisions to the pay plan;
- d) recommend which employees shall be subject to the overtime provisions of FLSA;

- e) maintain a roster of all persons in the Albemarle Commission service;
- f) establish and maintain a list of authorized positions in the Albemarle Commission service at the beginning of each budget year which identifies each authorized position, class title of position, salary range, any changes in class title and status, position number and other such data as may be desirable or useful;
- g) develop and administer such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the Albemarle Commission;
- h) develop and coordinate training and educational programs for Albemarle Commission employees;
- i) investigate periodically the operation and effect of the personnel provisions of this policy; and
- j) perform such other duties as may be assigned by the Albemarle Commission Executive Director not inconsistent with this Policy.

Section 7. Application of Policies, Plan, Rules and Regulations

The personnel policy and all rules and regulations adopted pursuant thereto shall be binding on all Albemarle Commission employees, including the Executive Director. The Albemarle Commission Executive Director, members of the Albemarle Commission Board and advisory boards and commissions will be exempted except in sections where specifically included. An employee violating any of the provisions of this policy shall be subject to appropriate disciplinary action, as well as prosecution under any civil or criminal laws which have been violated.

The personnel policy is subject to change at any time by the Albemarle Commission's Board of Delegates and is not considered to be a contractual commitment between any employee or the Albemarle Commission.

Section 8 Definitions

For the purposes of this policy, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Full-time employee: An employee who is in a position for which an average work week equals at least 40 hours, and continuous employment of at least 12 months.

Part-time employee: An employee who is in a position for which an average work week of at least 20 hours and less than 29 hours and continuous employment of at least 12 months.

Regular employee: An employee appointed to a full or part-time position who has successfully completed the designated probationary period.

Probationary employee: An employee appointed to a full or part-time position who has not yet successfully completed the designated probationary period.

Temporary employee: An employee appointed to a position for which either the average work week over the course of a year is less than 20 hours, or continuous employment is less than 12 months.

Trainee: An employee status when an applicant is hired (or employee promoted) who does not meet all of the requirements for the position. During the duration of a trainee appointment, the employee is on probationary status.

Permanent position: A position authorized for the budget year for a full twelve months and budgeted for twenty or more hours per week. All Albemarle Commission positions are subject to budget review and approval each year by the Albemarle Commission Board, and all employees' work and conduct must meet Albemarle Commission standards. Therefore, reference to "permanent" positions or employment should not be construed as a contract or right to perpetual funding or employment.

ARTICLE II. POSITION CLASSIFICATION PLAN

Section 1. Purpose

The position classification plan provides a complete inventory of all authorized and permanent positions in the Albemarle Commission service, and an accurate description and specification for each class of employment. The plan standardizes job title, each of which is indicative of a definite range of duties and responsibilities.

Section 2. Composition of the Position Classification Plan

The classification plan shall consist of:

- a) a grouping of positions in classes which are approximately equal in difficulty and responsibility which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions;
- b) class title descriptive of the work of the class;
- c) written specifications for each class of positions; and
- d) an allocation list showing the class title of each position in the classified service.

Section 3. Use of the Position Classification Plan

Class specifications shall describe the type and scope of work performed. However, tasks that are similar in nature may be assigned to a position in a classification without being specified on the class specification.

The classification plan is to be used:

- a) as a guide in recruiting and examining applicants for employment;
- b) in determining lines of promotion and in developing employee training programs;
- c) in determining salary to be paid for various types of work;
- d) in determining personnel service items in departmental budgets; and
- e) in providing uniform job terminology.

Section 4. Administration of the Position Classification Plan

The Executive Director shall allocate each position covered by the classification plan to its appropriate class, and shall be responsible for the administration of the position

classification plan. The Executive Director shall periodically review portions of the classification plan and recommend appropriate changes to the Board.

Section 5. Authorization of the Position Classification Plan

The position classification plan shall be submitted by the Albemarle Commission Executive Director, submitted to the Albemarle Commission Board for review and comment and final approval. The Position Classification Plan is maintained on file with the Finance Director. Copies will be available to all Albemarle Commission employees for review upon request. New positions shall be established upon recommendation of the Albemarle Commission Executive Director. The Executive Director shall either allocate the new position into the appropriate existing class, or revise the position classification plan to establish a new class to which the new position may be allocated.

Section 6. Request for Reclassification

Any employee who considers his or her position to be improperly classified shall submit a request in writing for a position study to such employee's immediate supervisor, who shall immediately transmit the request through the department head to the Executive Director. Upon receipt of such request, the Executive Director shall study the request, determine the merit of the reclassification, and submit a copy to the Board who may offer comments if deemed necessary.

Department heads are responsible for reviewing the allocation of positions to functions and classifications annually as part of the budget process. Department heads are to consider in their review that job descriptions are the primary job responsibilities, but all employees will be expected to perform additional, collateral duties as requested by his/her supervisor. Such review shall be to determine the most accurate classifications and the most equitable, effective, and efficient use of human resources.

ARTICLE III. THE PAY PLAN

Section 1. Definition

The pay plan includes the basic salary schedule and the "list of Classes Arranged by Grade" adopted by the Board. The salary schedule consists of amounts for hiring, minimum, midpoint, and maximum rates of pay for all classes of positions.

Section 2. Administration and Maintenance

The Albemarle Commission Executive Director shall be responsible for the administration and maintenance of the pay plan. All employees covered by the pay plan shall be paid at a rate within the salary range established for the respective position classification, except for employees in trainee status or employees whose existing salaries are above the established maximum rate following transition to a new pay plan. The pay plan is intended to provide equitable compensation for all positions, reflecting differences in the duties and responsibilities, the comparable rates of pay for positions in private and public employment in the area, the impacts of inflation, the financial conditions of the Albemarle Commission, comparative studies of all factors affecting the level of salary ranges and will recommend such changes in salary ranges as appear to be pertinent. Such assignments will be made by increasing or decreasing the assigned salary grade for the class and adjusting the rate of pay for employees in the class when the action is approved by the Albemarle Commission Board.

Section 3. Starting Salaries

All persons employed in positions approved in the position classification plan shall be employed at the minimum salary for the classification in which they are employed; however, exceptionally well qualified applicants may be employed above the minimum of the established salary range upon approval of the Albemarle Commission Executive Director.

Section 4. Trainee Designation and Provisions

Applicants being considered for employment or Albemarle Commission employees who do not meet the entire requirement for the position for which they are being considered may be hired, promoted, demoted, or transferred to a "trainee" status. In such cases, a plan for training, including a time schedule, must be prepared by the department head. "Trainee" salaries shall be one of (no more than) two grades below the hiring salary established for the position for which the person is being trained. A new employee designated as "trainee" shall concurrently serve a probationary period. However, probationary periods shall be no less than six months and trainee periods may extend from three to eighteen months. A trainee shall remain a probationary employee until the trainee period is satisfactorily completed.

If the training is not successfully completed to the satisfaction of the Albemarle Commission, the trainee shall be transferred, demoted, or dismissed. If the training is

successfully completed, the employee shall be paid at least at the hiring rate established for the position for which the employee was trained.

Section 5. Probationary Pay Increases

Employees hired, promoted, or reclassified into the hiring rate of the pay range shall receive a salary increase within the range of up to 5% upon successful completion of the six month probationary period. Employees hired or promoted at or above the minimum rate of the appropriate grade may be considered for a probationary increase depending on the performance levels and consistent with performance pay policies.

Section 6. Salary Effect of Promotions, Demotions, Transfers, and Reclassifications

The purpose of the promotion pay increase is to recognize and compensate the employee for taking on increased responsibility. When an employee is promoted, the employee's salary shall normally be advanced to the minimum level of the new position. In the event of highly skilled and qualified employees, shortage of qualified applicants, or other reasons related to the merit principle of employment, the Albemarle Commission may set the salary at an appropriate rate in the range of the position to which the employee is promoted that best reflects the employees qualifications for the job and relative worth to the Albemarle Commission. In no event, however, shall the new salary exceed the maximum rate of the new salary range. In setting the promotion salary, the Albemarle Commission shall consider internal comparisons with other employees in the same or similar jobs.

Demotions. When an employee is demoted to a position for which qualified, the salary shall be set at the rate in the lower pay range which provides a salary commensurate with the employees' qualifications to perform the job when the demotion is not the result of discipline. If the current salary is within the new range, the employee's salary may be retained at the previous rate, if appropriate. Consideration should be given to whether the employee is receiving the same pay for decreased workload or responsibility level and action should be appropriate to this consideration. The salary shall be no greater than the maximum of the new range.

Transfers. The salary of an employee reassigned to a position in the same class or to a position in a different class within the same salary range shall not be changed by the reassignment.

Reclassifications. An employee whose position is reclassified to a class having a higher salary range shall receive a pay increase of at least 5% or an increase to the minimum of the new pay range, whichever is higher. If the employee has completed probation, the employee's salary shall be advanced to at least the probation completion amount in the new range. Increases may be withheld or delayed when an employee in an upgraded position has documented performance problems.

If the position is reclassified to a lower pay range, the employee's salary shall remain the same. If the employee's salary is above the maximum established for the new range, the salary of that employee shall be maintained at the current level until the range is increased above the employee's salary.

Section 7. Salary Effect of Salary Range Revisions

When a class of positions is assigned to a higher salary range, employees in that class shall receive a pay increase of at least 5%, or to the hiring rate of the new range, whichever is higher. Such increases may be withheld or delayed in cases where employees have documented performance problems. If the employee has passed probation, the employee's salary shall be advanced at least to the probation completion amount in the new range. When a class of positions is assigned to a lower salary range, the salaries of employees in that class will remain unchanged. If this assignment to a lower salary range results in an employee being paid at a rate above the maximum rate established for the new class, the salary of that employee shall be maintained at that level until such time as the employee's salary range is increased above the employee's current salary.

Section 8. Transition to a New Salary Plan

The following principles shall govern the transition to a new salary plan:

- 1) No employee shall receive a salary reduction as a result of the transition to a new salary plan.
- 2) All employees being paid at a rate lower than the hiring rate established for their respective classes shall have their salaries raised to the new hiring rate for their classes.
- 3) All employees being paid at a rate below the maximum rate established for their respective classes shall be paid at a rate in the appropriate salary range.
- 4) All employees being paid at a rate above the maximum rate established for their respective classes shall be maintained at that salary level until such time as the salary range is increased above the employees' current salary.

Section 9. Effective Date of Salary Changes

Salary changes approved after the first working day of a pay period shall become effective at the beginning of the next pay period or at such specific date as may be provided by procedures approved by the Albemarle Commission Executive Director.

Section 10. Overtime Pay Provisions

Employees of the Albemarle Commission may be requested and may be required to work hours in excess of their regularly scheduled hours as necessitated by the needs of the Albemarle Commission and determined by the Department Head.

To the extent that local government jurisdictions are so required, the Albemarle Commission will comply with the Fair Labor Standards Act (FLSA). The Albemarle Commission Executive Director shall determine which jobs are "non-exempt" and are therefore subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

Non-exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position (usually 40 hours in a 7-day period). Hours worked beyond the FLSA established limit will be compensated in either time or pay at the appropriate overtime rate. In determining eligibility for overtime in a work period, only hours actually worked shall be considered. Compensatory leave requires approval by the Albemarle Commission Executive Director when creating a balance that exceeds 16 hours.

Whenever practicable, departments will schedule time off on an hour-for-hour basis within the applicable work period for non-exempt employees, instead of paying overtime. When time off within the work period cannot be granted, overtime worked will be compensated in accordance with the FLSA.

Employees in positions determined to be "exempt" from the FLSA (as Executive, Administrative, or Professional staff) will not receive pay for hours worked in excess of their normal work period. These employees may be granted compensatory leave by their supervisor where the convenience of the department allows and in accordance with procedures established by the Albemarle Commission Executive Director. Such compensatory time is not guaranteed to be taken and ends without compensation upon separation from the organization.

Section 11. Payroll Deduction

Deductions shall be made from each employee's salary, as required by law or contracts. Additional deductions may be made upon the request of the employee on determination by the Albemarle Commission Executive Director as to capability of payroll equipment and appropriateness of the deduction.

Section 12. Hourly Rate of Pay

The pay scale will apply to all employees. Hourly rates for employees appointed for less than full-time service will be paid a pro-rated amount determined by converting the established full-time salary to an hourly rate. Temporary employees shall be paid at the hourly rate that corresponds with the pay scale if the job classification is the same as a

permanent position referenced in the plan. If the temporary position is different, an hourly rate of pay shall be established based on the duties to be performed.

Section 13. Longevity Pay

An employee shall have at least ten (10) years of total qualifying Commission service before being eligible for any longevity payments.

The employee must have a full-time or part-time permanent position as defined by this policy.

Upon change of appointment to temporary or exempt (except as provided by statute), the employee is ineligible for continued longevity pay; hence, if the employee has worked part, but not all of the one year since the last annual longevity payment, a prorated payment shall be made as if the employee were separating from Commission service, provided the change is not of a temporary nature.

If an employee goes on leave without pay, longevity shall not be paid until the employee returns and completes the full year. If, however, the employee shall resign while on leave without pay, the prorated amount for which the employee is eligible is paid.

Exceptions: 1) An employee going on leave without pay due to short-term disability may be paid the prorated amount for which the employee is eligible; 2) an employee on workers' compensation leave shall be paid longevity as if working.

Longevity pay is not considered a part of annual base pay for classification and pay purposes, nor is it to be recorded in personnel records as part of annual base salary.

<u>Years of Commission Service</u>	<u>Longevity Pay Rate</u>
10 but less than 15 years	1.50 percent
15 but less than 20 years	2.25 percent
20 but less than 25 years	3.25 percent
25 or more years	4.50 percent

Annual longevity payments are based on the length of total Commission service and a percentage of the employee's annual rate of base pay. Effective November 18, 1993, the previously accepted longevity policy was discontinued. All accrued longevity was added to employee's permanent salary; also effective November 18, 1993, the new policy (which is consistent with the Office of State Personnel longevity policy) became effective. This policy shall include each employee's time in service at the Albemarle Commission.

Section 14. Pay for "Acting" in a Higher Level Classification

The Executive Director may designate an employee to perform the duties of a higher salary grade position for a temporary period. In such case, the employee shall continue to be fully responsible for his/her regular duties and also for those in the position he/she is performing temporarily. The employee shall receive a salary adjustment based on the following criteria: 1) the difference between the existing job and that being filled on a temporary basis, and 2) the degree to which the employee is expected to fulfill all the duties of the temporary assignment. The salary increase shall be temporary and the employee shall go back to the salary he or she would have had if not assigned to the "acting" role upon completion of the assignment.

Section 15. Accumulated Vacation Time Payout

The Albemarle Commission as a benefit to its employees allows for a vacation time payout in December of each year. The Albemarle Commission encourages employees to utilize all of their vacation time each year, however, because of longevity of service, many Albemarle Commission employees accumulate a vacation time balance.

Employees may request a vacation time payout up to a maximum of 120 hours of accumulated vacation time.

- 1) The vacation time payout must be made in writing by the employee and submitted to their immediate supervisor on the approved Albemarle Commission form by November 15th of each year indicating the amount of accumulated vacation time requested for payout.
- 2) The vacation time payout request signed by the direct supervisor and must be forwarded to the Albemarle Commission's Executive Director by November 30th for final approval.
- 3) The Executive Director will forward all requests to the Finance Officer by December 5th for processing and payout with the December payroll.

The rate of compensation for paid-out vacation, shall be the employee's then-current rate of pay at the time the request is made, and will be calculated at a straight time rate based on a 250-day work year. Albemarle Commission employees will be responsible for any applicable state and federal taxes noting that their tax liability due to the vacation payout may change.

ARTICLE IV. RECRUITMENT AND EMPLOYMENT

Section 1. Equal Employment Opportunity Policy

It is the policy of the Albemarle Commission to foster, maintain and promote equal employment opportunity. The Albemarle Commission shall select employees on the basis of the applicant's qualifications for the job and award them, with respect to compensation and opportunity for training and advancement, including upgrading and promotion, without regard to age, sex, race, color, religion, national origin, disability, political affiliation, pregnancy, sexual orientation or marital status. Applicants with physical disabilities shall be given equal consideration with other applicants for positions

in which their disabilities do not represent an unreasonable barrier to satisfactory performance of required duties with or without reasonable accommodation.

Section 2. Implementation of Equal Employment Opportunity Policy

All personnel responsible for recruitment and employment will continue to review regularly the implementation of this personnel policy and relevant practices to assure that equal employment opportunity based on reasonable, job-related requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of age, sex, race, color, religion, disability, national origin, political affiliation, or marital status. Notices with regard to equal employment matters shall be posted in conspicuous places on Albemarle Commission premises in places where notices are customarily posted.

Section 3. Recruitment, Selection and Appointment

Recruitment Sources. When position vacancies occur, the Executive Director shall publicize these opportunities for employment, including applicable salary information and employment qualifications. Information on job openings and hiring practices may be posted in local and/or other news media as necessary to inform the community and create a quality and diverse pool of applicants. In addition, notice of vacancies shall be posted at designated conspicuous sites within departments. Individuals shall be recruited from a geographic area as wide as necessary and for a period of time sufficient to ensure that well-qualified applicants are obtained for Albemarle Commission service. The NCWorks Career Centers shall normally be used as a primary recruitment source.

Job Advertisements. Employment advertisements shall contain assurances of equal employment opportunity and shall comply with Federal and State statutes.

Application for Employment. All persons expressing interest in employment with the Albemarle Commission shall be given the opportunity to file an application for employment for positions which are vacant during the established recruitment period.

Application Reserve File. Applications shall be kept in an inactive reserve file for a period of two years, in accordance with Equal Employment Opportunity Commission guidelines.

Selection. Department heads, with the assistance of the Executive Director, shall make such investigations and conduct such examinations as necessary to assess accurately the knowledge, skills, and experience qualifications required for the position. All selection devices administered by the Albemarle Commission shall be valid measures of job performance.

Appointment. Before any commitment is made to an applicant, either internal or external, the Department Head shall make recommendations to the Executive Director

including the position to be filed, the salary to be paid, and the reasons for selecting the candidate over other candidates.

Section 4. Probationary Period

An employee appointed or promoted to a permanent position shall serve a probationary period. Employees shall serve a six month probationary period. During the probationary period, supervisors shall monitor an employee's performance and communicate with the employee any performance standards and progress concerns. Before the end of the probationary period, the supervisor shall conduct a performance evaluation conference with the employee and discuss accomplishments, strengths, and needed improvements. A summary of this discussion shall be documented in the employee's personnel file. The supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed. Probationary period may be extended for a maximum of six additional months.

Disciplinary action, including demotion and dismissal, may be taken at any time during the probationary period. A promoted employee who does not successfully complete the probationary period may be transferred or demoted to a position in which the employee shows promise of success. If no such position is available, the employee shall be dismissed. Promoted employees retain all other rights and benefits, such as the right to use the grievance procedures.

Section 5. Promotion

Promotion is the movement of an employee from one position to a vacant position in a class assigned to a higher salary range. It is the Albemarle Commission's policy to create career opportunities for its employees whenever possible. Therefore, when a current employee applying for a vacant position is best suited of all applicants, that applicant shall be appointed to that position. The Albemarle Commission will balance three goals in the employment process: 1) the benefits to employees and the organization of promotion from within; 2) providing equal employment opportunity and a diversified workforce to the community; and 3) obtaining the best possible employee who will provide the most productivity in that position. Therefore, except in rare situations where previous Albemarle Commission experience is essential or exceptional qualifications of an internal candidate so indicate, the Albemarle Commission will consider external and internal candidates rather than automatically promote from within. Candidates for promotion shall be chosen on the basis of their qualifications and their work records. Internal candidates shall apply for promotions using the same application process as external candidates.

Section 6. Demotion

Demotion is the movement of an employee from one position to a position in a class assigned to a lower salary range. An employee whose work or conduct in the current

position is unsatisfactory may be demoted provided that the employee shows promise of becoming a satisfactory employee in the lower position. Such demotion shall follow the disciplinary procedures outlined in this policy.

Section 7. Transfer

Transfer is the movement of an employee from one position to a position in a class in the same salary range. If a vacancy occurs and an employee in another department is eligible for a transfer, the employee shall apply for the transfer using the usual application process. The department head wishing to transfer an employee to a different department or classification shall make a recommendation to the Albemarle Commission Executive Director with the consent of the receiving department head. Any employee transferred without requesting the action may appeal the action in accordance with the grievance procedure outlined in this policy. An employee who has successfully completed a probationary period may be transferred into the same classification without serving another probationary period.

ARTICLE V. CONDITIONS OF EMPLOYMENT

Section 1. Work Hours, Schedule and Compensatory Time

- 1) Except for holidays, the Albemarle Commission will be open from 8:00 a.m. until 5:00 p.m., Monday through Friday. Exceptions to this policy may be authorized by the Executive Director or Board.
- 2) All full-time staff are required to account for 40 hours per week. When reporting time to Albemarle Regional Health Services for salary reimbursement, each full-time staff member must report the required number of hours for that reporting period.
- 3) All Albemarle Commission staff are required to work from the Albemarle Commission offices in Hertford, North Carolina, unless their duty station is at another location. Albemarle Commission Staff are not allowed to work from home. Only in the event of adverse weather will Albemarle Commission employees be allowed to work from home.
- 4) The work week is defined as beginning on Sunday 12:00:01 a.m. (one second after midnight) and ends on Saturday 12:00 p.m. (midnight).
- 5) Each full-time staff member must have an established weekly work schedule on file with the supervisor that includes: 40 hours per week; a beginning time each day between 7:30 and 8:30 a.m. and ends either 8.5 hours later with a half hour lunch break or 9 hours later with an hour lunch break. Permanent variances from this policy must be approved by the Executive Director. Once on file, temporary changes in the established weekly work schedule may be made by the supervisors.
- 6) Employees are provided with one meal period each workday. Supervisors will schedule meal periods to accommodate operating requirements. Lunch breaks should be taken between 11:00 a.m. and 2:00 p.m. and last a minimum of thirty (30) minutes. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time. Employees may not work through the lunch period and leave early at the end of the day without the supervisor's prior approval. Employees working four (4) hours or less on a work day are not required to take a lunch break.
- 7) Compensatory time is allowed for exempt and non-exempt employees provided the compensatory time is consistent with the provisions of the Fair Labor Standards Act and does not interfere with the operation of the Commission. Compensatory time must be documented on the time sheet when earned and used, and specifically approved by the supervisor.
- 8) For non-exempt employees, compensatory time should be taken, if possible, during the week for which the compensatory time was earned. Accumulated Compensatory time cannot be applied to retirement. Compensatory time for non-exempt

employees taken after the work week for which it was earned, must be awarded at time and one-half. No funds are budgeted for overtime pay and therefore no overtime pay is authorized. Compensatory time in excess of eight (8) hours per week must be approved by the Executive Director.

- 9) For exempt employees, accumulated compensatory time is not subject to reimbursement. ~~or~~ It cannot be applied to retirement and will not be paid out at termination. Compensatory time may not be taken in amounts greater than eight (8) hours per forty (40) hour work week without specific approval of the Executive Director. In no event may an employee accumulate more than ___ hours of compensatory time.
- 10) At those times when there is adverse weather in the Commission's Region that disrupts work schedules, interferes with normal work-related activities, and prevents employees from fulfilling their work obligations the Albemarle Commission will be closed. The procedure employees should utilize during times of adverse weather is when the County or Town of the duty station for which employees work is closed, due to adverse weather, then the location of that office will also be closed for the day (i.e. if Elizabeth City or Pasquotank County is closed, then the Elizabeth City Career Center will be closed). If there is a fog delay for area school districts, employees may arrive late to their duty station based on said delay, but they will have to utilize their banked time to equal a full 8 hour day.

Section 2. Political Activity

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States.

However, no employee shall:

- a) Engage in any political or partisan activity while on duty;
- b) Use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- c) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- d) Coerce or compel contributions from another employee of the Albemarle Commission for political or partisan purposes;
- e) Use any supplies or equipment of the Albemarle Commission for political or

partisan purposes; or

- f) Be a candidate for nomination or election to office in local government in the Albemarle Commission's Region.

Any violation of this section shall subject the employee to disciplinary action up to and including dismissal.

Section 3. Outside Employment

The work of the Albemarle Commission shall have precedence over other occupational interests of employees. ~~No employee shall accept or engage in any outside employment or activity that in any manner interferes with the performance of their duties and responsibilities to the Albemarle Commission, or presents a substantial risk of placing the employee in a situation where a conflict arises between the best interests of the Albemarle Commission and of the other employment/activity. In the event an employee engages in another employment/activity that results in creating a conflict with the best interests of the Albemarle Commission, the employee is expected to alert their supervisor and to resign from that employment/activity if requested. In no event shall an employee engage in any outside employment or in any outside activity that may create a conflict of interest with the Albemarle Commission without the advance approval of their supervisor and the Executive Director. All outside employment for salaries, wages, or commission and all self-employment must be reported in advance to the employee's supervisor, who in turn will report it to the department head.~~ The Executive Director will review such employment for possible conflict of interest and decide whether to approve the work. Conflicting or unreported outside employment is grounds for disciplinary action up to and including dismissal.

Section 4. Employment of Relatives and/or Elected Officials

The Albemarle Commission prohibits the hiring and employment of an immediate family member when said "Immediate Family" ~~member~~ as defined in Article VII, Section ~~1211~~ will be under the direct supervision of the existing Albemarle Commission employee.

The Commission shall not employ any individual who holds a paid or unpaid elected position at any level of government within Region R.

Section 5. Conflict of Interest

Albemarle Commission's Conflict of Interest Policy was established ~~by the Board of Directors on January 27, 1994 and remains in force and exists~~ to guide the behavior of our managing staff and board members. *See Addendum A: Conflict of Interest Policy.*

Section 6. Harassment Prohibited

The Albemarle Commission prohibits harassment in any form that is based on sex, race, color, religion, national origin, age, and/or disability. Harassment is defined as conduct

that culminates in tangible employment action or is sufficiently severe or pervasive to create a hostile work environment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment includes repeated offensive sexual remarks, continual or repeated comments about an individual's body and offensive sexual language.

Any employee who believes that he or she may have a complaint of ~~sexual~~ unlawful harassment may follow the Grievance Procedure described in this Policy or may file the complaint directly with the Albemarle Commission Executive Director or any department head who will advise the Executive Director of the complaint. The Executive Director will insure that an investigation is conducted into any allegation of harassment and advise the employee and appropriate management officials of the outcome of the investigation.

If the employee's complaint is against the Executive Director, then the employee may contact the Chair of the Board of Delegates or any other member of the Executive Committee. In such situations, the Board of Delegates will take appropriate action to ensure that the complaint is reviewed and an appropriate investigation conducted that will not lead to or result in retaliation against the employee.

Employees who are found to be engaged in harassment are subject to disciplinary action up to and including dismissal. Employees making complaints of harassment are protected against retaliation from alleged harassers or other employees.

Section 7. Acceptance of Gifts and Favors

No official or employee of the Albemarle Commission shall accept any gift, favor, or thing of value (\$50 or more) that may be perceived as influencing such employee in the discharge of the employee's duties, or grant in the discharge of duty an improper favor, service, or thing of value.

Section 8. Performance Evaluation

Supervisors and/or department heads shall conduct Performance Evaluation conferences with each employee at least once a year. These performance evaluations shall be documented in writing and placed in the employee's personnel file. Procedures for the performance evaluation program shall be published by the Albemarle Commission Executive Director.

Section 9. Safety

Safety is the responsibility of both the Albemarle Commission and employees. It is the policy of the Albemarle Commission to establish a safe work environment for employees.

The Albemarle Commission shall establish a safety program including policies and procedures regarding safety practices and precautions and training in safety methods. Department heads and supervisors are responsible for insuring the safe work procedures of all employees and providing necessary safety training programs. Employees shall follow the safety policies and procedures and attend safety training programs as a condition of employment. Employees who violate such policies and procedures shall be subject to disciplinary action up to and including dismissal.

Section 10. Substance Abuse Policy

It is the goal of the Albemarle Commission to provide a drug-free, healthy, and safe workplace. To promote this goal, employees are required to report to work in an appropriate mental and physical condition in order to perform their jobs in a satisfactory manner.

While on the Albemarle Commission premises and while conducting Albemarle Commission business-related activities off of the premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only in strict compliance with the prescribing physician's instructions and only if it does not impair an employee's ability to perform their duties effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of the policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Section 11. Travel Policy

It is the policy of the Albemarle Commission to reimburse all employees and board members for expenses incurred when their position requires them to travel in and out of district. When referring to "out of district" this refers to any area outside of the Albemarle Commission's geographic service area. The Albemarle Commission utilizes the following procedures:

- a. Each employee who uses their personal automobile while performing their job is expected to carry an adequate amount of automobile liability insurance to protect them in the event of an automobile accident. It is the policy of the Commission not to provide automobile liability insurance coverage for its employees while they are using their personal automobile on business for the Commission.
- b. The Commission does not pay for mileage for personal errands or to and from personal lunch appointments.

- c. A Request for out-of-district form should be completed and given to the Department head for approval prior to any out-of-district travel. The supervisor forwards the request to the Executive Director for approval.
- d. All completed travel reimbursements forms shall be delivered to the supervisor by the specified date for approval. Miles traveled must be supported by a reliable and verifiable source such as MapQuest or Google Maps with directions supporting the miles traveled attached to **ONLY** the out-of-district travel form. Mileage will be reimbursed at the shortest driving distance from the work base unless employee is leaving from their home at least two (2) hours prior to their regular work start time or the meeting is at night and the employee's home is closer to the meeting location.
- e. All meals may be reimbursed up to the Federal per meal rate. The standard rate will apply when neither the city nor county is listed. Itemized receipts are required to document the actual expenditure and reimbursement is only for allowance items. If an itemized receipt is not submitted, the expense will not be reimbursed. The Commission will not reimburse for any alcohol. The Federal per diem rates are located at www.gsa.gov.
 - 1) The costs of meals included in other related activities (registration fees, conference costs, etc.) may not be duplicated in reimbursement request (i.e. if your overnight accommodation includes breakfast), you may not put in for a breakfast reimbursement.
 - 2) When travelling out of the district, meals will be reimbursed based on the following schedule:
 - i. Breakfast: Depart the duty station prior to 6 a.m. and the work day is extended by 2 hours. A work day is 8 hours plus a 30-minute lunch period.
 - ii. Lunch: Depart the duty station prior to Noon or return to the duty station after 2 p.m. An overnight stay is required for this reimbursement, unless the employee attends a meeting relating to their Commission assigned duties and lunch is not provided and at the employees expense.
 - iii. Dinner: Depart the duty station prior to 5 p.m. or return to the duty station after 7 p.m. and the work day is extended by 2 hours. An overnight stay is NOT required for this reimbursement.
- f. Departure from the meal reimbursement policy will not be allowed unless the expense is an integral part of the meeting/event and is specifically approved by the Executive Director.
- g. All mileage will be reimbursed at the approved Federal rate.
- h. Overnight accommodations shall be reimbursed at the state rate and approved when employees must leave more than two hours before or return more than two hours after their usual work schedule. Hotel

receipts are required for any reimbursement. Special circumstances such as travel to a high cost area, additional overnights requested and similar expenses require the pre-approval of the Department Head and the Executive Director.

- i. Falsification of Travel Reimbursement Request records will be grounds for immediate dismissal.

Section 12. Computer Usage Policy

Computers and related software and hardware are provided by the Commission to enhance productivity in the performance of Albemarle Commission objectives. Staff are advised that the Executive Director has the capacity to view in real time and by report (over any selected period) employees computer use. Employee computer use can be categorized into productive and non-productive use. Also, inappropriate and illegal use can be identified.

The Commission's computer use policy is:

- a. The Commission's technological and information resources include, communications services and equipment such as mail, electronic mail ("e-mail"), instant messaging, courier services, facsimiles, telephone systems, personal computers, computer networks, on-line services, Internet connections, Intranets, computer files, telex systems, video equipment and tapes, tape recorders and recordings, pagers, cellular phones, voice mail, and bulletin boards.
- b. Supervisors are responsible for instructing employees on the proper use of the communications services and equipment used by the organization for both internal and external business communications.
- c. All communication services and equipment used by Commission are Commission's records and property. The Commission reserves the right to access, review and disclose all messages sent over its electronic and voice mail systems for any purpose. The Commission retains the right to access any information maintained or created on or communicated through Commission's technology resources at any time for any reason without notice to the employee. Employees should not expect that any information that may be found on Commission's technology resources, including e-mail, is confidential or private.
- d. Employees are prohibited from accessing each other's e-mail and other electronic files without the express consent of the other employee.
- e. On-line services and the Internet may be accessed only by employees specifically authorized by the Commission. Authorized employees must disclose all passwords to the Commission and their supervisors but should not share the passwords with other employees. Employees' on-line use generally should be limited to work-related activities, except as allowed in this Policy. In addition, employees should not duplicate or download from the Internet or from an e-mail any software or other materials (such as documents, photographs, and music and video files) that are copyrighted, patented, trademarked, or otherwise

identified as intellectual property without express permission from the owner of the material. When appropriate Internet material or e-mail files are downloaded, they should be scanned using the Commission's antivirus software.

- f. No e-mail messages containing advertising shall be sent by any e-mail user in the Commission to anyone else inside or outside of the Commission. If you receive any unsolicited e-mail messages containing advertising, you should delete them immediately. Do not send a reply e-mail message to request that you be removed from the advertiser's mailing list. Doing so only verifies that you have a valid e-mail address and this might cause you to receive even more unsolicited e-mail advertising.
- g. Employees are strictly prohibited from sending e-mail messages of a harassing, intimidating, offensive, or discriminatory nature. Such conduct, or any other conduct in violation of this e-mail policy, may result in immediate dismissal or other disciplinary measures.
- h. Incidental personal use by employees of the Commission communications services and equipment is allowed as long as the use does not interfere with the employee's work or the Commission's operations and does not violate any Commission policies. Employees must properly log any personal user charges and reimburse the Commission for them. However, whenever possible, personal communications that incur user charges should be placed on a collect basis or charged directly to the employee's personal credit card or account. Commission communications property or equipment may not be removed from the premises without written authorization from the employee's supervisor. In addition, employees should keep use of personal cell phones or other personal handheld communication devices to a minimum so that their use does not interfere with the employee's work or the Commission's operations. **Non-productive computer use must be minimal. Failure to comply will be considered Unsatisfactory Job Performance and will be handled in accordance with Article IX of the Commission's Personnel Policies.**
- i. Employees should ensure that no personal correspondence appears to be an official communication of the Commission since employees may be perceived as representatives of the Commission and, therefore, damage or create liability for the Commission. All outgoing messages, whether by mail, facsimile, e-mail, Internet transmission, or any other means, should be accurate, appropriate, and work-related. Employees may not use the Commission's address for receiving personal mail or use Commission stationery or postage for personal letters. In addition, personalized Commission stationery and business cards may be issued only by the Commission.
- j. **Inappropriate and illegal use is prohibited.** Inappropriate use includes any misuse as described in this policy, any misuse that would result in violations of other Albemarle Commission policies, as well as any harassing, offensive, demeaning, insulting, defaming, intimidating, sexually suggestive, or otherwise inappropriate written, recorded or electronically retrieved or transmitted communications (including websites). Failure to comply will be considered Detrimental Personal

Conduct and be handled in accordance with Article IX of the Commission's Personnel Policies.

ARTICLE VI. EMPLOYEE BENEFITS

Section 1. Eligibility

All full-time employees of the Albemarle Commission are eligible for employee benefits as provided for in this policy. These benefits are subject to change at the Albemarle Commission's discretion. Part-time and temporary employees are eligible only for workers' compensation and FICA alternative.

Section 2. Health and Dental Insurance

The Albemarle Commission may pay each individual employee's share of health and dental group insurance policy as approved by the Albemarle Commission's Board of Delegates through the annual budget process and subject to change at anytime at the sole discretion of the Albemarle Commission's Board of Delegates. If the full-time employee desires to cover family, said employee may have the option of paying the additional coverage costs for those family members if the Commission carries a group policy which allows the coverage of family members. This insurance coverage provision is based on funding and state/federal regulations. Vision, Group life, disability insurance, and/or wages continuation plans may be made available to all full-time employees of the Albemarle Commission at the employee's expense.

Section 3. Group Life Insurance

The Albemarle Commission may elect to provide group life insurance for each employee subject to the stipulations of the insurance contract.

Section 4. Other Optional Group Insurance Plans

The Albemarle Commission may make other group insurance plans available to employees upon authorization of the Albemarle Commission Executive Director or Albemarle Commission Board.

Section 5. Retirement

Each employee who is expected to work for the Albemarle Commission more than 1,000 hours annually shall join the NC Local Government Employees' Retirement System when eligible as a condition of employment. New hires who are current members of the NC Local or State Government Employees' Retirement Systems shall be covered under the retirement system by the Albemarle Commission on their first day of employment.

Section 6. Supplemental Retirement Benefits

The Albemarle Commission may provide supplemental retirement benefits for its full and part-time employees. Each employee may receive supplemental benefits as approved by the Albemarle Commission Board.

Temporary employees working less than 1,000 hours annually shall have the FICA mandated amount of their total compensation contributed to a 457 compensation plan in their name.

Section 7. Social Security

The Albemarle Commission, to the extent of its lawful authority and power, extends Medicare portion of Social Security benefits for its eligible employees and eligible groups and classes of such employees. Social Security related to retirement is not extended to any employee.

Section 8. Workers' Compensation

All employees of the Albemarle Commission (full-time, part-time, and temporary) are covered by the NC Workers' Compensation Act and are required to report all injuries arising out of and in the course of employment to their immediate supervisors at the time of the injury in order that appropriate action may be taken at once.

Responsibility for claiming compensation under the Workers' Compensation Act is on the injured employee, and such claims must be filed by the employee with the NC Industrial Commission within two years from date of injury.

Section 9. Unemployment Compensation

In accordance with Public Law 94-566 and subsequent amendments, local governments are covered by unemployment insurance. Albemarle Commission employees who are terminated due to a reduction in force or released from Albemarle Commission service may apply for benefits through the local NCWorks Career Center.

Section 10. Tuition Assistance Program

Full-time employees who have completed initial probation may apply for tuition reimbursement for courses taken on their own time, which will improve their skills for their current job or prepare them for promotional opportunities within the Albemarle Commission service. Tuition, registration, fees, laboratory fees, and student fees are eligible expenses. Employees may be reimbursed for eligible expenses up to a total of five hundred dollars (\$500) per fiscal year. Satisfactory completion of the courses will be required for reimbursement. Requests for tuition assistance shall be submitted prior to course registration and are subject to the review and approval of department head and Albemarle Commission Executive Director. Per IRC 127 (26 USC §127, Internal Revenue Code §127 Educational Assistance Programs) all tuition reimbursement paid out for undergraduate and graduate courses is excludable from gross income. Training which is directly job-related is tax exempt and not reportable on employee W-2 forms. Such tuition assistance is subject to the availability of funds.

Section 11. Cell Phone Usage and Reimbursement

Employees may be assigned a Commission cell phone that will be utilized for commission business. Employees may be assigned a Commission cell phone for the following reasons:

- Employees who need to be contact after hours regarding work related issues
- Employees who need to be in touch with citizens or business contacts outside of normal business hours
- Employees who make few personal calls from Commission's cell phone and do not utilize the Commission's cell phone as their personal phone number
- Situations where the phone is assigned to a position or to a piece of equipment instead of an individual employee
- Situations where more than one employee shares a phone

Employees may be reimbursed for cell phone expenses based on the recommendation of the Department heads and approval of the Executive Director. Employees may be reimbursed for their cell phone for the following reasons:

- Employees who need to be contacted after hours regarding work related issues
- Employees who need to be in touch with citizens or business contacts outside of normal business hours
- Employees who need constant communication with customers and co-workers via voice, email, and other messaging features
- Employees who maintain a cell phone for personal use and do not desire to carry two phones

If an employee is reimbursed for a cell phone the following procedures will be followed:

- Employee is paid a non-taxable stipend in each paycheck \$25.00 per month, unless otherwise stated in a Board approved contract
- Employee purchases a phone and plan of their choice
- Employee agrees to allow the Commission to publish their number internally for business purposes and to accept business calls and/or messages on the phone

- Employee and carrier are responsible for technical support of the phone, plan, and functionality
 - The IT department may be consulted to help setup the interface to the email and calendaring system
- Employee must retain an active cell phone contract as long as a cell phone stipend is in place. A copy of the invoice may be requested yearly to verify the plan is active

- Employee will be responsible for all costs related to the phone including accessories
- If for any reason the Commission should terminate an employee's cell phone stipend, the Commission shall not be responsible for any costs or fees associated with ongoing service costs or contract termination fees
- If cell phone stipends are discontinued for budgetary reasons, notice of such termination will be given to the employee 30 days prior to the termination of said stipend.

If for some reason an employee is out of work for more than 30 days they may be asked to return their Commission issued phone and if they receive a monthly cell phone stipend, their stipend will be suspended until the employee returns to work.

Section 12. Post-Employment Benefits

Employees who retire from Albemarle Commission may be eligible to receive a health insurance coverage benefit. Employees must have both 25 years of service to Albemarle Commission and be at least 60 years of age at the time of retirement. The health insurance benefit will be provided at the same level as the in place insurance benefit provided for active employees during the retirement period until the retiree is Medicare eligible, not to exceed age 65. Any employee hired by the Albemarle Commission after October 20, 2016 will not be eligible for post-employment benefits.

ARTICLE VII. HOLIDAYS AND LEAVES OF ABSENCE

Section 1. Policy

The policy of the Albemarle Commission is to provide vacation, sick leave, and holiday leave to all full-time and part-time employees, and to provide proportionately equivalent amounts to employees having average work weeks of different lengths. Employees shall accrue leave proportionately with each payroll.

Section 2. Holidays

The Albemarle Commission will follow the same holiday schedule as the State of North Carolina.

Section 3. Holidays: Effect on Other Types of Leave

Regular holidays which occur during a vacation, sick or other leave period of any employee shall not be considered as vacation, sick, or other leave.

Section 4. Vacation Leave

Vacation leave may be used for rest and relaxation, school appointments, medical appointments after sick leave is exhausted, and other personal needs.

Section 5. Vacation Leave: Accrual Rate

Each full and part-time employee of the Albemarle Commission shall earn vacation at the following schedule:

<u>Years of Service</u>	<u>Full-Time Employee Days Accrued Per Year</u>	<u>Part-Time Employee Days Accrued Per Year</u>
0 – 2	12	8.7
2 – 9	15	12
10 – 14	18	13.5
15 – 24	21	16.8
25 plus	24	19.2

Section 6. Vacation Leave: Maximum Accumulation

Vacation leave may be accumulated without any applicable maximum until December 31 of each year. Effective the last payroll in the calendar year, any employee with more than this maximum of accumulated leave shall have the excess accumulation removed so that days equal to only two times the annual accrual rate, not to exceed 30 days, are carried forward to January 1 of the next calendar year. All excess hours removed from vacation shall be added to the employee’s sick leave balance.

Employees are cautioned not to retain excess accumulated vacation leave until late in the year. Because of the necessity to keep all functions in operation, large numbers of

employees cannot be granted vacation leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having vacation leave scheduled, or in receiving any exception to the maximum accumulation.

Section 7. Vacation Leave: Manner of Taking

Employees shall be granted the use of earned vacation leave upon request in advance at those times designated by the department head which will least obstruct normal operations of the Albemarle Commission. Department heads are responsible for insuring that approved vacation leave does not hinder the effectiveness of service delivery. Vacation may be taken in one hour increments. Requests of more than 5 days are subject to approval by the Executive Director upon recommendation of the department head.

Section 8. Vacation Leave: Payment upon Separation

An employee will normally be paid for accumulated vacation leave not to exceed the 30 day maximum established in Section 7 of this Article, upon separation, provided notice is given to the supervisor at least two weeks in advance of the effective date of resignation. Any employee failing to give the notice required by this section shall forfeit payment for accumulated leave. The notice requirement may be waived by the Albemarle Commission Executive Director when deemed to be in the best interest of the Albemarle Commission. Employees who are involuntarily separated shall receive payment for accumulated vacation, not to exceed 30 days.

Section 9. Vacation Leave: Payment upon Death

The estate of an employee who dies while employed by the Albemarle Commission shall be entitled to payment of all the accumulated vacation leave credited to the employee's account not to exceed 30 days.

Section 10. Bereavement Leave

In the event of the death of a spouse, child, parent, sibling or grandparent, the employee will be allowed three (3) consecutive working days' absence to be charged as other. Should additional time be taken, it may be counted as vacation time or sick leave.

Section 11. Sick Leave

Sick leave may be granted to an employee absent from work for any of the following reasons: sickness, bodily injury, medical or dental examinations or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others.

Sick leave may be used when an employee must care for a member of his or her immediate family who is ill.

Sick leave may also be used to supplement Workers' Compensation Disability Leave, both during the waiting period before Workers' compensation benefits begin, and afterward to supplement the remaining one-third of salary, except that employee may not exceed the regular gross salary amount using this provision.

"Immediate family" shall ~~include~~ ~~be defined as an employee's~~ spouse, child, parent, brother, sister, grandparent, grandchild, son-in-law, daughter-in-law, mother-in-law or father-in-law, and guardian. Step relations of the previous list are also part of this definition.

Notification of the desire to take sick leave shall be submitted to the employee's supervisor prior to the leave or according to departmental procedures.

Section 12. Sick Leave: Accrual Rate and Accumulation

Sick leave shall accrue at a rate of one and a quarter (1.25) days per month of service or fifteen days per year for full-time employees and sick leave shall accrue at a rate of one (1) day per month of service or twelve days per year for part-time employees with up to ten years of service. After the tenth year of service, full-time employees sick leave shall accrue at one and one-half (1.50) days per month or eighteen days per year and sick leave shall accrue at a rate of one and an eighth (1.125) day per month of service or thirteen and a half days per year for part-time employees.

Sick leave will be cumulative for an indefinite period of time and may be converted upon retirement for service credit consistent with the provisions of the NC Local Government Employees' Retirement System.

All sick leave accumulated by an employee shall end and terminate without compensation when the employee resigns or is separated from the Albemarle Commission, except as stated for employees retiring or terminated due to reduction in force.

Section 13. Sick Leave: Transfer

Employees joining the Albemarle Commission from positions in other jurisdictions which are members of the NC Local Government Retirement System or a NC State Employee Retirement System may request that their accumulated sick leave be transferred to the Albemarle Commission. Up to 240 hours of sick leave may be transferred to the Albemarle Commission with approved documentation from the Retirement System employer.

Section 14. Sick Leave: Medical Certification

The employee's supervisor or department head may require a physician's certificate stating the nature of the employee's illness and the employee's capacity to resume duties for each occasion on which an employee uses sick leave or whenever the supervisor observes a "pattern of absenteeism." The employee may be required to submit to such medical examination or inquiry as the department heads deems

desirable. The department head shall be responsible for the application of this provision to the end that:

- 1) Employees shall not be on duty when they might endanger their health or the health of other employees; and
- 2) There will be no abuse of leave privileges.

Claiming sick leave under false pretense to obtain a day off with pay shall subject the employee to disciplinary action up to and including dismissal.

Section 15. Family and Medical Leave

The Albemarle Commission will grant up to 12 weeks of family and medical leave during any 12 month period to eligible employees in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid (coordinated with the Albemarle Commission's Vacation and Sick Leave policies), unpaid, or a combination of paid and unpaid. Unpaid leave will be granted only when the employee has exhausted all appropriate types of paid leave. Additional time away from the job beyond the 12 week period may be approved in accordance with the Albemarle Commission's Leave without Pay policy.

To qualify for FMLA coverage, the employee must have worked for the employer 12 months or 52 weeks; these do not have to be consecutive. However, the employee must have worked 1,250 hours during the twelve month period immediately before the date when the FMLA time begins.

Family and medical leave can be used for the following reasons:

1. the birth of a child and in order to care for that child;
2. the placement of a child for adoption or foster care;
3. to care for a spouse, child, sibling, or parent with a serious health condition, or
4. the serious health condition of the employee.

A serious health condition is defined as a condition which requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition which requires continuing care by a licensed health care provider. This policy covers illness of a serious and long-term nature resulting in recurring or lengthy absences. Generally, a chronic or long term health condition which results in a period of incapacity or more than three days would be considered a serious health condition.

If a husband and wife both work for the Albemarle Commission and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (not parent in-law) with a serious health condition, the husband and wife together may only take a total of 12 weeks leave under FMLA.

An employee taking leave for the birth of a child may use paid sick leave for the period of actual disability, based on medical certification. The employee shall then use any paid vacation, accumulated compensatory time, and leave without pay for the remainder of the 12 week period.

The request for the use of leave must be made in writing by the employee and approved by the department head and the Albemarle Commission Executive Director.

An employee who takes leave under this policy will return to the same job or a job with equivalent status, pay, benefits, and other employment terms. The position will be the same or one which entails substantially equivalent skill, effort, responsibility, and authority.

Section 16. Family and Medical Leave – Certification

In order to qualify for leave under this law, the Albemarle Commission requires medical certification. This statement from the employee's or the family member's physician should include the date when the condition began, its expected duration, diagnosis, and brief statement of treatment. For the employee's own health condition, it should state that the employee is unable to perform the essential functions of his/her position. For a seriously ill family member, the certification must include a statement that the patient requires assistance and the employee's presence would be beneficial or desirable.

This certification should be furnished at least 30 days prior to the needed leave unless the employee's or family member's condition is a sudden one. The certification should be furnished as soon as possible (no longer than 15 days from the date of the employee's request). The certification and request must be made to the department head and filed with the Executive Director.

The employee is expected to return to work at the end of the time frame stated in the medical certification, unless he/she has requested additional time in writing under the Albemarle Commission's Leave Without Pay policy.

Section 17. Leave Without Pay

Leave without pay requires prior approval of the department head and is only authorized after exhaustion of all appropriate paid leave. A full or part-time employee may be granted a leave of absence without pay for a period of up to twelve months by the Albemarle Commission Executive Director. The leave shall be used for reasons of personal disability after both sick leave and vacation leave have been exhausted, sickness or disability of immediate family members, continuation of education, special work that will permit the Albemarle Commission to benefit by the experience gained or the work performed, or for other reasons deemed justified by the Albemarle Commission Executive Director.

The employee shall apply in writing to the supervisor for leave. The employee is obligated to return to duty within or at the end of the time determined appropriate by the Albemarle Commission Executive Director. Upon returning to duty after being on

leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay. If the employee decides not to return to work, the supervisor shall be notified immediately. Failure to report at the expiration of a leave of absence, unless an extension has been requested, shall be considered a resignation.

Section 18. FMLA and Leave Without Pay: Retention and Continuation of Benefits
When an employee is on leave under FMLA (maximum of 12 weeks in a year), the Albemarle Commission will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If an employee chooses not to return to work for reasons other than a continued serious health condition, the Albemarle Commission will require the reimbursement of the amount paid for the employee's health insurance premium during the FMLA leave period.

Other insurance and payroll deductions are the responsibility of the employee and the employee must make those payments for continued coverage of that benefit.

An employee shall retain all unused vacation and sick leave while on Leave Without Pay. An employee ceases to earn leave credits on the date leave without pay begins. The employee may continue to be eligible for benefits under the Albemarle Commission's group insurance plans at his or her own expense, subject to any regulation adopted by the Albemarle Commission Board and the regulations of the insurance carrier.

Section 19. Workers' Compensation Leave

An employee absent from duty because of sickness or disability covered by the NC Workers' Compensation Act may elect to use accrued sick leave, vacation, or compensatory time during the first waiting period. The employee may all elect to supplement workers' compensation payments after they begin with sick leave, vacation, or compensatory time, provided that the combination of leave supplement and workers' compensation payments does not exceed the employee's normal compensation. An employee on workers' compensation leave may be permitted to continue to be eligible for benefits under the Albemarle Commission's group insurance plans. When workers' compensation leave extends long enough for the waiting period to be reimbursed, the employee shall return the reimbursement check to the Albemarle Commission and have leave hours re-instated for all time covered by paid leave. In such cases, the Albemarle Commission will pay the employee for any unpaid time that is owed the employee during the next regular pay period.

Section 20. Military Leave

Regular employees who are members of an Armed Forces Reserve organization or National Guard shall be granted two calendar weeks per year for military leave with partial pay. The partial pay will be the difference between the employee's regular salary and the amount paid for military duty. On rare occasions due to annual training

being scheduled on a federal fiscal year basis, an employee may be required to attend two period of training in one calendar year. For this purpose only, an employee shall be granted an additional ten days of military leave during the same calendar year. If the compensation received while on military leave is less than the salary that would have been earned during this same period as an Albemarle Commission employee, the employee shall receive partial compensation equal to the difference. The effect will be to maintain the employee's salary at the normal level during this period. If such duty is required beyond ten workdays, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status, and the provisions of that leave shall apply. While taking military leave, the employee's leave credits and other benefits shall continue to accrue as if the employee physically remained with the Albemarle Commission during this period. Employees who are eligible for military leave have all job rights specified by the Vietnam Veterans Readjustment Act.

Section 21. Reinstatement Following Military Service

An employee called to extended active duty with the United States military forces, who does not volunteer for service beyond the period for which called, shall be reinstated with full benefits provided the employee:

- 1) Applies for reinstatement within ninety days after the release from military service; and
- 2) Is able to perform the duties of the former position or similar position; or
- 3) Is unable to perform the duties of the former position or a similar position due to disability sustained as a result of the military service, but is able to perform the duties of another position in the service of the Albemarle Commission. In this case the employee shall be employed in such other position as will provide the nearest approximation of the seniority, status, and pay which the employee otherwise would have been provided, if available.

Section 22. Civil Leave

An Albemarle Commission employee called for jury duty, or as a court witness for the federal or state governments, or a subdivision thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated leave. The employee may keep fees and travel allowances received for jury or witness duty in addition to regular compensation; except, that employees must turn over to the Albemarle Commission any witness fees or travel allowance awarded by that court for court appearances in connection with official duties. While on civil leave, benefits and leave shall accrue as though on regular duty.

Section 23. Educational Leave with Pay

A leave of absence at full or partial pay during regular working hours may be granted to an employee to take one course which will better equip the employee to perform assigned duties upon the recommendation of the department head, and with the approval of the Albemarle Commission Executive Director.

Educational leave at full or partial pay for a period not to exceed twelve calendar months may be granted to an employee to take one or more courses that will better equip the employee to perform assigned duties upon the recommendation of the department head and with the approval of the Albemarle Commission Board. An employee granted such extended educational leave with pay shall agree to return to the service of the Albemarle Commission upon completion of training and remain in the employ of the Albemarle Commission for a period of twice the educational leave received, or the employee shall reimburse the Albemarle Commission for all compensation received while on educational leave.

An employee on educational leave with full pay shall continue to earn leave credits and other benefits to which Albemarle Commission employees are entitled. An employee on educational leave with partial pay shall earn proportional leave credits.

Section 24. Parental School Leave

An Albemarle Commission employee who is a parent, guardian, or person standing in loco parentis (in place of the parent) may take up to four hours of paid leave annually to involve himself or herself in school activities of his or her child. This leave may be subject to the following conditions:

- 1) The leave must be taken at a time mutually agreed upon by the employee and the Albemarle Commission; and
- 2) The Albemarle Commission may require the employee to request the leave in writing at least 48 hours prior to the time of the desired leave.

Paid leave taken by an employee to attend to school activities of his/her child shall count towards the fulfillment of this provision by the Albemarle Commission.

Section 25. Voluntary Shared Leave

There are occurrences brought about by debilitating, catastrophic, or prolonged medical conditions or emergency situations that may cause an employee(s) to exhaust all available leave and therefore be placed on leave without pay. It is recognized that such employees forced to go on leave without pay could be without income at the most critical point in their work life. It is also recognized that fellow employees may wish to voluntarily donate some of their vacation or sick leave so as to provide assistance to a fellow employee. Albemarle Commission employees have the opportunity to assist a fellow employee affected by a medical condition or emergency situation that requires absence from duty for a prolonged period of time resulting in possible loss of income due to lack of accumulated leave.

In cases of debilitating, catastrophic, or prolonged medical conditions or emergency situations, an employee may apply for or be nominated to become a recipient of leave transferred from the annual or sick leave account of another employee within the agency. For purposes of this policy, medical condition is defined as a medical condition

that is likely to require an employee's absence from duty for a prolonged period, generally considered to be at least 6 weeks of consecutive workdays. If an employee has had previous random absences for the same condition that has caused excessive absences, or if the employee has had a previous, but different, prolonged medical condition within the last twelve months, the agency may make an exception to this period. For the purposes of this policy, the determination of what constitutes an emergency situation will be made by the Executive Director.

1) General Guidelines

- a) Leave must be donated on a one-to-one personal basis. Establishment of a leave "bank" for use by unnamed employees is expressly prohibited.
- b) An employee may not directly or indirectly intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving, or using annual or sick leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal for unacceptable personal conduct. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. The employee donating leave cannot receive payment for the leave donated.

2) Eligibility

- a) The recipient must be a full-time or part-time employee in good standing.
- b) Non-qualifying conditions: The policy will not ordinarily apply to short-term or sporadic conditions or illnesses. This would include procedures such as hysterectomy, back surgery, sporadic, short-term recurrences of chronic allergies or conditions; short-term absences due to contagious diseases; or short-term, recurring medical, or therapeutic treatments. These examples are illustrative, not all-inclusive. The Executive Director must examine each case which will be decided based on its conformity to policy intent and shall be handled consistently and equitably.

3) Application Procedure

- a) A prospective recipient may make application for voluntary shared leave at such time as medical evidence is available to support the need for leave beyond the employee's available accumulated leave.
- b) An employee shall apply or be nominated by a fellow employee to participate in the program by completing the attached "Application to Receive Donated Leave Under Voluntary Shared Leave Program" Form. This form is submitted to the Executive Director who will make the final decision.
- c) The Executive Director will notify staff members that an employee is approved to receive voluntary shared leave. The Privacy Act makes medical information confidential. When disclosing information on an approved recipient, only a statement that the recipient has a prolonged medical

condition or emergency situation shall be made. The medical status of such employee shall not be made public.

4) Recipient Guidelines

- a) Participation in this program is limited to 1040 hours, either continuously or, if for the same condition on a recurring basis.
- b) The employee must exhaust all available leave before using donated leave.
- c) At the expiration of the medical condition or emergency leave, as determined by the Executive Director, any unused leave in the recipient's donated leave account shall be treated as follows:
 - The recipient's annual and sick leave account balance shall not exceed a combined total of 40 hours.
 - Any additional unused donated leave above the allowed 40 hours will be returned to the donor(s) on a pro rata basis and credited to the leave account from which it was donated. Fractions of one hour shall not be returned to an individual donor.
 - If a recipient separates from employment with the agency due to resignation, death, or retirement, participation in the program ends. Donated leave shall be returned to donor(s) on a pro rata basis.

5) Donor Guidelines

- a) A donor may contribute vacation or sick leave to another employee in any department within the agency. Donors may not contribute leave to anyone not employed by the Albemarle Commission. Employees with a pending separation of service are not eligible to donate leave.
- b) The minimum amount to be donated is four hours.
- c) The maximum amount of annual/sick leave that may be donated by one individual is to be no more than the amount accrued by the individual at the time of the donation.
- d) A donor must have vacation or sick leave accumulated at a minimum of 40 hours after the vacation or sick leave contribution is provided to a fellow Albemarle Commission employee.

6) Leave Account Procedures

- a) There shall be an established system of leave accountability which will accurately record leave donations and recipient's use. Such accounts shall provide a clear and accurate record for financial and management audit purposes.
- b) All leave donated shall be credited to the recipient's sick leave account. Voluntary shared leave available in the recipient's sick leave account will be charged according to the Sick Leave Policy.

- c) Leave transferred under this program will be available for use on a current basis or may be retroactive for up to 60 calendar days to substitute for leave without pay, or advanced annual leave, or sick leave already granted to the leave recipient.

ARTICLE VIII. SEPARATON AND REINSTATEMENT

Section 1. Types of Separations

All separations of employees from positions in the service of the Albemarle Commission shall be designated as one of the following types and shall be accomplished in the manner indicated: Resignation, reduction in force, disability, voluntary retirement, dismissal, or death.

Section 2. Resignation

An employee may resign by submitting a written statement with an effective date to the immediate supervisor as far in advance as possible. In all instances, the minimum notice requirement is two weeks. Failure to provide minimum notice shall result in forfeit of payment for accumulated vacation unless the notice is waived upon recommendation of the department head and approval by the Albemarle Commission Executive Director

Three consecutive days of absence without contacting the immediate supervisor or department head may be considered a voluntary resignation. Sick leave will only be approved during the final two weeks of a notice with a physician's certification or comparable documentation.

Section 3. Reduction in Force

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's performance, organizational needs, and seniority in determining those employees to be retained. Employees who are separated because of a reduction in force shall be given at least a two weeks' notice of the anticipated action. No regular employee shall be separated because of a reduction in force while there are temporary or probationary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary or probationary employee.

Employees who have completed a probationary appointment and worked in a permanent full-time position or permanent part time (20 hours or more) position are eligible for RIF rights. RIF rights reflect the Commission's intent for employees notified of separation through a Reduction-In-Force to continue or restore employment at an appointment status, salary grade, and/or salary rate lower than, equal to or greater than that held at the time of official written notification. An employee officially notified of reduction-in-force shall receive priority reemployment consideration based on seniority if they have the necessary knowledge, skills or qualifications for any vacant positions.

When a position has been determined to be eliminated, the Executive Director will send notification to the employee in writing that their position is being eliminated due to RIF. If there are open positions within the Commission, the employee whose position is being eliminated may have the opportunity to fill a vacant or soon to be vacant position if that employee has the necessary knowledge, skills, and qualifications to perform the duties.

If the employee chooses to not accept the position, they will be separated from the Commission with at least two weeks' notice. Any separation benefits or pay afforded to that employee will follow the standard process.

If more than one position will be eliminated, an internal positing will be required and all employees will be considered based on seniority, knowledge, skills and qualifications.

If the employees in the positions being eliminated are not qualified or do not possess the necessary knowledge and skills, the position will be posted based on the standard process followed for vacant positions.

Section 4. Disability

An employee who cannot perform the required duties because of a physical or mental impairment may be separated for disability. Prior to such separation, the Albemarle Commission will investigate all possibilities for reasonable accommodation and/or transfer. Action may be initiated by the employee or the Albemarle Commission. In cases initiated by the employee, such action must be accompanied by medical evidence acceptable to the Albemarle Commission Executive Director. The Albemarle Commission may require an examination, at the Albemarle Commission's expense, performed by a physician of the Albemarle Commission's choice.

Section 5. Voluntary Retirement

An employee who meets the conditions set forth under the provision of the NC Local Government Employee's Retirement System may elect to retire and receive all benefits earned under the retirement plan.

Section 6. Death

Separation shall be effective as of the date of death. All compensation due shall be paid to the estate of the employee.

Section 7. Dismissal

An employee may be dismissed in accordance with the provisions and procedures of Article IX.

Section 8. Reinstatement

An employee who is separated because of reduction in force may be reinstated within one year of the date of separation, upon recommendation of the department head, and upon approval of the Albemarle Commission Executive Director. An employee who is reinstated in this manner shall be re-credited with his/her previously accrued sick leave unless said employee cashed out their accrued sick leave.

Section 9. Rehiring

An employee who resigns while in good standing may be rehired with the approval of the Albemarle Commission Executive Director, and will be regarded as a new employee, subject to all of the provisions of rules and regulations of this Policy. An employee in good standing who is separated due to a reduction in force shall be given the first opportunity to be rehired in the same or similar position and will not be regarded as a new employee, but as an employee returning to the Albemarle Commission at the same seniority level when the employee was originally separated due to a reduction in force.

ARTICLE IX. UNSATISFACTORY JOB PERFORMANCE AND DETRIMENTAL PERSONAL CONDUCT

Section 1. Disciplinary Action for Unsatisfactory Job Performance

A regular employee may be placed on disciplinary suspension, demoted, or dismissed for unsatisfactory job performance, if after following the procedure outlined below, the employee's job performance is still deemed to be unsatisfactory. All cases of disciplinary suspension, demotion, or dismissal must be approved by the Albemarle Commission Executive Director prior to giving final notice to the employee.

Section 2. Unsatisfactory Job Performance Defined

Unsatisfactory job performance includes any aspects of the employee's job which are not performed as required to meet the standards set by the Department Head.

Examples of unsatisfactory job performance include, but are not limited to, the following:

- 1) Demonstrated inefficiency, negligence, or incompetence in the performance of duties;
- 2) Careless, negligent or improper use of Albemarle Commission property or equipment;
- 3) Physical or mental incapacity to perform duties after reasonable accommodation;
- 4) Discourteous treatment of the public or other employees;
- 5) Absence without approved leave;
- 6) Improper use of leave privileges;
- 7) Pattern of failure to report for duty at the assigned time and place;
- 8) Failure to complete work within time frames established in work plan or work standards;
- 9) Failure to meet work standards over a period of time; or
- 10) Being dishonest about completion of job tasks, projects, and available documents.

Section 3. Communication and Warning Procedures Preceding Disciplinary Action for Unsatisfactory Job Performance

When an employee's job performance is unsatisfactory, or when incidents or inappropriate actions warrant, the supervisor should meet with the employee as soon as possible in one or more counseling sessions to discuss specific performance problems.

A brief summary of these counseling sessions should be noted in the employee's file by the supervisor with the employee signing such summary. An employee whose job performance is unsatisfactory over a period of time should normally receive at least two written warnings from the supervisor, one of which may be the final written warning, before disciplinary action (suspension, demotion, or dismissal) is taken. Disciplinary suspension is unpaid. In each case, the supervisor should record the dates of discussions with the employee, the performance deficiencies discussed, the corrective

actions recommended, and the time limits set. If the employee's performance continues to be unsatisfactory, then the supervisor should use the following steps:

- 1) A final written warning from the supervisor serving notice upon the employee that corrected performance must take place immediately in order to avoid suspension, demotion, or dismissal.
- 2) If performance does not improve, a written recommendation should be sent to the department head or Albemarle Commission Executive Director for disciplinary action such as suspension, demotion, or dismissal. Disciplinary suspensions should not generally exceed three days for nonexempt employees. FLSA requires that exempt employees not be suspended for less than one week if they are to retain their exempt status.

Section 4. Disciplinary Action for Detrimental Personal Conduct

With the approval of the Albemarle Commission Executive Director, an employee may be placed on disciplinary suspension, demoted, or dismissed without prior warning for causes relating to personal conduct detrimental to the Albemarle Commission service in order to 1) avoid undue disruption of work; 2) to protect the safety of persons or property; or 3) for other serious reasons. Disciplinary suspension should not exceed three days for nonexempt employee and should be one full week for exempt employees as prescribed by the FLSA.

Section 5. Detrimental Personal Conduct Defined

Detrimental personal conduct includes behavior of such a serious detrimental nature that the functioning of the Albemarle Commission may be or has been impaired; the safety of persons or property may be or have been threatened; or the laws of any government may be or have been violated. Examples of detrimental personal conduct include, but are not limited to, the following:

- 1) Fraud or theft;
- 2) Conviction of a felony or the entry of a plea of nolo contendere thereto;
- 3) Falsification of records for personal profit, to grant special privileges, or to obtain employment;
- 4) Misuse or gross negligence in the handling of Commission funds;
- 5) Willful or wanton damage or destruction to property;
- 6) Willful or wanton acts that endanger the lives and property of others;
- 7) Possession of unauthorized firearms or other lethal weapons on the job;
- 8) Brutality in the performance of duties;
- 9) Reporting to work under the influence of alcohol or drugs or partaking of such while on duty. (Prescribed medication may be taken within the limits set by a physician as long as medically necessary);
- 10) Engaging in incompatible employment or serving a conflicting interest;
- 11) Request or acceptance of gifts in exchange for favors or influence;
- 12) Engaging in political activity prohibited by this policy;

- 13) Harassment of an employee or the public with threatening or obscene language and/or gestures;
- 14) Harassment of an employee and/or the public on the basis of sex or any other protected class status; or
- 15) Stated refusal to perform assigned duties or flagrant violation of work rules and regulations.

Section 6. Pre-Dismissal Conference

Before dismissal action is taken, whether for failure in personal conduct or failure in performance of duties, the Albemarle Commission Executive Director and department head will conduct a pre-dismissal conference. At this conference, the employee may present any response to the proposed dismissal to the Albemarle Commission Executive Director and department head. The Albemarle Commission Executive Director and department head will consider the employee's response, if any, to the proposed dismissal, and will, within three working days following the pre-dismissal conference, notify the employee in writing of the final decision. If the employee is dismissed, the notice shall contain a statement of the reasons for the action and the employee's appeal rights under the Albemarle Commission's grievance procedure.

Section 7. Non-Disciplinary Suspension

During the investigation, hearing, or trial of an employee on any criminal charge, or during an investigation related to alleged detrimental personal conduct, or during the course of any civil action involving an employee, when suspension would, in the opinion of the department head, be in the best interest of the Albemarle Commission, the department head may suspend the employee for part or all of the proceedings as a non-disciplinary action. In such cases, the department head may:

- 1) Temporarily relieve the employee of all duties and responsibilities and place the employee on unpaid leave for the duration of the suspension; or
- 2) Assign the employee new duties and responsibilities and allow the employee to receive such compensation as is in keeping with the new duties and responsibilities.

If the employee is reinstated following the suspension, such employee shall not lose any compensation or benefits to which otherwise the employee would have been entitled had the suspension not occurred. If the employee is terminated following suspension, the employee shall not be eligible for any pay from the date of suspension; provided, however, all other benefits with the exception of accrued vacation and sick leave shall be maintained during the period of suspension.

ARTICLE X. GRIEVANCE PROCEDURE AND ADVERSE ACTION APPEAL

Section 1. Policy

It is the policy of the Albemarle Commission to provide a just procedure for the presentation, consideration, and disposition of employee grievances. The purpose of this article is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair.

Employees utilizing the grievance procedures shall not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this policy. Supervisors or other employees who violate this policy shall be subject to disciplinary action up to and including dismissal from Albemarle Commission service.

Section 2. Grievance Defined

A grievance is a claim or complaint by an employee based upon an event or condition, which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. [A grievance might also involve alleged safety or health hazards, unfair or discriminatory supervisory practices, unsatisfactory physical facilities or equipment.](#)

[When an employee, former employee, or applicant, believes that any employment action discriminates illegally \(i.e. is based on age, sex, race, color, national origin, religion, creed, political affiliation, or non-job related handicap\), he/she has the right to appeal such action using the grievance procedure outlined in this Article \(Section 4 above below\). While such persons are encouraged to use the grievance procedure, they shall also have the right to appeal directly to the Albemarle Commission Executive Director. Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant should appeal an alleged act of discrimination within fourteen calendar days of the alleged discriminatory action, but may appeal for up to 30 calendar days following the action.](#)

[Many subjects or actions are non-grievable including but not limited to the following: any condition of employment accepted at the time of employment and/or subsequent change\(s\) thereto; determining the employee benefit package, determining the proper classification and pay; determining types of training; scheduling and distribution of personnel; determining methods, means and personnel to carry out operations; relieving employees from work because of lack of work, funds or other valid reasons; performance evaluations and maintaining the efficiency of Commission operations.](#)

Section 3. Purposes of the Grievance Procedure

The purposes of the grievance procedure include, but are not limited to:

- 1) Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- 2) Encouraging employees to express themselves about the conditions of work which affect them as employees;
- 3) Promoting better understanding of policies, practices, and procedures which affect employees;
- 4) Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures; and
- 5) Increasing the sense of responsibility exercised by supervisors in dealing with their employees.

Section 4. Eligibility

Unless otherwise provided by law, all non-probationary employees are eligible to initiate a grievance under this policy. An employee or person who falls within one or more of the following groups is not eligible to initiate a grievance under this procedure:

- A. Employees serving their initial probationary period.
- B. Employees under disciplinary probation with the exception of a termination action for an offense other than that which resulted in the disciplinary probation.
- C. The ~~executer~~ executive director.
- D. Temporary, limited term and seasonal employees.

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Section 5. Procedure

When an employee ~~has files~~ a grievance, the following successive steps are to be taken unless otherwise provided. The ~~number of calendar days time periods~~ indicated for each step will be measured by calendar days and should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process. However, the time limits set forth may be extended by mutual consent. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved. A decision to rescind a disciplinary suspension, demotion or dismissal must be approved by the Albemarle Commission Executive Director before the decision becomes effective. Mediation may be used at any step in the process.

Informal Resolution. Prior to the submission of a formal grievance, the employee and supervisor should meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may seek other forms of mediation as a resource to help resolve the grievance. Mediation may also be used at any point in the process upon mutual agreement by affected parties with the parties equally dividing the expense of mediation.

Step 1. If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance in writing to the appropriate supervisor (the person who took the action which created the grievance issue; could be

immediate supervisor, division head, department head, etc.) in writing. The grievance must be presented within seven calendar days of the event or within seven calendar days of learning of the event or condition or within seven days of informal efforts to resolve. The supervisor shall respond in writing to the grievance within seven calendar days after receipt of the grievance. The supervisor should, and is encouraged to, consult with any employee of the Albemarle Commission in order to reach a correct, impartial, fair and equitable determination or decision concerning the grievance. Any employee consulted by the supervisor is required to cooperate to the fullest extent possible.

The response from the supervisor for each step in the formal grievance process shall be in writing and signed by the supervisor. In addition, the employee shall sign a copy to acknowledge receipt thereof. The responder at each step shall send copies of the grievance and response to the Albemarle Commission Executive Director and appropriate department head.

Step 2. If the grievance is not resolved to the satisfaction of the employee by the supervisor, the employee may appeal in writing, to the next level supervisor (division head, department head, Albemarle Commission Executive Director, etc.) within seven calendar days after receipt of the response from Step 1. The next level supervisor shall respond to the appeal, stating the determination of decision within seven calendar days after receipt of the appeal.

Step 3. Executive Director hearing alternative. If the grievance is not resolved to the satisfaction of the employee at the end of Step 2, the employee may appeal in writing, to the Albemarle Commission Executive Director within seven calendar days after receipt of the response from Step 2. The Executive Director may shall conduct such review, investigation, and/or hearing as the Executive Director deems necessary to render a decision the Executive Director finds to be fair to the parties, consistent with Albemarle Commission policies, and in compliance with applicable law. -The Albemarle Commission-Executive Director's decision shall be the final decision.

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The ~~Albemarle Commission~~ Executive Director would will notify the Albemarle Commission Board of any grievances involving impending that are reasonably expected to result in legal action.

Section 6 – Panel Hearing Alternative. After receiving notification of the Employee’s intent to grieve to the Grievance Panel, the Executive Director shall cause a grievance hearing to be convened. The Grievance Panel provides an additional venue for the fair hearing and resolution of employee grievances and appeals in a procedure free of recrimination. The Grievance Panel reviews the record of the appeal or grievance and may hear testimony from all parties involved in the grievance or appeal. The panel then recommends a course of action to the Executive Director. By law and these policies, the authority over all Commission employees is vested in the Executive Director and the Executive Director determines the final actions to be taken.

The grievant must notify the Executive Director of the name of their attorney, if applicable, within 5 calendar days of requesting a Panel hearing.

A. Composition of Panel

The Grievance Panel shall be composed of no less than 3 members. Members of the panel will be chosen for each grievance hearing by having the Executive Director request the county manager or the human resources director from counties or towns in the Commission region other than the county in which the grievant resides to serve on a panel. The Executive Director shall seek a panel composed of objective, unbiased and fair candidates.

The panel, once selected, will set the date, time and place for the hearing, which should be held within 20 calendar days following receipt of the request for a panel hearing. Each member of the panel shall review and sign a confidentiality agreement prior to each hearing.

B. Participants

The grievant and the supervisor, department head or other supervisory representative should be present at all panel hearings and may be represented by legal counsel. Should the panel hear a grievance as a result of a termination, the Executive Director or the panel may request that the supervisor representatives and/or the Commission have legal representation, at Commission expense, to assist in any matters concerning the grievance.

The panel shall render it’s decision and distribute copies to the grievant, Executive Director, and department head within 15 calendar days from the conclusion of the hearing. The reason for the panel decision shall be noted in the decision. The majority decision of the panel, acting within the scope of its authority, shall be the final recommendation to the Executive Director and shall be consistent with the provisions of existing written policies, standard practices, procedures and laws. The question of whether the decision and relief recommended by the panel is consistent with existing written policies, standard practices, procedures and laws shall be determined by the Executive Director.

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C. Rules

1. The Grievance Panel does not have the authority to formulate personnel policies or procedures or to alter existing personnel policies and procedures.
2. The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing. All hearings shall be closed to the public.
3. The department head, Executive Director or designee shall provide the panel with copies of the grievance record created prior to the hearing, and shall provide the grievant with a list of the documents furnished to the panel, at least 5 calendar days prior to the scheduled hearing. All parties shall have access to and copies of all relevant files intended to be used in the grievance proceeding.
4. The panel has the authority to determine the admissibility of evidence without regard to the burden of proof, or the order of presentation of evidence, so long as a full and equal opportunity is afforded to all parties for the presentation of their evidence.
5. All evidence shall be presented in the presence of the panel and the parties, except by mutual consent of the parties.
6. Documents, exhibits, and lists of witnesses shall be exchanged between the parties at least 5 calendar days in advance of the hearing.
7. At the option of each party, opening statements may be made at the beginning of the hearing, and the panel may ask for such statements in order to clarify the issues involved in the grievance.
8. The panel shall determine the order of presentations. Ordinarily, in cases of alleged discrimination or unlawful harassment, the grievant should present the case first. The panel shall devise a procedure designed to afford full and equal opportunities to all parties for presentation of any material of relevant evidence. The parties shall have the right of cross examination.
9. The panel by majority vote may decide procedural questions and rule upon objections raised during the course of the hearing. Witnesses other than the parties may be required to remain outside of the hearing room except when they are giving their testimony.
10. The panel, by a majority vote, ~~may~~ **may** recommend upholding or reversing the action of the department head, or in appropriate circumstances may recommend a modified remedy. The panel decision, however, must be consistent with the provisions of law and existing written policies and standard practices. In appropriate cases, a panel might determine that a grievant is entitled to reinstatement, from which full, partial or no backpay and/or full, partial or no benefits might be recommended. In no case does the panel have the authority to award damages or attorneys fees. No claims, including claims for back wages by an employee shall be valid for a period of more than 15 calendar days prior to the date the grievance was filed.
11. After each side has had the opportunity to present its evidence, the panel chair shall specifically inquire of all parties whether they have any further proofs to offer or witnesses to be heard. Both parties shall be given the opportunity to make closing statements summarizing their positions, following which the hearing should be declared closed.

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12. The majority decision of the panel, acting within the scope of its authority, shall be the final recommendation to the Executive Director, subject to existing written policies, standard practices, procedures, and laws.

D. Scope of Decision

The decision and recommendations of the panel may not expand the issue or the relief requested in the original grievance. The panel has the authority to recommend that the Executive Director uphold, reverse, reduce or otherwise modify the actions taken. The panel does not have the authority to exonerate an employee from all discipline when the guilt of the employee is admitted or guilt is determined by the panel based on evidence presented.

E. Confidentiality

All participants of the grievance procedure, including members of the grievance panel, are subject to the North Carolina General Statutes dictating confidentiality and non-release of personnel-related information. All participants must sign a Confidentiality Agreement prior to participating in a grievance hearing.

Section 5. Grievance and Adverse Action Appeal Procedure for Discrimination

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ARTICLE XI. RECORDS AND REPORTS

Section 1. Personnel Actions

The Personnel Director, with the approval of the Albemarle Commission Executive Director, will prescribe necessary forms and reports for all personnel actions and will retain records necessary for the proper administration of the personnel system. There shall be one set of official personnel files, centrally located. Any document not located there is not an official part of that employee's personnel records. These files shall contain documents such as employment applications and related materials, records of personnel actions, documentation of employee warnings, disciplinary actions, performance evaluations, retirement and insurance records, letters of recommendation, and other personnel-related documents.

Section 2. Remedies of Employees Objecting to Material in File

An employee who objects to material in his/her file may place a statement in the file relating to the material considered to be inaccurate or misleading. The employee may seek removal of such material in accordance with established grievance procedures.

**Albemarle Commission
Personnel Policy**

Employee Affirmation:

As an employee of the Albemarle Commission, I hereby affirm that I have received and read the Personnel Policy Handbook as adopted by the Albemarle Commission Board and further do hereby state that I shall be governed by the intent and purpose as so stated in said Policy. I understand that my failure to abide by the policies contained in the Albemarle Commission's Personnel Policy Handbook will be grounds for disciplinary action against me, up to and including dismissal from my position with the Albemarle Commission as stated there.

Signed:

Dated: _____

Witnessed: _____

Addendum A:

CONFLICT OF INTEREST POLICY

It is the policy of the Albemarle Commission that the members of its Board and its employees must avoid conflicts of interest or the appearance of impropriety in the management and disbursement of State funds. All Board member and employees shall comply with the requirements on prohibitions of N.C.G.S. §14-234.

No member of the Board or employee of the Commission shall participate in the making, solicitation, negotiation, formation, recommendation, award, arbitration, modification, settlement or administration of any contract or grant funded in whole or in part by State funds or any dispute arising under such contract or grant when the Board member or employee stands to receive a direct benefit or indirect benefit from such contract or grant.

As used in this policy, a Board member or managing agent shall be deemed involved in making a contract if they participate in the development of specifications or terms or in the preparation or award of the contract.

A Board member or employee derives a direct benefit from a contract if the person or their spouse (i) has more than a ten percent (10%) ownership or other interest in an entity that is a party to the contract; (ii) derives any income or commission directly from the contract; or (iii) acquires property under the contract. A Board member or employee is not involved in making or administering a contract solely because of the performance of ministerial duties related to the contract.

No Board member or employee shall be deemed to benefit directly or indirectly from a contract or grant funded in whole or in part by State funds if he or she receives only the salary or stipend due to him or her in the normal course of employment with or service to the Albemarle Commission.

No Board member or employee shall engage in any other conduct ~~that~~ or activity that creates a conflict between the best interests of the Albemarle Commission and the best interests of the employee or any other person, firm or entity with which the Board member or employee has a personal, familial, or financial interest.



9. NEW BUSINESS

- A. **Audit Presentation by TPSA-**
- B. **Equipment Surplus Resolution-** **VOTE**
- C. **Program Directors Attendance at Board Meetings-** **VOTE**
- D. **Budget Ammendment Resolutions-** **VOTE**

Laura Rollinson

From: Melody Wilkins
Sent: Wednesday, February 13, 2019 11:31 AM
To: Laura Rollinson
Subject: FW: Albemarle Commission cost disclosure

Please add a copy of Steve's email below to the E.D. report for board packets.

Thanks
Melody

From: Steve Bass <Steve_Bass@ncauditor.net>
Sent: Tuesday, February 12, 2019 3:22 PM
To: Melody Wilkins <mwilkins@accog.org>
Subject: Albemarle Commission cost disclosure

CAUTION: This message originated from an email address outside the agency. Please do not click any links or open any attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#).

Ms. Wilkins,

As we discussed via telephone, the cost disclosure on the final page of the investigative report simply indicates the amount it cost OSA to conduct the investigation and prepare the report for release. This is not a bill as OSA does not charge auditees for investigations.

Instead, this cost disclosure serves as OSA's compliance with *North Carolina General Statute § 147-64.6C* which reads:

Cost of audit report published.

Each audit report shall itemize the number of staff hours used in conducting the audit and in preparation of the audit report and the total cost of conducting the audit and preparing the audit report.

Please do not hesitate to contact me if you have any other questions.

Thanks,

J. Steven Bass, CFE
Supervisor, Special Investigations
Office of the State Auditor
20601 Mail Service Center
Raleigh, NC 27699-0601
Phone: 919-807-7511
Fax: 919-807-7685
Steve_Bass@ncauditor.net



WARNING: E-mail correspondence to and from the Office of the State Auditor may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

**RESOLUTION OF THE ALBEMARLE COMMISSION
FOR DISPOSAL OF SURPLUS PERSONAL PROPERTY
VALUED AT LESS THAN \$30,000.00**

Whereas the Albemarle Commission (the "Commission"), from time to time has personal property which is no longer needed or required;

Whereas North Carolina General Statute 160A-266 authorizes towns and counties to dispose personal property valued at less than \$30,000 for any one item or group of items; and the Albemarle Commission having been created under enabling legislation in General Statutes Chapters 153A and 160A is imbued with certain, but not all, powers of local governments, the Commission has the power to own and dispose of personal property that it declares to be surplus under the same guidelines as municipalities;

NOW THEREFORE BE IT RESOLVED:

Section 1. Property That Can Be Disposed of Under this Resolution. The Executive Director is hereby authorized to declare surplus and dispose of any personal property owned by the Commission when, in her judgment, each of the following three criteria are met:

- a) the item or group of items to be disposed of has a fair market value of less than thirty thousand dollars (\$30,000.00);
- b) the property is no longer necessary for the conduct of Commission business; and,
- c) sound property management principles and financial considerations indicate that the interests of the Commission would be best served by disposing of the property.

Personal property that, in the judgment of the Executive Director, meets these three criteria is referred to in this Resolution as "Surplus Property." The Surplus Property to be disposed of at the fair market value is **Attachment A** to this Resolution.

Section 2. Methods of Disposition. The Executive Director may dispose of Surplus Property by any means which she judges reasonably calculated to secure for the Commission the fair market value in money or other consideration and to accomplish the disposal efficiently and economically, including but not limited to the methods of sale provided in Article 12 of North Carolina General Statutes, Chapter 160A-266 and 160A-270. Such sale may be public or private, and with or without notice and minimum waiting period.

Section 3. Sale by Auction. As one of several means of disposing of Surplus Property, Executive Director is specifically authorized to dispose of Surplus Property by auction either electronically or through a local auction house. The Executive Director is authorized to establish procedures for disposing of Surplus Property, and is further authorized to use existing public or private auction services to dispose of Surplus Property.

Section 4. **Terms of Disposition.** The Surplus Property shall be sold to the party who tenders the highest offer, and the Executive Director is hereby authorized to execute and deliver any applicable title documents necessary or appropriate to consummate such sale. If no offers are received within a reasonable time, the Executive Director may retain the property for the Commission, obtain any reasonably available salvage value, or cause it to be disposed of as waste material. No Surplus Property may be donated except by resolution of the Commission's Board of Delegates.

Section 5. **Records and Reports.** The Commission's Finance Officer shall keep a record of all property sold under the authority of this Resolution and that record shall describe the property sold or exchanged, to whom it was sold, or with whom it was exchanged, and the amount of money or other consideration received for each sale or exchange. This record shall be reported to Commission's Board of Delegates on an annual basis.

Section 7. This Resolution is adopted pursuant to the provisions of North Carolina General Statutes Chapter 160A, Article 12. Section 8. This Resolution shall become effective upon adoption.

Adopted this 21st of February, 2019.

Tracey A. Johnson, Chairperson

ATTEST:

Melody Wilkins, Executive Director

ATTACHMENT A

SURPLUS ITEM	ITEM VALUE
Aging/Senior Nutrition	
2007 Chevrolet HHR – VIN #3GNDA13D77S623581	\$3,000
2007 Chevrolet HHR – VIN#3GNDA13D17S623575	\$3,000
Office Desk – Credenza	\$ 500

Advertisement

2007 Chevrolet HHR Pricing Report



Style: LT Sport Wagon 4D

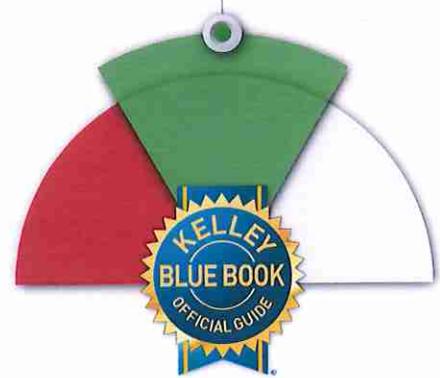
Mileage: 130,000

Vehicle Highlights

- Fuel Economy: City 20/Hwy 28/Comb 23 MPG
- Max Seating: 5
- Doors: 4
- Engine: 4-Cyl, 2.2 Liter
- Drivetrain: FWD
- Transmission: Automatic
- EPA Class: Compact Cars
- Body Style: Sport Wagon
- Country of Origin: United States
- Country of Assembly: Mexico

Sell To Private Party

Private Party Range
\$2,405 - \$4,374
 Private Party Value
\$3,390



Valid for ZIP Code 27944 through 02/14/2019

Your Configured Options

Our pre-selected options, based on typical equipment for this car.

✓ Options that you added while configuring this car.

Engine

4-Cyl, 2.2 Liter

Transmission

Automatic

Drivetrain

FWD

Braking and Traction

Traction Control
 ABS (4-Wheel)

Comfort and Convenience

Air Conditioning
 Power Windows
 Power Door Locks
 Cruise Control

Steering

Power Steering
 Tilt Wheel

Entertainment and Instrumentation

AM/FM Stereo
 CD/MP3 (Single Disc)

Safety and Security

Dual Air Bags

Seats

Power Seat

Wheels and Tires

Alloy Wheels

Exterior Color

✓ Gray

Glossary of Terms

Kelley Blue Book® Trade-in Value - This is the amount you can expect to receive when you trade in your car to a dealer. This value is determined based on the style, condition, mileage and options indicated.

Tip:

It's crucial to know your car's true condition when you sell it, so that you can price it appropriately. Consider

Trade-In Range - The Trade-In Range is Kelley Blue Book's estimate of what you can reasonably expect to receive this week based on the style, condition, mileage and options of your vehicle when you trade it in to a dealer. However, every dealer is different and values are not guaranteed.

having your mechanic give you an objective report.

Kelley Blue Book® Private Party Value - This is the starting point for negotiation of a used-car sale between a private buyer and seller. This is an "as is" value that does not include any warranties. The final price depends on the car's actual condition and local market factors.

Private Party Range - The Private Party Range is Kelley Blue Book's estimate of what you can reasonably expect to receive this week for a vehicle with stated mileage in the selected condition and configured with your selected options, excluding taxes, title and fees when selling to a private party.

Excellent Condition - 3% of all cars we value. This car looks new and is in excellent mechanical condition. It has never had paint or bodywork and has an interior and body free of wear and visible defects. The car is rust-free and does not need reconditioning. Its clean engine compartment is free of fluid leaks. It also has a clean title history, has complete and verifiable service records and will pass safety and smog inspection.

Very Good Condition - 23% of all cars we value. This car has minor wear or visible defects on the body and interior but is in excellent mechanical condition, requiring only minimal reconditioning. It has little to no paint and bodywork and is free of rust. Its clean engine compartment is free of fluid leaks. The tires match and have 75% or more of tread. It also has a clean title history, with most service records available, and will pass safety and smog inspection.

Good Condition - 54% of all cars we value. This car is free of major mechanical problems but may need some reconditioning. Its paint and bodywork may require minor touch-ups, with repairable cosmetic defects, and its engine compartment may have minor leaks. There are minor body scratches or dings and minor interior blemishes, but no rust. The tires match and have 50% or more of tread. It also has a clean title history, with some service records available, and will pass safety and smog inspection.

Fair Condition - 18% of all cars we value. This car has some mechanical or cosmetic defects and needs servicing, but is still in safe running condition and has a clean title history. The paint, body and/or interior may need professional servicing. The tires may need replacing and there may be some repairable rust damage.

© 2019 Kelley Blue Book Co., Inc. All rights reserved. 2/8/2019-2/14/2019 Edition for North Carolina 27944. The specific information required to determine the value for this particular vehicle was supplied by the person generating this report. Vehicle valuations are opinions and may vary from vehicle to vehicle. Actual valuations will vary based upon market conditions, specifications, vehicle condition or other particular circumstances pertinent to this particular vehicle or the transaction or the parties to the transaction. This report is intended for the individual use of the person generating this report only and shall not be sold or transmitted to another party. Kelley Blue Book assumes no responsibility for errors or omissions. (v.19021)

STATE OF NORTH CAROLINA

MVR-191 (Rev 05/07)

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER

YEAR MODEL

MAKE

BODY STYLE

3GNDA13D77S623581

2007

CHEV

MP

TITLE NUMBER

TITLE ISSUE DATE

PREVIOUS TITLE NUMBER

775867073610013

01/04/2008



ALBEMARLE COMMISSION
512 S CHURCH ST
HERTFORD NC 27944-1225

MAIL TO

ODOMETER READING
00000
ODOMETER STATUS
TITLE BRANDS

OWNER(S) NAME AND ADDRESS

ALBEMARLE COMMISSION
512 S CHURCH ST
HERTFORD NC 27944-1225



The Commissioner of Motor Vehicles of the State of North Carolina hereby certifies that an application for a certificate of title for the herein described vehicle has been filed pursuant to the General Statutes of North Carolina and based on that application, the Division of Motor Vehicles is satisfied that the applicant is the lawful owner. Official records of the Division of Motor Vehicles reflect vehicle is subject to the liens, if any, herein enumerated at the date of issuance of this certificate.

As WITNESS, his hand and seal of this Division of the day and year appearing in this certificate as the title issue date.

William C. Are Jr

COMMISSIONER OF MOTOR VEHICLES

FIRST LIENHOLDER:

DATE OF LIEN

LIEN RELEASED BY:

SIGNATURE _____

TITLE _____

DATE _____

SECOND LIENHOLDER:

DATE OF LIEN

LIEN RELEASED BY:

SIGNATURE _____

TITLE _____

DATE _____

THIRD LIENHOLDER:

DATE OF LIEN

LIEN RELEASED BY:

SIGNATURE _____

TITLE _____

DATE _____

FOURTH LIENHOLDER:

DATE OF LIEN

LIEN RELEASED BY:

SIGNATURE _____

TITLE _____

DATE _____

ADDITIONAL LIENS:

77033305

013 TIC0130

99

ANY ALTERATIONS OR ERASURES VOID TITLE

STATE OF NORTH CAROLINA

MVR-191 (Rev 05/07)

CERTIFICATE OF TITLE

VEHICLE IDENTIFICATION NUMBER	YEAR MODEL	MAKE	BODY STYLE
3GNDA13D17S623575	2007	CHEV	MP
TITLE NUMBER	TITLE ISSUE DATE	PREVIOUS TITLE NUMBER	
775866073611013	01/04/2008		



MAIL TO
 ALBEMARLE COMMISSION
 512 S CHURCH ST
 HERTFORD NC 27944-1225

ODOMETER READING
000007
ODOMETER STATUS
TITLE BRANDS

OWNER(S) NAME AND ADDRESS

ALBEMARLE COMMISSION
 512 S CHURCH ST
 HERTFORD NC 27944-1225



The Commissioner of Motor Vehicles of the State of North Carolina hereby certifies that an application for a certificate of title for the herein described vehicle has been filed pursuant to the General Statutes of North Carolina and based on that application, the Division of Motor Vehicles is satisfied that the applicant is the lawful owner. Official records of the Division of Motor Vehicles reflect vehicle is subject to the liens, if any, herein enumerated at the date of issuance of this certificate.

As WITNESS, his hand and seal of this Division of the day and year appearing in this certificate as the title issue date.

William C. Areff
 COMMISSIONER OF MOTOR VEHICLES

FIRST LIENHOLDER: _____ DATE OF LIEN _____

LIEN RELEASED BY:

SIGNATURE _____
 TITLE _____ DATE _____

SECOND LIENHOLDER: _____ DATE OF LIEN _____

LIEN RELEASED BY:

SIGNATURE _____
 TITLE _____ DATE _____

THIRD LIENHOLDER: _____ DATE OF LIEN _____

LIEN RELEASED BY:

SIGNATURE _____
 TITLE _____ DATE _____

FOURTH LIENHOLDER: _____ DATE OF LIEN _____

LIEN RELEASED BY:

SIGNATURE _____
 TITLE _____ DATE _____

ADDITIONAL LIENS:

77033306

013 TIC0130



A RESOLUTION APPROVING AMENDMENTS TO THE
FY 2018-19 BUDGET OF THE ALBEMARLE COMMISSION

ALBEMARLE COMMISSION BOARD OF DELEGATES
February 21, 2019

CAMDEN

RESOLVED, by the Board of Delegates of the Albemarle Commission, that

CHOWAN

CURRITUCK

WHEAREAS, this Commission needs to amend its budget between Program budget line items to add additional allocations received;

DARE

GATES

NOW THEREFORE BE IT RESOLVED that the Albemarle Commission's Board of Delegates hereby approves:

HYDE

PASQUOTANK

FY 2018-2109 Budget Amendment #3 (WIOA Funds)

PERQUIMANS

TYRRELL

This Resolution is adopted pursuant to the provisions of North Carolina General Statutes Chapter 115C-433. This Resolution shall become effective upon adoption.

WASHINGTON

COLUMBIA

Adopted this 21st day of February, 2019.

CRESWELL

DUCK

Tracey A. Johnson, Chairperson

EDENTON

ELIZABETH CITY

ATTEST:

GATESVILLE

HERTFORD

Ashley Stallings, Program Administrative
and Benefits Coordinator

KILL DEVIL HILLS

KITTY HAWK

MANTEO

NAGS HEAD

PLYMOUTH

ROPER

SOUTHERN SHORES

WINFALL

2018-2019

Journal Voucher			Journal:	
Voucher No. 2B		Period Entered Info: 7		
ACCOUNT NO. & DESCRIPTION			Increase	Decrease
NWDB - Finish Line Grant				
Federal Revenues	58143	411000	\$25,000.00	
Salaries & Wages	58143	521450	\$25,000.00	
NWDB - Business Services				
Federal Revenues	58142	411000	\$75,000.00	
Salaries & Wages	58142	503518	\$75,000.00	
NWDB - Enhancement Planning				
Federal Revenues	58141	411000	\$17,894.44	
Salaries & Wages	58141	503553	\$13,374.96	
FICA	58141	504200	\$2,649.36	
Travel	58141	523100	\$218.00	
Supplies	58141	526310	\$800.00	
Indirect	58141	503599	\$852.12	
			\$ 185,788.88	\$ -
REASON: Budget Posting of Additional/New Funds 18/19				
SUBMITTED BY:				
APPROVED BY:				
ENTERED BY:				



ROY COOPER
Governor

ANTHONY M. COPELAND
Secretary

DANIEL L. GIDDENS
Assistant Secretary

September 27, 2018

Mr. David Whitmer, Director
Northeastern Workforce Investment Consortium
512 SOUTH CHURCH STREET
Hertford, NC 27944

Dear Mr. Whitmer:

This document is authorization of Notice of Fund Availability (NFA) # 4000015064. This NFA provides funding under the following terms:

- 1) Your agency's Grant Administration Agreement with the Division of Workforce Solutions,
- 2) U.S. Department of Labor Grant Award Number AA-30962-17-55-A-37, and
- 3) Catalog of Federal Domestic Assistance Authority (CFDA) number(s): 17.259.

NFA details are provided in the table below.

Program Year	Category	Fund Code	Amount	Expiration Date
2017	8076- FLG Northeastern Albemarle	4050 - WIOA STATEWIDE ACTIVITIES	\$25,000.00	06/30/2019

Please contact your Division Planner if you have questions.

Sincerely,

Agreta Limerick
Chief of Planning and Policy Development



ROY COOPER
Governor

ANTHONY M. COPELAND
Secretary

DANIEL L. GIDDENS
Assistant Secretary

September 19, 2018

Mr. David Whitmer, Director
Northeastern Workforce Investment Consortium
512 SOUTH CHURCH STREET
Hertford, NC 27944

Dear Mr. Whitmer:

This document is authorization of Notice of Fund Availability (NFA) # 4000014985. This NFA provides funding under the following terms:

- 1) Your agency's Grant Administration Agreement with the Division of Workforce Solutions,
- 2) U.S. Department of Labor Grant Award Number AA-30962-17-55-A-37, and
- 3) Catalog of Federal Domestic Assistance Authority (CFDA) number(s): 17.259.

NFA details are provided in the table below.

Program Year	Category	Fund Code	Amount	Expiration Date
2017	8031- Business Services Funds PS 02-2018	4050 - WIOA STATEWIDE ACTIVITIES	\$75,000.00	12/31/2019

Please contact your Division Planner if you have questions.

Sincerely,

Agreta Limerick
Chief of Planning and Policy Development



ROY COOPER
Governor

ANTHONY M. COPELAND
Secretary

DANIEL L. GIDDENS
Assistant Secretary

September 5, 2018

Mr. David Whitmer, Director
Northeastern Workforce Investment Consortium
512 SOUTH CHURCH STREET
Hertford, NC 27944

Dear Mr. Whitmer:

This document is authorization of Notice of Fund Availability (NFA) # 4000014885. This NFA provides funding under the following terms:

- 1) Your agency's Grant Administration Agreement with the Division of Workforce Solutions,
- 2) U.S. Department of Labor Grant Award Number AA-30962-17-55-A-37, and
- 3) Catalog of Federal Domestic Assistance Authority (CFDA) number(s): 17.259.

NFA details are provided in the table below.

Program Year	Category	Fund Code	Amount	Expiration Date
2017	8032- Enhancement Planning Grant PS22-2017	4050 – WIOA STATEWIDE ACTIVITIES	\$17,894.44	03/31/2019

Please contact your Division Planner if you have questions.

Sincerely,

Agreta Limerick
Chief of Planning and Policy Development



A RESOLUTION APPROVING AMENDMENTS TO THE
FY 2018-19 BUDGET OF THE ALBEMARLE COMMISSION

ALBEMARLE COMMISSION BOARD OF DELEGATES

February 21, 2019

CAMDEN

RESOLVED, by the Board of Delegates of the Albemarle Commission, that

CHOWAN

CURRITUCK

WHEAREAS, this Commission needs to amend its budget between Program budget line items to eliminate any negative balances within the Program budgets;

DARE

GATES

NOW THEREFORE BE IT RESOLVED that the Albemarle Commission's Board of Delegates hereby approves:

HYDE

PASQUOTANK

FY 2018-2109 Budget Amendment #4 (Indirect Fund)

PERQUIMANS

TYRRELL

This Resolution is adopted pursuant to the provisions of North Carolina General Statutes Chapter 115C-433. This Resolution shall become effective upon adoption.

WASHINGTON

COLUMBIA

Adopted this 21st day of February, 2019.

CRESWELL

DUCK

Tracey A. Johnson, Chairperson

EDENTON

ELIZABETH CITY

ATTEST:

GATESVILLE

HERTFORD

Ashley Stallings, Program Administrative
and Benefits Coordinator

KILL DEVIL HILLS

KITTY HAWK

MANTEO

NAGS HEAD

PLYMOUTH

ROPER

SOUTHERN SHORES

WINFALL

2018-2019

Journal Voucher			Journal:	
Voucher No.	3B		Period Entered Into: 8	
ACCOUNT NO. & DESCRIPTION			Increase	Decrease
Indirect Fund				
Approp from other Dep	42100	424100	\$100,000.00	
S&W Finance	52100	503511	\$12,664.00	
S&W Director	52100	503520	\$30,667.00	
S&W Support Staff	52100	503570	\$4,891.00	
Fica/Med	52100	504200	\$2,376.00	
Health Insurance	52100	504300		\$2,630.00
Retirement	52100	504400	\$2,832.00	
Workmans Com	52100	504500		\$4,300.00
Unemployment	52100	504550		\$11,400.00
Contracted Services	52100	521100	\$6,700.00	
Office Machine Lease	52100	521220	\$11,100.00	
Legal Fees	52100	521310	\$70,000.00	
Memberships/Dues	52100	521360	\$6,000.00	
Travel - Registration	52100	523500		\$2,000.00
Travel-Reservations	52100	523700		\$2,000.00
Seminars/Training	52100	523950		\$1,900.00
Telephone Local	52100	524124	\$6,200.00	
Equipment Repair	52100	524145	\$11,000.00	
Special Projects	52100	525400		\$20,000.00
Staff Development	52100	525575		\$3,900.00
Office Equipment	52100	526210		\$1,600.00
Office Supplies	52100	526310		\$6,000.00
Printed Materials	52100	526350		\$2,000.00
Advertising	52100	526370		\$11,500.00
Bank Service Chgs	52100	529150		\$200.00
Postage	52100	529400	\$5,000.00	
General Fund				
Fund Balance	12200	305000		\$100,000.00
Approp to Other	52220	529910	\$100,000.00	
REASON: Transfers Funds from General Fund to Indirect to Cover Expenses				
SUBMITTED BY:				
APPROVED BY:				
ENTERED BY:				

Albemarle Commission
Indirect Fund
Budget Projections - 02/01/19 - 06/30/19

	BUDGET	YTD EXP	BALANCE	PROJECTED	VARIANCE	
52100 503511	S&W Finance Officer	26,000.00	15,913.17	10,086.83	22,750.00	(12,663.17)
503519	S&W Board Directors	6,300.00	2,900.00	3,400.00	3,400.00	-
503520	S&W Director	76,500.00	61,246.80	15,253.20	49,000.00	(33,746.80)
503570	S&W Support Staff	21,000.00	10,473.86	10,526.14	15,417.00	(4,890.86)
504200	FICA/Med	11,000.00	6,707.22	4,292.78	6,668.29	(2,375.51)
504300	Health Insurance	14,200.00	5,303.77	8,896.23	6,265.65	2,630.58
504400	Retirement	9,710.00	5,750.69	3,959.31	6,790.32	(2,831.01)
504450	401K	620.00	-	620.00	620.00	620.00

TOTAL SALARIES AND BENEFITS 165,330.00 108,295.51 57,034.49 110,291.26 (53,256.77)

	BUDGET	YTD EXP	BALANCE	PROJECTED	VARIANCE	
52100 504500	Workmans Comp	12,000.00	3,821.00	8,179.00	3,821.00	4,358.00
504550	Unemployment	12,000.00	579.43	11,420.57	-	11,420.57
521100	Contracted Services	41,000.00	27,795.25	13,204.75	19,853.75	(6,649.00)
521220	Office Machine Lease	9,558.00	12,009.90	(2,451.90)	8,577.85	(11,029.75)
521310	Legal Fees	2,000.00	46,399.00	(44,399.00)	25,000.00	(69,399.00)
521315	Audit Fees	25,000.00	13,000.00	12,000.00	12,000.00	-
521360	Memberships/Dues	6,500.00	10,574.45	(4,074.45)	1,500.00	(5,574.45)
522300	Bonding/Insurance	5,600.00	5,852.26	(252.26)	-	(252.26)
523100	Travel-Mileage	6,000.00	3,526.95	2,473.05	2,473.05	-
52300	Travel-Meals	1,000.00	110.00	890.00	890.00	-
523500	Travel-Registration	5,000.00	1,410.00	3,590.00	1,000.00	2,590.00
523700	Travel-Reservations	6,000.00	767.85	5,232.15	3,000.00	2,232.15
523775	Board Expenses	10,000.00	6,137.85	3,862.15	3,862.15	-
523950	Seminars/Training	2,000.00	25.43	1,974.57	-	1,974.57
524124	Telephone Local	6,000.00	7,087.55	(1,087.55)	5,062.55	(6,150.10)
524125	Telephone-ISP	2,000.00	768.68	1,231.32	1,231.32	-

524126	IT-Services & Fees	6,000.00	3,569.98	2,430.02	2,430.02	-
524145	Equipment/Repair	2,000.00	471.37	1,528.63	12,000.00	(10,471.37)
525400	Special Projects	27,504.00	4,262.31	23,241.69	3,044.50	20,197.19
525575	Staff Development	5,000.00	52.00	4,948.00	1,000.00	3,948.00
526210	Office Equipment	2,000.00	389.98	1,610.02	-	1,610.02
526310	Office Supplies	12,000.00	3,344.53	8,655.47	2,388.95	6,266.52
526350	Printed Materials	2,000.00	-	2,000.00	-	2,000.00
526370	Advertising	12,000.00	200.00	11,800.00	200.00	11,600.00
527300	Rent	41,000.00	20,359.50	20,640.50	20,640.50	-
529150	Bank Service Charges	400.00	103.16	296.84	73.70	223.14
529400	Postage	2,000.00	4,134.51	(2,134.51)	2,953.20	(5,087.71)

TOAL OPERATING EXPENSES 263,562.00 176,752.94 86,809.06 133,002.54 (46,193.48)

TOTAL INDIRECT FUND 428,892.00 285,048.45 143,843.55 243,293.80 (99,450.25)

**Salaries and Benefits
Projections - 02/01/19 - 06/30/19**

	Projected	FICA/Med	Retirement	Medical Ins	Dental Ins	Life Ins	TOTAL
Executive Director	49,000.00	3,748.50	3,817.10	2,593.20	173.50	238.25	59,570.55
Finance Officer	22,750.00	1,740.38	1,772.23	-	173.50	238.25	26,674.36
Administrative	15,417.10	1,179.41	1,200.99	2,593.20	17.50	238.25	20,646.45
	87,167.10	6,668.29	6,790.32	5,186.40	364.50	714.75	106,891.36



Vote

Should Program Directors be required to be in attendance to give their reports at each Board of Delegates Meeting? (VOTE)



10. Staff Reports



Area Agency on Aging & Senior Nutrition Program

January 2019

Home and Community Care Block Grant Services:

Home and Community Care Block Grant Services (not including Congregate/ Home Delivered Meals):

- **2,725** hours of in-home aide services throughout the ten counties
- **1,018** general and medical transit in nine counties, not including Dare County.
- **167** full days of adult day health care including 2 meals daily in five counties, including Camden, Chowan, Currituck, Pasquotank and Perquimans Counties.

Senior Nutrition Program (SNP):

Number of **Congregate** meals served

COUNTY	FY 2019	FY 2018
Camden	289	175
Chowan	320	193
Currituck	316	243
Dare	494	378
Gates	202	131
Hyde	186	169
Pasquotank	455	390
Perquimans	767	389
Tyrrell	283	240
Washington	383	242
TOTAL	3,695	2,600

Number of **Home Delivered** meals served

COUNTY	FY 2019	FY 2018
Camden	227	160
Chowan	631	429
Currituck	1,024	628
Dare	734	542
Gates	546	407
Hyde	489	367
Pasquotank	1,342	940
Perquimans	622	458
Tyrrell	163	158
Washington	823	436
TOTAL	6,601	4,525

- Income and donations received from congregate and homebound clients **\$ 5,371.91**
- **16** new clients added to the homebound program
- **21** new referrals made in the homebound program
- **52** clients reassessed for eligibility
- **8** clients receiving Ensure/ Glucerna
- **15** clients are receiving Mom's Meals

Volunteer Program

- Total number of volunteers– 854
- Total volunteer hours– **981**

Family Caregiver Support Program:

- **5** home/office visit were conducted for respite, supplemental and/or case management.
- Staff facilitated Alzheimer's Support Group in Perquimans
- **2** clients were added to ProjectCARE, a statewide respite program for caregivers caring for loved ones with dementia.
- **136** Hours of In-Home Respite services were provided to family's across the region.
- **0** hours of Institutional Respite was provided to 0 family in the region.
- Supplemental Services: Incontinent Supplies and Ensure were provided to several families throughout the region on an as needed basis.

Regional Long Term Care Ombudsman Program:

- *Due to an emergency, the Long Term Care Ombudsman activity report was not available by 2/13/2019. An updated report will be provided at the next Albemarle Commission Board of Delegates meeting on 2/21/19.*

Other AAA Initiatives/ Events:

- March For Meals- During the month of March, we invite all elected officials and community champions to deliver meals in an effort to raise awareness about senior hunger and isolation in our region.
- Along with Eastern AHEC and the Outer Banks Dementia Task Force, the AAA will be co-sponsoring "A Day In The Life Of Dementia." This conference will held on March 5, 2019 in Dare County. National Dementia Expert, Teepa Snow, will be the key-note speaker. Contact Laura Alvarico at 252-426-5753 ext 224 for more information.
- The Area Agency on Aging is partnering with Eastern AHEC to host a Dementia and Alzheimer's Conference in Elizabeth City on April 25, 2019. For more information, contact Laura Alvarico at 252-426-5753 ext 224.
- Planning for the 35th Annual Albemarle Senior Games is underway. For more information or to volunteer, contact Ashley Lamb at 252-426-5753 ext 232.
- The Senior Nutrition Program is exploring opportunities to expand services throughout the region. Laura Rollinson is working with site managers and volunteer coordinators to identify where there is a great need for volunteers throughout the region.
- The AAA continues to work with NC4A (National Associations of Area Agencies on Aging) to explore opportunities to contract with Managed Care Organizations across the state of NC.

Albemarle Rural Planning Organization project highlights for the Albemarle Commission Board of Delegates



Eastern North Carolina Regional Freight Plan

I was asked to serve on the Regional Freight Advisory Committee for the plan. The committee will meet four times throughout the drafting of the plan and continue to meet once the plan is completed to implement the study recommendations and vision. The committees' first meeting was held on January 8th in Greenville. Cambridge Systematics staff presented an overview of the study scope, stakeholder outreach update, and a first look at the data for the Regional Goods Movement Profile and Commodity Flow Analysis. They further expanded upon how to tell our "freight story" in the plan. Cambridge will continue to reach out to stakeholders and use the data from those interviews to 'ground truth' the plan. Our next meeting will be held in March or early April near Elizabeth City.

Title VI

The Draft plan was completed and submitted to the NCDOT Title VI Office in September of 2018 and the final review was completed in mid-January. The NCDOT Civil Rights Division did not have any major comments and on January 23, 2019 the ARPO RTAC formally adopted the plan.

Public Participation Plan

The ARPO Public participation was re-written and approved by the ARPO RTAC on January 23, 2019.

Drone Workshop

I am continuing talks with the NCDOT UAS Division to host another Drone workshop in our region. They will be able to come back out this way in the early spring. The workshop will focus on drone operator's rules and regulations from an airport stand point.

Upcoming Events Hosted by the ARPO

ARPO RTCC and RTAC Boards



East Coast Greenway

During our meeting on February 5, 2019, Kathryn Zeringue, the EAST Coast greenway Coordinator, informed us she has taken a position with the NCDOT Bicycle and Pedestrian Division. Designing the Coastal route of the greenway will have to be put on hold until another coordinator is hired. I hope to be back on this project by early summer.

P6.0

We will start the P6.0 process in last March or early April by holding two workshops in the region to discuss the project list with our member counties and municipalities.

The P6.0 workgroup continues to meet once per month through May or June of 2019. We have been receiving regular communication through our representatives on the workgroup and have been asked to provide our comments to them. The communication is much better than years past as we are receiving all of the meeting minutes, agendas and presentations in time to provide comment.

NC 2050 Plan

In late September, I participated in the kick-off for the NC 2050 Plan at the request of the NCARPO President Dana Stoojenke. On October 29, 2018, I attended the first meeting in Raleigh along with the new Eastern Carolina RPO Director Eric Howell. Since this project has turned into an NCARPO Committee assignment, Eric will be taking it over since I already serve on three NCARPO committees and he serves on none. The NC 2050 Plan is the NCDOT update to its long-range transportation plan. When complete, the document will provide a 30-year transportation blueprint for the state. The Plan will focus on regional priorities as well as statewide benefits. While I am no longer on the committee, I still provide comments to the committee representatives. This project is still moving forward as planned.

Planning Work Program (PWP)

The Planning Work program (PWP) is a funding contract between the Albemarle Rural Planning Organization (ARPO) and the North Carolina Department of Transportation (NCDOT). The Plan lists planning priorities anticipated by the ARPO during the next Fiscal year and outlines expenses needed for certain work tasks. The PWP is reviewed, and approved by the ARPO Rural Technical Coordinating Committee (RTCC), Rural Technical Advisory Committee (RTAC), and the NCDOT Transportation Planning Division. Revisions to the PWP are allowed if the ARPO needs to make significant changes to the overall budget or a specific work task, however, no additional dues will be requested from County members. An approved PWP is required for the Lead Planning Agency, the Albemarle Commission, to be reimbursed for work task expenses incurred by the ARPO. The FY 2019-2020 PWP was presented to the ARPO RTAC on January 23, 2019 for tentative approval and then forwarded to the NCDOT TPD for their approval. The ARPO RTAC will consider final approval of the document in April.

Projects related to the current ARPO Planning Work Program

Citizens Guide to Transportation Planning – I am in discussions with the NCDOT TPD to partner on this project.

Bicycle website - This project will begin this summer.



Northeastern Workforce Development Board Report to Albemarle Commission Board:
Early January, 2019 – Mid February, 2019
 Dave Whitmer, NWDB Director

I. Organization Structure/staffing:

We are currently recruiting for a NEXTGEN Program Coordinator

II. Counts

Below are numbers from our three NCWorks Career Centers for January:

	New Customers	Total Customers Served	Services Provided
NCWorks Career Center, Chowan County	40	584	1,261
NCWorks Career Center, Dare County	53	586	2,735
NCWorks Career Center, Elizabeth City	130	1,566	4,970
TOTAL	223	2,736	8,966

Some of the services provided include the following:

- Creating and Posting a resume
- Applying for a job
- Obtaining instructions on how to use NCWorks Online
- Job search assistance and career counseling
- Interview preparation

Current participant counts for WIOA Title I training services are as follows:

- 82** Adults
- 9** Dislocated Workers

III. Board Organization

Board Membership: One of our board members representing organized labor retired and therefore resigned from the board. We are working to fill this opening.

IV. Updates

- Career Centers:
 - We continue our live broadcast on ECSU’s radio station (WRVS FM – 89.9), NCWorks Career Center Corner, on October 16 at 7:30am. We have switched from the second Tuesday of the month to the third Tuesday.

- We have submitted our application to have our Career Center System re-certified. We are awaiting the certification team to come for a site visit.
- The EC Career Center continues to host hiring events for numerous local employers conducting 9 events in January.
- The EC Career Center has added four additional workshops for customers (in addition to the HRD workshops conducted by COA) as follows: Social Media & Job Searches; Resume Review (feedback from industry professionals); Interview Tips and Techniques; Resume Writing
- The EC Career Center has also changed their hours to accommodate those who are not able to come to the Center during normal 8:30 – 5:00 hours. They will now open until 6:00pm on Wednesdays.
- Career Pathways: We continue our regional career pathway work. We have created four pathways, two of which have received certification from the NCWorks Commission. The pathways are regional and are intended to be used as a template either as is, or for making improvements to existing local pathways. The pathways were created with input from numerous partners including eight community colleges, ESCU, Economic Developers, CTE Directors, three workforce boards, and employers. You can find more information on our three pathways at the following website: www.nencpathways.org

We held our annual career counseling professional development training for all of our partners involved in career counseling including Career Advisors, Teachers, and Counselors at our NCWorks Career Centers, Community Colleges, and High Schools. This year, we developed and printed a toolkit for them to use to assist with career counseling called “GADJ – Guidance and Direction for Job Seekers”.

- ACT Certified Work Ready Communities: Staff continues to assist Beaufort County Community College with applications for Tyrrell, Hyde Counties to help them earn their Work Ready Community Certification. **All of the goals for Gates County have been met. At this point, we are working on completing the application to be sent to NCDPI and the NC Chamber of Commerce so Gates County can receive their certification.**
- Innovation Grant: We continue to move forward with the implementation of our Innovation Grant. Latest activity is as follows:
 - Coordinated with Camden County Schools to work with their Career Readiness Class to do Traitify, Reality Check, Star Jobs, and NCWorks Online.
 - Schedule with the Exceptional Childrens’ teacher in Camden to work with those students in March.
 - Will be working with Tyrrell County/Columbia High School Seniors on 2/25 to cover Traitify, Reality Check, Star Jobs, and NCWorks Online.

- Working with the Camden County Library and the Counselor at the High School to do a Resume Workshop Series for Teens.
 - Held library workshops in all NWDB counties except Currituck, Pasquotank, and Perquimans.
 - Held a workshop with the Coastal Horizon Center in Tyrrell County.
 - Worked with our Regional Career Pathways Coordinator, Brandi Bragg, to conduct the annual Career Guidance Professional Development training.
- **Enhancement Grants:** We have been awarded an Enhancement Planning Grant in the amount of \$17,894. This grant will allow us to plan our larger Enhancement Grant project which we can apply for and Enhancement Implementation grant up to \$200,000. There are numerous components to the grant including continuing the work that our NCWorks Outreach Coordinator, Heidi O’Neal, is doing through our current Innovation Grant. **We are putting the finishing touches on our Enhancement Grant proposal and will be requesting approximately \$200K.**
 - **Finish Line Grants (FLG):** Governor Cooper recently announced the new Finish Line Grants. These are grants that Community Colleges can apply for in partnership with their workforce boards to help students “cross the finish line”. The grants are for students who are at least 75% complete with their academic program and have experienced some type of emergency – such as needing auto repairs, help with rent or utilities, unexpected medical expenses, etc. They can be eligible to receive a grant in the amount of up to \$1,000. **We continue to administer our \$50,000 FLG grant in partnership with COA. Our FLG activity has significantly increased and we expect this trend to continue. This increase in FLG activity has started to put a serious strain on our staff’s workload and our career center system in general. We submitted a request to DWS for operational funds that could be used to hire an additional staff person and this request has been approved.**
 - **RFP’s – Adult/DW; Youth; One-Stop Operator:** Each year we are required by WIOA to bid out our Adult/DW and Youth Services. We do this through an RFP (Request for Proposals) process which is overseen by the Leadership Committee. Should we receive any proposals, they are scored by the Leadership Committee and a member of the Consortium. Their recommendation will go to the full board for a vote at the May meeting. We will also have to resubmit for bid for One-Stop Operator services.
 - **NEXTGEN Tutoring RFP:** Our contract with Sylvan for tutoring services will be ending June 30, 2019, so we are releasing and RFP to procure tutoring services.
 - **NEXTGEN Career Café:** NEXTGEN held a Career Café in Ocracoke. Twelve students from Ocracoke HS ages 16-18 attended the Career Café. Three NextGen staff assisted providing two fun and helpful activities. One was called Dreaming which allowed the students to envision their dream life. This activity discussed careers, family, possessions and other things. It helped students think about how their financial status aligns with their desired lifestyle. The second activity helped the students with communication and listening skills along with building teamwork skills. Students also watched a motivational video on being successful even when odds are against them. Each person must chase their dreams by use internal and external motivations to

grow and reach their goals. We received extremely positive feedback from the students, teachers, and parents and have been invited back.

- **Facebook:** If you have not done so already, please like our Facebook page. Every day we post information about everything we are doing throughout the region. <https://www.facebook.com/NWDBworks/>

V. WIOA NCWorks NEXTGEN Program, Jan 2019:

- Active Youth – 65
- Youth in Follow Up – 22
- Youth Enrolled in Jan – 5
- Out-of-School Youth (OSY)
 - OSY enrollments is currently at 75.38%
(Goal is to meet 75% minimum expenditure requirements on OSY)
- **Sylvan** – Tutoring hours as of January 31, 2019 – 98.66 hours
- **Program Updates:**
 - **Staffing:**
 - The position for a Program Coordinator is still open and applications are being accepted. The position will remain open until it is filled.
 - **Staff Training/Professional Development:**
 - Staff attended NEPZ Workforce Development Professionals Day
 - Two staff attended NCWorks Online training.
- **Community Collaboration:**
 - Planning for the 4th annual Real World Simulation has begun. The next meeting is scheduled for Feb 21, 2019.
- **Outreach/Recruitment:**
 - NEXTGEN hosted three Career Cafés in Perquimans, Chowan and Ocracoke.
 - Staff spoke with students at Currituck HS to introduce NextGen services.
- **Program Elements/Youth Activities:**
 - Alternative Secondary Schools: Ten participants are currently enrolled in Adult Education classes.
 - Traditional Secondary Schools: Three participants are currently enrolled in traditional High School.
 - Work Experiences (WEX): Two participants are in a work experiences.
 - OJT – One currently in progress
 - Support Services: Six participants received supportive services including but not limited to transportation, childcare and other services as needed for educational and career pursuits.
 - Occupational Skills Training: Thirty participants are currently enrolled in post-secondary education.

VI. Business Services Updates:

- Labor market information, specifically regarding workforce availability, provided to a local economic developer
- The Edenton Workforce Taskforce, led and organized by the Economic Developer, continues to work together to gauge employer feedback regarding the proposed curriculum at COA entitled “Career Essentials”, which is designed to be a short term training program to address employability skills required for jobs in the manufacturing industry and other industries
- Five existing OJT contracts are underway; three new OJT contracts were established
- One new Employee Training Grant application received: Currently undergoing evaluation and scoring for award determination
- Four new business registrations in NCWorks
- 20 employer visits to market NCWorks Business Services



11. Executive Director Report

12. Reports from Committees



- Much has been accomplished this month thus far. New board members have been appointed to the Board of Delegates, By-laws and Charter have been revised and are up for board approval, the personnel policy has been updated pending board approval, and clarifying information obtained for the upgrades of Commission phones and computer servers. The first few weeks on the job as Director have been productive ones as the Board, Staff and I all move forward working on behalf of citizens in Region R.
- Steve Bass, Office of the State Auditor, has confirmed that the Albemarle Commission **will not** be charged for the recently released Audit. There was some confusion as the State detailed the cost of their time for the Investigative Audit on the published version. A copy of Mr. Bass' email explaining the purpose of including the cost is enclosed for review.
- The community as a whole has been very welcoming to me as the new Executive Director. Plans are being made to meet the Officials of all ten Counties in the near future.
- The past three weeks have been a time of transition for the Staff and me as we review the status of grants, reporting, finances, vacant staff positions and the onset of budget preparation season.
- Department Head and Executive Director meetings have been held and provided a valuable opportunity to learn more about their positions and exchange valuable information.
- Albemarle Commission is proud to announce that Ghost Harbor Brewery won the Business of the Year Award at the recent Elizabeth City Chamber of Commerce banquet. Mr. Tommy Reese, owner of Ghost Harbor, is a Revolving Loan Fund recipient and we are pleased to know his business is experiencing success.
- Finance Officer, Carolyn LaDow, and I met with Mark Barnett of McDavid & Associates, Inc. to review the progress of both the Post Disaster Recovery which covers all 10 counties and the Single-Family Rehab grants for Camden, Currituck, Dare, Hyde and Pasquotank Counties. While Mr. Barnett's office is contracted as the Program Manager, the Albemarle Commission serves as the Grantee. The Commission will be marketing the opportunity to participate in the Single-Family Rehab program to citizens of all five aforementioned counties.

- The Commission continues to administer the Clean Water Management Trust Fund Planning Grant coordinating regional and local efforts to protect water quality in the Albemarle Sound with special attention paid to addressing blue green algal blooms on the Chowan River and Albemarle Sound. The Committee members met on January 30, and plan to meet again on March 7, 2019, in Edenton.
- In February, I attended the State Association of Council of Government's (COG) meeting and a joint Round Table event between the Office of Economic Development (EDA) and the State's COG Directors. Both meetings provided valuable information and an opportunity to network with persons who perform similar work across the State. A follow up phone call with EDA staff is scheduled for February, 25th, 2019.



13. Chairman & Board Delegate Comments



14. Adjournment

**MAKE SURE TO TURN IN YOUR
MILEAGE REIMBURSEMENTS**

NEXT MEETING

**Thursday, March 21st, 2019
6 p.m.**