

***WARREN COUNTY  
BOARD OF COMMISSIONERS***

***October 14, 2009***

***6:00 PM***

***Board Work Session***

***WARREN COUNTY MEMORIAL LIBRARY  
COMMUNITY MEETING ROOM  
WARRENTON, NORTH CAROLINA***

# **October 14, 2009**

## **Work Session Agenda**

### **1-Department Head Reports**

**Peggy Richardson, EDC**

**Johnny Williams, Sheriff**

**Larry West, Soil & Water Conservation**

**Jackie Leath, SEMAA**

**Elma Van Blitterswyck-Greene, Animal Control**

### **2-Triangle North Economic Growth Presentation**

### **3-Franklin-Vance -Warren Opportunity , Inc. Program Update**

### **4-Five (5) County Forum – LGA Government Relations Committee**

### **5-County Employee Salary Discussion**

### **6-Clerk to the Board Updates**

### **7-Review Board’s Regular Meeting Schedule**

### **8-Adjourn Work Session**

# **Item # 1**

## **Department Head Reports**

- 1- Economic Development - Peggy Richardson**
- 2- Sheriff's Office - Johnny Williams**
- 3- Soil & Water Conservation - Larry West**
- 4. SEMAA - Jackie Leath**
- 5- Animal Control - Elma Greene**

**Item # 2**

**Triangle North  
Economic Growth Presentation**

**William C. “Bud” Cohoon  
Executive Director**

## **Item # 3**

### **Franklin-Vance-Warren Opportunity, Inc. Program Update**

**William “Bill” Owens  
Executive Director**

## **Item # 4**

### **Five County Forum**

**(Warren, Halifax, Northampton, NC  
Brunswick, VA & Mecklenburg, VA)**

**Ron Skow, Chairman**

**LGA Government Relations Committee**

# **Item # 5**

## **County Employee Salary Discussion**

**Commissioners Fleming & Jordan  
Elgin Lane, HR Manager**

**2007**  
**Classification**  
**&**  
**Compensation Study**

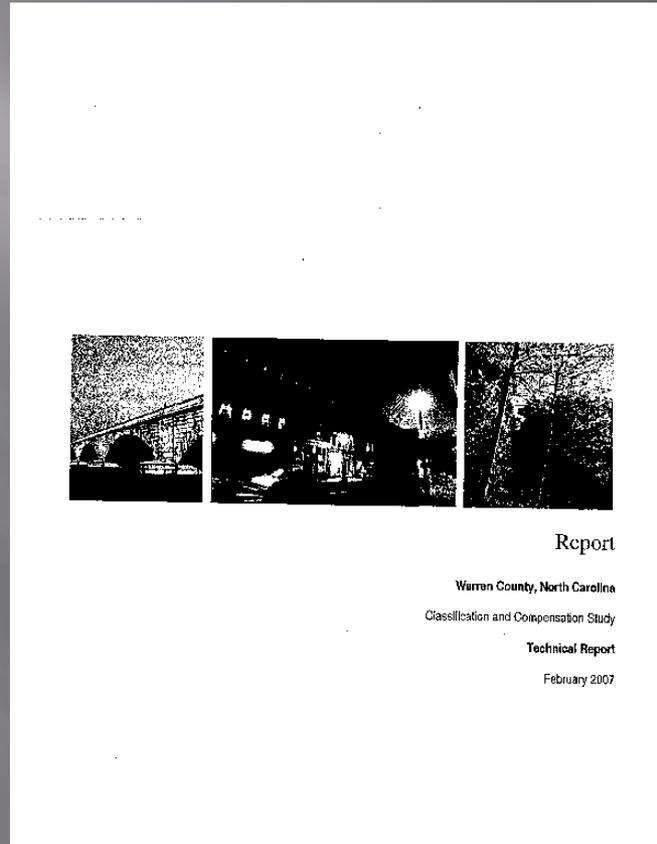
**2007 Classification  
&  
Compensation Study  
10 page Study**



**Report**

**Warren County, North Carolina**  
**Classification and Compensation Study**  
**February 2007**

**2007 Classification  
&  
Compensation Study  
72 page Study**



# **Finance Office Salaries**

**SUBJECT:**

**Salary Adjustment  
For  
Finance Personnel**

**Salaries for Employees  
With  
Extra Degrees  
&  
Certifications**

# **SUBJECT**

**Personnel Matters  
Employees Obtaining Degrees/Certifications**

**Salary Adjustment  
For  
Deputy Sheriff  
Lieutenants**

# *MEMORANDUM*

**TO:** Warren County Board of Commissioners

**FROM:** Elgin J. Lane, Human Resources Manager

**DATE:** October 8, 2009

**RE:** Salary Adjustment for Deputy Sheriff Lieutenants

The Sheriff's Office consists of two Deputy Sheriff Lieutenants: Lieutenant John Branche and Lieutenant David Woodard. The Sheriff requested a salary review of the current salaries for both Deputy Sheriff Lieutenants to take account of internal equity among the Lieutenants and their subordinates.

The Deputy Sheriff Lieutenants are responsible for planning, managing and supervising the Patrol, Narcotics, School Resources, Criminal Investigations and Gang Investigations Units. Specifically, the Lieutenants are responsible for assigning and investigating cases; preparing case reports; managing and preserving evidence; coordinating with the State Bureau of Investigations (SBI); coordinating schedules; approving leave; recruiting, interviewing and training new hires, etc.

The Lieutenants are required to work many long hours which may result in overtime. Due to the Fair Labor Standards Act (FLSA) exemption status for the Lieutenants, they are not eligible to receive monetary compensation at time and a half rate when working overtime hours; however, they are expected to work the hours that are necessary to complete investigations and any other assigned pertinent tasks.

The organization structure in the Sheriff's Office allows for Lt. Branche to have supervisory responsibility for Deputy Sheriff Sergeant Detectives, a Gang Officer and Deputy Sheriff Investigators while Lt. Woodard has supervisory authority over Deputy Sheriff Sergeants and Deputy Sheriffs.

The next highest paid employee in Lt. Branche's unit has an actual salary of approximately \$1,343 dollars less than Lt. Branche's actual salary. The next highest paid employee in Lt. Woodard's unit has an actual salary that is approximately \$4,000 higher than Lieutenant Woodard's actual salary. In addition, the lower level Deputies are eligible to receive monetary compensation at time and a half rate when they work overtime.

In order to maintain and promote internal equity among the Deputy Sheriff Lieutenants and their subordinates, I recommend that you consider approving the following:

- Increasing John Branche, Deputy Sheriff Lieutenant's salary by 5% from \$35,343 to \$37,110 effective October 16, 2009.
- Increasing David Woodard, Deputy Sheriff Lieutenant's salary by 5% from \$35,277 to \$37,041 effective October 16, 2009.

The Sheriff's Office budget will need to be amended in the amount of \$3,114 to accommodate the proposed salary increases for the remainder of the 2009-10 fiscal year.

Thanks in advance for your consideration.

## **Item # 6**

### **Update from Clerk to the Board**

**Board of Commissioners  
Ethics Training / Reporting**

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

SESSION LAW 2009-403  
HOUSE BILL 1452

AN ACT TO REQUIRE ALL CITIES, COUNTIES, LOCAL BOARDS OF EDUCATION, UNIFIED GOVERNMENTS, SANITARY DISTRICTS, AND CONSOLIDATED CITY-COUNTIES TO ADOPT A CODE OF ETHICS FOR THE GOVERNING BOARD AND TO REQUIRE THE MEMBERS OF THOSE GOVERNING BOARDS TO RECEIVE EDUCATION ON ETHICS LAWS APPLICABLE TO LOCAL GOVERNMENT OFFICIALS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Article 5 of Chapter 160A of the General Statutes is amended by adding a new Part to read:

"Part 3A. Ethics Codes and Education Programs.

**"§ 160A-83. Local governing boards' code of ethics.**

(a) Governing boards of cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties shall adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of the member's official duties as a member of that governing board.

(b) The resolution or policy required by subsection (a) of this section shall address at least all of the following:

- (1) The need to obey all applicable laws regarding official actions taken as a board member.
- (2) The need to uphold the integrity and independence of the board member's office.
- (3) The need to avoid impropriety in the exercise of the board member's official duties.
- (4) The need to faithfully perform the duties of the office.
- (5) The need to conduct the affairs of the governing board in an open and public manner, including complying with all applicable laws governing open meetings and public records.

**"§ 160A-84. Ethics education program required.**

(a) All members of governing boards of cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties shall receive a minimum of two clock hours of ethics education within 12 months after initial election or appointment to the office and again within 12 months after each subsequent election or appointment to the office.

(b) The ethics education shall cover laws and principles that govern conflicts of interest and ethical standards of conduct at the local government level.

(c) The ethics education may be provided by the North Carolina League of Municipalities, North Carolina Association of County Commissioners, North Carolina School Boards Association, the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources at the choice of the governing board.

(d) The clerk to the governing board shall maintain a record verifying receipt of the ethics education by each member of the governing board."

**SECTION 2.** G.S. 115C-47 is amended by adding a new subdivision to read:

"(57) To adopt a code of ethics. - Local boards of education shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83."

**SECTION 3.** G.S. 115C-50 reads as rewritten:

**"§ 115C-50. Training of board members.**



(a) All members of local boards of ~~education~~ education, whether elected or appointed, shall receive a minimum of 12 clock hours of training annually. The 12 clock hours of training may include the ethics education required by G.S. 160A-84.

(b) The training shall include but not be limited to public school law, public school finance, and duties and responsibilities of local boards of education.

(c) The training may be provided by the North Carolina School Boards Association, the School of Government at the University of North Carolina at Chapel Hill, or other qualified sources at the choice of the local board of education."

**SECTION 4.** Article 4 of Chapter 153A of the General Statutes is amended by adding a new section to read:

**"§ 153A-53. Ethics.**

(a) The board of commissioners shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83.

(b) All members of the board of commissioners, whether elected or appointed, shall receive the ethics education required by G.S. 160A-84."

**SECTION 5.** Article 1A of Chapter 160B of the General Statutes is amended by adding a new section to read:

**"§ 160B-2.3. Ethics.**

(a) The governing board shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83.

(b) All members of the governing board, whether elected or appointed, shall receive the ethics education required by G.S. 160A-84."

**SECTION 6.** Part 2 of Article 2 of Chapter 130A of the General Statutes is amended by adding a new section to read:

**"§ 130A-49.5. Ethics.**

(a) The governing board shall adopt a resolution or policy containing a code of ethics, as required by G.S. 160A-83.

(b) All members of the governing board, whether elected or appointed, shall receive the ethics education required by G.S. 160A-84."

**SECTION 7.** The resolution or policy containing a code of ethics that is required by G.S. 160A-83 shall be adopted by each municipality, county, local board of education, unified government, sanitary district, and consolidated city-county on or before January 1, 2011. The governing board may look to model local government codes of ethics for guidance in developing the resolution or policy.

**SECTION 8.** Except as otherwise provided in this act, this act becomes effective January 1, 2010. All members of governing boards covered by this act shall receive their initial training to comply with G.S. 160A-84 within 12 months after that date.

In the General Assembly read three times and ratified this the 28<sup>th</sup> day of July, 2009.

s/ Walter H. Dalton  
President of the Senate

## A New Ethics Law for Local Elected Officials

### Codes of Ethics Now Required

S.L. 2009-403 enacts a new statute, G.S. 160A-83, which requires all North Carolina cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties to adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of their official duties as members of that governing board. It must be adopted on or before January 1, 2011.

The resolution or policy is required to address at least five key responsibilities of board members, responsibilities that reflect concern for ethical principles as well as for the effects of the board members' decisions on others.

The five areas to be addressed follow. (Emphases and comments added.)

- (1) The need to *obey all applicable laws* regarding official actions taken as a board member.

*Comment:* For example, the member must honor his or her oath of office, in which the member swore to uphold the constitution and laws.

- (2) The need to *uphold the integrity and independence* of the board member's office.

*Comment:* Among other things, this principle requires board members to make decisions that are based on the public good and not on their desires or considerations of special interest.

- (3) The need to *avoid impropriety* in the exercise of the board member's official duties.

*Comment:* Recall that board members are to act as "especially responsible citizens," who are to honor the public trust" as they carry out their duties. Their official actions should be above reproach.

- (4) The need to *faithfully perform* the duties of the office.

*Comment:* A public official who acts faithfully is one whom others can trust and respect.

- (5) The need to *conduct the affairs of the governing board in an open and public manner*, including complying with all applicable laws governing open meetings and public records.

*Comment:* A public official who is honest, fair, and caring, and honors the public trust will honor the spirit as well as the letter of the law. He or she will see openness or transparency is an important part of that responsibility.

The statute leaves local boards a good deal of leeway in deciding what their codes will contain, as long as the code addresses the five topics. It may be very detailed, or it may be very general. It may state aspirations towards which the board is striving, or it may purport to prohibit certain board actions. The board may look to model local government codes of ethics for guidance in developing the resolution or policy.

## **Ethics Education Requirements**

S.L. 2009-403 also enacts new G.S. 160A-84, which requires all members of the local governing boards covered by G.S. 160A-83 to receive a minimum of two clock hours of ethics education within 12 months after initial election or appointment to office and again within 12 months after each subsequent election or appointment to office. (For school board members, the ethics education may be included in the 12 clock hours of education that they are required to received annually. G.S. 115C-50(a))

The ethics education is to cover laws and principles that govern conflicts of interest and ethical standards of conduct at the local government level. It may be provided by the N.C. League of Municipalities, the N.C. Association of County Commissioners, the UNC School of Government, or other qualified sources of the board's choosing.

The clerk to each governing board must maintain a record verifying receipt of the ethics education by each board member. A draft copy of a sample form that the School, the Association, and the School are preparing to assist in this record-keeping is attached to this handout.

The code of ethics requirements become effective January 1, 2011, and all members of governing boards covered by the act are to receive their initial training to comply with G.S. 160A-84 by that same date. Finally, the act also contains conforming provisions amending the statutes applicable to each of the boards covered by the act.

## **Practical Help for Local Officials**

The School of Government, the League, and the Association plan to make convenient educational opportunities available to local city and county officials to help them meet the requirements of G.S. 160A-84. A practical guidebook to assist local governments in drafting ethics codes will also be prepared, and workshops on code preparation may be offered.

In addition to these resources, the second edition of Ethics, Conflicts and Offices: A Guide for Local Officials, by A. Fleming Bell, II, will be available early next year in plenty of time to help local officials meet the January 1, 2011 deadline. It contains a detailed chapter on codes of ethics as well as a number of examples of codes for both elected and appointed officials.

## **Item # 7**

# **Review Board's Agenda Preparation Schedule**

## 2010 Commissioners Meeting Agenda Deadline Schedule

Commissioners Meeting Date	Items Due To Clerk	Agendas E-Mailed Out
January 4, 2010	December 22 <sup>nd</sup>	December 30, 2009
February 1 <sup>st</sup>	January 21 <sup>st</sup>	January 27 <sup>th</sup>
March 1 <sup>st</sup>	February 18 <sup>th</sup>	February 24 <sup>th</sup>
April 5 <sup>th</sup>	March 25 <sup>th</sup>	March 31 <sup>st</sup>
May 3 <sup>rd</sup> (courthouse)	April 22 <sup>nd</sup>	April 28 <sup>th</sup>
June 7 <sup>th</sup> (courthouse)	May 20 <sup>th</sup>	May 26 <sup>th</sup>
July 6 <sup>th</sup> (Tuesday)	June 24 <sup>th</sup>	June 30 <sup>th</sup>
August 2 <sup>nd</sup>	July 22 <sup>nd</sup>	July 28 <sup>th</sup>
September 7 <sup>th</sup> (Tuesday)	August 26 <sup>th</sup>	September 1 <sup>st</sup>
October 4 <sup>th</sup>	September 23 <sup>rd</sup>	September 29 <sup>th</sup>
November 1 <sup>st</sup>	October 21 <sup>st</sup>	October 27 <sup>th</sup>
December 6 <sup>th</sup>	November 23 <sup>rd</sup>	December 1 <sup>st</sup>
January 3, 2011	December 22 <sup>nd</sup>	December 29 <sup>th</sup>

**NOTE:** Items of a legal nature should be submitted at least 2 weeks before meeting for County Attorney review.

**Adjourn**

**Work Session**