

**HERTFORD COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
COMMISSIONER'S CHAMBERS/MULTI-PURPOSE ROOM – JUDICIAL CENTER**

Monday, October 18, 2021 – 7:00 PM

Present: Com. Ronald J. Gatling, Chairman, Com. John D. Horton, Vice-Chair, Com. Leroy Douglas, Com. Andre' Lassiter, and Com. William F. Mitchell, Jr.

Also Present with the Board: Mr. David B. Cotton, County Manager, Dr. Renee Tyler, Clerk to the Board, Attorney Maria Jones, Revelle & Lee

Absent: Attorney Charles L Revelle, III, County Attorney

The following employees attended the meeting: E911 Director James Broglin, Mrs. Felicia Gaston, E-911 Director Mr. James Broglin, Asst. Tax Assessor Ms. Crystal Askew, Economic Development Director Ms. Kelly Bowers, and Inspections/Zoning Director Robert Mizelle

Chairman Ronald J. Gatling called the meeting to order at 7:02 PM, and Reverend John Porter, Pastor Meherrin Baptist Church, Murfreesboro, NC provided the invocation.

CONSENT AGENDA

On a motion by Com William F. Mitchell, Jr. and second by Com. Leroy Douglas, the Board unanimously approved the Consent Agenda as follows:

Request Approval of September 20, 2021 Minutes

Approval of NCVTS Refunds: Aulander Medical, Linda Harrell, and Alex Terry

Voluntary Shared Leave Policy

1. Purpose

The purpose of voluntary shared leave is to provide economic relief for employees who are likely to suffer financial hardship because of a prolonged absence or frequent short-term absences caused by a serious medical condition. A serious medical condition is defined by FMLA standards as an illness, injury, impairment, or physical or mental condition that involves either inpatient care in a hospital, hospice, or residential medical care facility, or that involves continuing treatment by a health care provider.

2. Eligibility

Only permanent employees who have exhausted all accumulated paid leave (sick leave and annual leave, if applicable) and compensatory time are eligible to receive donated leave.

The County Manager shall approve or deny all requests for receipt of donated leave.

3. Application for Voluntary Shared Leave

An employee who, due to a serious medical condition of self or his/her immediate family, faces prolonged or frequent absences from work may apply to their Department Head for donated leave. Application may also be made by a third person acting on the employees' behalf if the employee is unable to make application. The application will be reviewed and forwarded by the Department Head to the County Manager. The County Manager will then decide whether to approve or deny the application. If approved, then the application will be forwarded to the Human Resources Office for processing.

Immediate family as defined for receipt for Voluntary Shared Leave includes only the employee's

1. Spouse
2. Children
3. Parents
4. Dependents living in the employee's household. Also included are the step relationships for children and parents.

An employee may make application for shared leave at such time as medical evidence is available to support the need for leave beyond the employee's available accumulated leave.

The following items must be included in the application:

- ☐ A doctor's statement, and

- 11 An authorization for release of medical information signed by the person who is suffering the medical condition (or parent or guardian of a minor). This release may also be signed by any legally authorized party.

The applicant's need for voluntary shared leave hours will be made known through system-wide communications by the Human Resources Director. Only general information will be supplied about the applicant's condition. A Leave Donation Form must be submitted to the Human Resources Director to enter the employee donor information into the shared leave tracking system before forwarding the Form to the Finance Office to adjust the leave balance of the donating employee and the recipient.

4. Donation of Leave

- (a) To be eligible to donate vacation leave, the employee who donates leave must have more than ten (10) days of accrued leave. In no event shall a leave transfer result in the donor employee reducing his/her vacation leave balance to less than ten (10) days.
- (b) To be eligible to donate sick leave, the employee who donates leave must have more than thirty (30) days of accrued leave. In no event shall a leave transfer result in the donor employee reducing his/her sick leave balance to less than thirty (30) days.
- (c) Transfer of leave will be in increments of one day of leave. All donations of leave are strictly voluntary. Solicitation is not permitted.
- (d) All leave donations must be to a designated employee approved by the County Manager for receipt of donated leave and may not be made to a pool or bank.
- (e) All donations must be in writing and must be signed by the donating employee. The employee receiving the leave must be named and the amount of leave donated must be specified.
- (f) For the purposes of Voluntary Shared Leave, all leave donated will be credited to the recipient's sick leave account.
- (g) The donating employee may not receive compensation in any form for the donating of leave. Acceptance of remuneration for donated leave will result in dismissal.
- (h) Leave sharing shall only be considered for extreme hardship or catastrophic situations.
- (i) An employee may not file a grievance or an employee appeal if their request to receive leave or donate leave is denied. The County Manager will render a final decision based upon the merits and circumstances of each request.

- (j) The employee receiving donated time will be given information on the amount of time donated, but will not receive information such as the names of donating employees. Leave time will be donated to the employee anonymously.
- (k) The employee must be in a leave earning position.
- (l) Leave sharing shall not be available to employees who are receiving Worker's Compensation.
- (m) The employee must need and request a minimum of 80 hours of voluntary shared leave hours.

5. Length of Leave

The maximum amount of Voluntary Shared Leave hours that a person could receive is 450 hours per 12-month period. The employee who is donating the Voluntary Shared Leave hours must have been employed by the County of Hertford for at least a year before they are eligible to donate any of their earned annual leave time. The employee who made application and is trying to receive the donated Voluntary Shared Leave hours must have been employed by the County of Hertford for at least a year before they are eligible to make application and receive any Voluntary Shared Leave hours. The Voluntary Shared Leave hours would run concurrently with the Family Medical Leave Act.

6. Earning Leave While Using Voluntary Shared Leave

Holidays occurring while the employee is using donated leave will be paid. Annual and sick leave will continue to be earned by the employee when he or she is using donated leave. Available earned leave accrued during this period must be used by the employee prior to continued use of any voluntary shared leave.

7. Unused Leave

In the event that the beneficiary should die or is separated from employment prior to exhausting all of the donated leave, the unused balance of the leave will be returned to qualifying employee donor(s). In the event that more leave is donated than is used, the balance will be returned to qualifying employee donor(s).

Qualifying employee donor(s) for return of unused shared leave will be determined by matching the total used shared leave hours with the chronological point in the shared leave tracking system where the same amount of hours is located. Employee donors that fall within the total used shared leave hours will be disqualified from receiving returned unused shared leave.

Only those employee donors whose donated leave hours have not been used as documented in the shared leave tracking system will be eligible to receive returned unused shared leave to their leave accounts from which the leave was taken.

Amended: October 18, 2021

**REQUEST APPROVAL OF AMENDMENT TO HERTFORD COUNTY BUDGET
ORDINANCE FISCAL YEAR 2021-2022 AMENDMENT #5**

On a motion by Com. Andre' Lassiter and Com. Mitchell, the Board approved the Amendment to Hertford County Budget Ordinance Fiscal Year 2021-2022 Amendment #5 in the amount of \$719.00 as presented by Mr. David B. Cotton, County Manager.

AMENDMENT TO HERTFORD COUNTY BUDGET ORDINANCE FISCAL YEAR 2021-2022

BE IT ORDAINED by the Governing Board of the County of Hertford, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2022:

REVENUE:

Department	Account Number	Account Description	Amount Increase	Amount Decrease
Aging	100080-527012	Earmarked Funds Aging	\$428.00	
Aging	100112-448500	Fund Balance Appropriation	\$291.00	
Total Changes in Revenue			\$719.00	\$ -

Net Change in Revenue	\$719.00
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EXPENDITURE:

Department	Account Number	Account Description	Amount Increase	Amount Decrease
Aging	104380-527000	Earmarked Funds Aging	\$428.00	
Aging	104390-569509	Cares Aging Umbrella	\$291.00	
Total Changes in Expenditures			\$719.00	\$ -

Net Change in Expenditures	\$719.00
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Explanation:

Donation Funds from HC Citizens.

Request to Carry Earmarked Funds from FY21 to FY22.

Finance Director _____ Date _____

Amendment # _____ 5

Approved: _____

Posted: _____

REQUEST APPROVAL OF RECOMMENDATION TO THE JURY COMMISSION

On a motion by Com. Lassiter and a second by Com. Mitchell, the Board approved the appointment of Amy T. Tann to the Jury Commission for a two-year term effective October 18, 2021 and expiring June 30, 2023.

PUBLIC COMMENT

The following public comments were made:

Mr. Bobby Harrell commented on the Union Trailer Court Sewage concern and concern with the unkept condition of Allen Liverman's junk yard.

Ms. Marty Williams shared the same concerns with the Union Trailer Court sewage and Allen Liverman's junk yard.

Mr. James Long commented on the same issues with the Union Trailer Court sewage and Allen Liverman's junk yard.

During the Public Comments, the Board briefly discussed the citizen's concerns and advised Mr. Cotton to look into the situation this week.

REQUEST APPROVAL OF RESOLUTION HONORING INDIGENOUS PEOPLES' DAY ON OCTOBER 11, 2021

On a motion by Com. Lassiter and a second by Com. Mitchell the Board approved the Resolution Honoring Indigenous Peoples' Day on October 11, 2021



RESOLUTION HONORING INDIGENOUS PEOPLES' DAY 2021

- WHEREAS,** the contributions that Indigenous peoples have made throughout history — in public service, entrepreneurship, scholarship, the arts, and countless other fields — are integral to our Nation, our culture, and our society; and
- WHEREAS,** Indigenous peoples have served, and continue to serve, in the United States Armed Forces with distinction and honor — at one of the highest rates of any group — defending our security every day; and
- WHEREAS,** we must never forget the centuries-long campaign of violence, displacement, assimilation, and terror wrought upon Native communities and Tribal Nations throughout our country. Today, we acknowledge the significant sacrifices made by Native peoples to this country — and recognize their many ongoing contributions to our Nation.; and

WHEREAS, the contributions that Indigenous peoples have made throughout history — in public service, entrepreneurship, scholarship, the arts, and countless other fields — are integral to our Nation, our culture, and our society; and

NOW, THEREFORE, in recognition of Indigenous Peoples' Day on October 11, 2021, Hertford County honor America's first inhabitants, the Meherrin Nation, the Choanoke Indian Nation, and other Tribal Nations that continue to thrive today and encourage everyone to celebrate and recognize the many Indigenous communities and cultures that make up our great country; and

IN WITNESS WHEREOF, BE IT RESOLVED we make known to all persons in Hertford County that we do hereby set our hand, and cause the Seal of Hertford County to be affixed this eighteenth day of October in the year of two thousand twenty-one.

Adopted this 18th day of October, 2021.

HERTFORD COUNTY BOARD OF COMMISSIONERS

Attest:

The Honorable Ronald J. Gatling, Chairman

Dr. Renee Tyler, NCCCC
Clerk to the Board

HERTFORD COUNTY EMERGENCY MEDICAL SERVICES REQUEST FOR APPROVAL OF PROPOSAL & RECOMMENDATION FOR CHANGING BILLING COMPANIES

On a motion by Com. Lassiter and a second by Com. Mitchell, the Board approved the Hertford County Emergency Medical Services Request for Approval of Proposal & Recommendation for Changing Billing Companies from EMS Management and Consultants to Tarheel Medical Billing, Inc. as recommended by Mr. James Broglin, Hertford County EMS Director.

Com. Lassiter commended Mr. Broglin and his staff for their dedication and professionalism he observed as they assisted a citizen recently with a medical emergency.

PRESENTATION OF THE ECONOMIC DEVELOPMENT REPORT

Ms. Kelly Bowers, Economic Development Director, presented the Economic Development report highlighting the following; the economic development overview and progress, Workforce Development, infrastructure update, tax credits, grants and incentives, October 14, 2021 Reginal Economic Development Summit, October 19, 2021 Asst Secretary of NC Commerce visit; October 27, 2021 Off-Shore Wind Summit; October 28, 2021 – Industry Roundtable, November 4, 2021 Ahoskie Downtown Owner's Meeting, November 18, 2021 Peanut RPO, and Senator Tillis and Steinburg visits to be announced.

Chairman Gatling requested that Ms. Bowers check into the Build Back Better Funding Plan.

Com. Lassiter requested that Ms. Bowers find out the unemployment rate and how many jobs are available in Hertford County.

Vice-Chair Horton requested Ms. Bowers to not write Raleigh off in her endeavors for funding and Economic Development assistance.

COUNTY MANAGER'S COMMENTS

County Manager Cotton commented regarding the American Rescue Plan funds for not just network internally, but for the funds to be external conduit to assimilate information making us more transparent and open to the public, consider hazardous duty pay, water system, some physical plant infrastructure, technology infrastructure and offices not touched with the previous monies and he would proceed however the Board desires. some physical plant infrastructure.

COMMISSIONERS' COMMENTS

The Commissioners commented as follows:

Vice-Chair Horton thanked the public for showing interest and said he hoped it was not the last time that and for them to feel free to return.

Com. Mitchell thanked everyone for attending the meeting and commented that we lost a great person today, General Colin Powell.

Com. Douglas thanked the citizens for coming out and thank the citizens for coming to report the situation and that the Board would do all they can to correct the situation.

Com. Lassiter thanked everyone for attending the meeting, acknowledged to the citizens who commented for Public Comment that this Board hears them loud and clear and assured them that the situation would be handled and thanked the Indigenous people for all they do.

Chairman Gatling commented thanking the Meherrin and Choanoke Nation Indian Tribes and thanked the citizens for coming before the Board with their concerns informing the Board of what's happening, and addressed Manager Cotton to make sure the ordinances are in place and are being abided by regarding the sewage and junk yard situation.

Manager Cotton assured Chairman Gatling and the Board that he would look into the matter and make sure ordinances are in place.

CLOSED SESSION

On a motion by Com. Mitchell and a second by Com. Lassiter, the Board moved to Closed Session as allowed under NCGS § 143-318.11(a)(3) to consult with the County Attorney.

Minutes of Closed Session are on file in the Office of the Clerk to the Board.

On a motion by Com. Lassiter and a second by Com. Mitchell the Board unanimously approved to return to Regular Session.

A brief discussion was held regarding the American Rescue Plan Act funding eligibility.

The Board agreed to meet in an Informal Work Session on Monday, November 1, 2021, immediately after the Regular meeting in the Government Center Conference Room to discuss the American Rescue Plan Act funding eligibility.

ADJOURN MEETING

On a motion by Com. Mitchell and a second by Com. Lassiter, the Board unanimously approved to adjourn the meeting.

Approved November 1, 2021

Ronald J. Gatling, Chairman

Dr. Renee Tyler, Clerk to the Board