



Revision of Personnel Policies and Manual

Attachment(s): yes

MEETING DATE: DECEMBER 10, 2019

STAFF COMMENTS / RECOMMENDATION:

Recommended amendments are attached. The first concerns the holiday schedule for January 1 and July 4 to better align the holidays with other agencies (page 22). The changes simply tie the schedules to the state's instead of making it Monday or at the manager's discretion.

Also, a past statutory change resulted in an increase in the number of items publicly available within an employee's personnel file. While the item list was updated correctly at the time, the number of items should be corrected within the text (page 32).

NOTES:

TOWN COUNCIL COMMENTS / ACTION:





Policy: Town of Summerfield Personnel Policies and Manual	Originally Adopted: December 6, 2005 Effective Date: January 1, 2006
Policy Number: POL-2005-002	Last Revised: June 12, 2018 December 10, 2019
Responsible Party: Town Manager	See Appendix A for revision dates and page numbers



TOWN OF SUMMERFIELD Personnel Policies and Manual

Upon reinstatement, an employee's salary will be computed on the basis of the last salary earned plus any increment or other salary increase to which the employee would have been entitled during the disability covered by Worker's Compensation.

Temporary employees will be placed in a leave without pay status and will receive all benefits for which they may be adjudged eligible under Worker's Compensation.

LEAVES OF ABSENCE – ARTICLE IX

Section 1. Holidays Observed

The following days and such other days as the Town Council may designate, are holidays with pay for regular town employees.

New Year's Day	January 1 (if on a weekend, follow current State of NC schedule)
Martin Luther King, Jr. Day	Third Monday in January
Good Friday	Friday before Easter Sunday *
Memorial Day	Last Monday in May
Independence Day	July 4 (if on a weekend, follow current State of NC schedule)
Labor Day	First Monday in September
Veterans Day	Actual holiday (if on a weekend, follow current State of NC schedule)
Thanksgiving	Fourth Thursday and Friday in November
Christmas	According to the schedule shown below:

~~When a holiday other than Christmas Day falls on a Saturday or a Sunday, Monday shall be observed as a holiday unless otherwise amended by the Town Manager.~~

<u>When Christmas Day falls on:</u>	<u>The Town observes:</u>
Sunday	Friday, Monday, and Tuesday
Monday	Monday, Tuesday, and Wednesday
Tuesday	Monday, Tuesday, and Wednesday
Wednesday	Tuesday, Wednesday, and Thursday
Thursday	Wednesday, Thursday, and Friday
Friday	Wednesday, Thursday, and Friday
Saturday	Thursday, Friday, and Monday

*Employees may request to have a “floating” day and take off the Monday after Easter Sunday with the approval of the Town Manager.

Holiday pay for part-time employees having a workweek of 20 hours or more shall be paid a comparable hourly basis based upon their normal workday hours. For example, an individual that is scheduled to work 25 hours per week or five hours per day will be paid for five hours of Holiday pay. Employees who have a workweek less than 20 hours will not be paid Holiday pay.

If an employee is attending a function that requires an overnight stay where meals are not provided, the actual costs of meals and incidental expenses (M&IE) will be reimbursed up to the federal per diem rates as established by the General Services Administration (GSA). One day travel longer than 12 hours will be capped at 75% of the respective M&IE. Please refer to www.gsa.gov for the current per diem rates.

The M&IE rates apply unless pre-approval from the Town Manager is sought to cover extraordinary travel circumstances.

Receipts for meals are required.

Section 4. Reporting Expenses for Reimbursement

All employees authorized to travel should keep all receipts and memoranda of actual expenditures from which they can prepare an official travel voucher. Receipts for meals, transportation other than auto, tolls, parking fees, registration fees, etc., must accompany the travel voucher.

Claims for mileage reimbursement should indicate the point of departure and destination and shall be computed in a manner that is most reasonable and favorable to the Town. The business purpose of each trip for which reimbursement is claimed must be clearly stated. Travel vouchers, which have been approved by the Town Manager, are to be submitted sufficiently in advance for reimbursement.

Section 5. Travel Advances

If a travel advance is necessary to conduct official Town business, the request for such advance must be previously approved by the Town Manager and submitted no later than five working days prior to the time travel is anticipated. Travel advances may not exceed the estimated cost of travel and must be accounted for on the travel voucher.

Home-to-work travel, as defined by this policy as travel to and from work, is not eligible for reimbursement.

PERSONNEL RECORDS – ARTICLE XII

Section 1. Personnel Records Maintenance

The Town Manager shall be responsible for maintaining such personnel records as are necessary for the proper administration of the personnel system. As required by North Carolina General Statute 160A-168, any person may have access to the information listed in items 1 through ~~8~~ 12 below for the purpose of inspection, examination, and copying during the regular business hours, subject to such rules for the safekeeping of public records as the Town Council may adopt.

- (1) Name.
- (2) Age.
- (3) Date of original employment or appointment to the service.
- (4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the city has the written contract or a record of the oral contract in its possession.

- (5) Current position.
- (6) Title.
- (7) Current salary.
- (8) Date and amount of each increase or decrease in salary with that municipality.
- (9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that municipality.
- (10) Date and general description of the reasons for each promotion with that municipality.
- (11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal.
- (12) The office to which the employee is currently assigned.

All disclosure of records shall be accounted for by keeping a written record (except for authorized persons processing personnel actions) of the following information: name of employee, information disclosed, date information was requested, name and address of the person to whom the disclosure is made, and purpose for which information is requested.

This information must be retained for two (2) years.

Additional information regarding pay, as described in Article V, Section 12 on Hours of Work and Overtime, shall also be maintained.

Section 2. Access to Personnel Records

As required by North Carolina General Statute 160A-168, All information contained in a city employee's personnel file, other than the information made public by Section 1 above, is confidential and shall be open to inspection only in accordance to North Carolina General Statute 160A-168.

Section 3. Records of Former Employees

The provisions for access to records apply to former employees just as they apply to current employees.

Section 4. Remedies of Employees Objecting to Material in File

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

Section 5. Penalty for Permitting Access to Confidential File by Unauthorized Person

G.S. 160A-168 provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee personnel file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed five hundred dollars (\$500.00).

Section 6. Penalty for Examining and/or Copying Confidential Material without Authorization

G.S. 160A-168 provides that any person not specifically authorized to have access to a personnel file designated as confidential who shall knowingly and willfully examine in its official filing place, remove, or copy any portion of a confidential personnel file shall be guilty of a

June 14, 2016	Reworded all of "Preparation of Payroll" section: main effect was to accommodate employee direct deposit, which resulted in changed pay date; other changes better clarified process	29
February 13, 2018	Reworded "Preparation of Payroll" section to: 1) pay salaries "during the first week" instead of "on the 7 th day"; and, 2) accommodate direct deposit of Council stipends	29
June 12, 2018	Added longevity pay policy; incorporated insurance benefits that needed additional detail; added medical practice provider for worker's comp; deleted Appendix A and unused forms	(multiple)
December 10, 2019	Added that January 1 and July 4 holidays follow state schedule when fall on weekend; corrected number of items publicly available re: personnel files (should've been "12" instead of "8")	22, 32

Council parliamentary procedure

Attachment(s): "Suggested Rules of Procedure for a City Council" (Trey Allen, 4th ed., 2017) is already in possession of Council members

MEETING DATE: DECEMBER 10, 2019

STAFF COMMENTS / RECOMMENDATION:

Summerfield has never formally adopted rules of parliamentary procedure for Council. It has generally adhered to *Robert's Rules of Order*, which doesn't particularly fit the needs of local units of government because of its lengthy content, complexity, and focus on larger bodies. Another option is *Suggested Rules of Procedure for a City Council* produced by the UNC School of Government, which is much shorter, simpler, and arguably better addresses statutory requirements. It is also customizable to some degree. Council members have a copy of the latest edition for review and the only suggested deviation that has been communicated is to maintain a requirement for a second with each motion. The attorney will be available for questions.

If so desired, the suggested motion is: "I make a motion to adopt the 4th/2017 edition of "Suggested Rules of Procedure for a City Council" by Trey Allen with the only modification being that 'Rule 22. Second Not Required' (page 35) is not observed, meaning a second to a motion is still required as part of the normal deliberation and voting process."

NOTES:

TOWN COUNCIL COMMENTS / ACTION:



Public Comment Policy

Attachment(s): yes

MEETING DATE: DECEMBER 10, 2019

STAFF COMMENTS / RECOMMENDATION:

The current Public Comments Policy (attached) was last revised in 2012. State law states the following:

§ 160A-81.1. Public comment period during regular meetings. *The council shall provide at least one period for public comment per month at a regular meeting of the council. The council may adopt reasonable rules governing the conduct of the public comment period, including, but not limited to, rules (i) fixing the maximum time allotted to each speaker, (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions, (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and (iv) providing for the maintenance of order and decorum in the conduct of the hearing. The council is not required to provide a public comment period under this section if no regular meeting is held during the month. (2005-170, s. 3.).*

The statute doesn't dictate a time period for individual comments. The requested change is to reduce the comment period from 5 minutes to 3 minutes. Three minutes are allowed at town committee meetings (specified within the Consolidated Committee Ordinance, although it can be extended at the Chair's discretion) and during public hearings. The change would standardize the time for all comment situations. Other suggested changes are Manager-requested updates and improvements.

NOTES:

TOWN COUNCIL COMMENTS / ACTION:



POLICY NAME: **PUBLIC COMMENTS**

< **DRAFT SHOWING EDITS** >

POLICY #: POL-2006-001

ORIGINAL ADOPTION DATE: 1-3-06

REVISION DATE(S): 12-10-19

ORIGINAL EFFECTIVE DATE: 1-3-06

REVISED PAGE(S): 1-2

The Town of Summerfield has always allowed a time for "Speakers from the Floor"; and as many municipalities are doing since the enactment of House Bill 635, we are setting the following guidelines as policy for "Speakers from the Floor."

Speakers will be asked to adhere to these guidelines to ensure a productive meeting.

These guidelines shall remain in effect until such time that they are altered, modified or rescinded by the Town Council. Pursuant to relevant North Carolina General Statutes, the following parameters shall be followed concerning the "Public Comments" portion of a Town Council meeting:

Speakers wishing to address the Town Council shall sign the speakers list prior to the meeting including name, and address, telephone number and item to be discussed. *(make preceding sentence a bulleted item)*

- The Council does hereby may establish a maximum time period of thirty (30) minutes for an open forum at the beginning of during its regular monthly meeting to hear speaker comments. This time limit may be extended if Council deems it prudent to do so.
- The length of each speaker's time will be limited to five (5) three (3) minutes per meeting.
- No one speaker may yield "their minutes" to another.
- If an organization is represented, one person shall be the spokesperson for said organization.
- Comments are to be directed to the Council as a whole. If a speaker wishes to address the Town Attorney, Town Administration Manager, or other staff member, permission must be acknowledged by the Mayor or other person in charge of the meeting. At Council's discretion, others might be allowed to respond following the public comments.
- The open forum is intended to provide the Council an opportunity to hear speakers from the floor. It is not intended to subject the Board Council to answering impromptu questions or requests for action. An appointment may be made with the Manager for such matters. If impromptu questions or requests for action are presented, Council may take these questions or requests under advisement until the next regular meeting, at which time these questions or requests may be addressed.
- Speakers are expected to be civil in their language and presentation.



- "Speakers from the Floor" "Public Comments" will be placed as an agenda item in a slot towards the beginning of the Agenda where deemed most appropriate. (move this bulleted item to the beginning)
- Speakers must be recognized by the Mayor or Mayor Pro-tem, with only one person speaking at a time.
- The Town Council reserves the right to ask questions of the speaker for clarification.
- Any speaker who was not heard because of the time limitations will be placed has the option of requesting placement first on the list for the next regularly scheduled monthly meeting.
- In lieu of or in addition to speaking, a speaker may distribute literature or exhibits to Council and staff for their review.
- After a speaker has made their presentation or comments, they shall be seated with no further debate, dialogue, or comment.



POLICY NAME: **PUBLIC COMMENTS**

< **DRAFT AFTER EDITS** >

POLICY #: POL-2006-001

ORIGINAL ADOPTION DATE: 1-3-06

REVISION DATE(S): 12-10-19

ORIGINAL EFFECTIVE DATE: 1-3-06

REVISED PAGE(S): 1 -

Pursuant to relevant North Carolina General Statutes, the following parameters shall be followed concerning the "Public Comments" portion of a Town Council meeting:

- "Public Comments" will be placed as an agenda item where deemed most appropriate.
- Speakers wishing to address the Town Council shall sign the speakers list prior to the meeting including name and address.
- The Council may establish a maximum time period for an open forum during its regular monthly meeting to hear speaker comments. This time limit may be extended if Council deems it prudent to do so.
- The length of each speaker's time will be limited to three (3) minutes per meeting.
- No one speaker may yield "their minutes" to another.
- If an organization is represented, one person shall be the spokesperson for said organization.
- Comments are to be directed to the Council as a whole. If a speaker wishes to address the Town Attorney, Town Manager, or other staff member, permission must be acknowledged by the Mayor or other person in charge of the meeting. At Council's discretion, others might be allowed to respond following the public comments.
- The open forum is intended to provide the Council an opportunity to hear speakers from the floor. It is not intended to subject the Council to answering impromptu questions or requests for action.
- Speakers are expected to be civil in their language and presentation.
- Speakers must be recognized by the Mayor or Mayor Pro-tem, with only one person speaking at a time.
- The Town Council reserves the right to ask questions of the speaker for clarification.
- Any speaker who was not heard because of the time limitations has the option of requesting placement first on the list for the next regularly scheduled monthly meeting.
- In lieu of or in addition to speaking, a speaker may distribute literature or exhibits to Council and staff for their review.
- After a speaker has made their presentation or comments, they shall be seated with no further debate, dialogue, or comment.

Selection of Mayor Pro-Tem

Attachment(s): no

MEETING DATE: DECEMBER 10, 2019

STAFF COMMENTS / RECOMMENDATION:

The primary role of the position is to preside over Council meetings in the mayor's absence. Council must select the position per the statute below, which doesn't dictate the process, nor does our town charter. Towns have different approaches and traditions of selection. Council can select a sitting member based on Council experience or any factor it considers relevant. One point worth mentioning is that the position is of a temporal nature; it's not a given that the mayor pro-tem would automatically become the "permanent" mayor in the event of a departure of a sitting mayor. Following is the statute:

§ 160A-70. Mayor pro tempore; disability of mayor: At the organizational meeting, the council shall elect from among its members a mayor pro tempore to serve at the pleasure of the council. A councilman serving as mayor pro tempore shall be entitled to vote on all matters and shall be considered a councilman for all purposes, including the determination of whether a quorum is present. During the absence of the mayor, the council may confer upon the mayor pro tempore any of the powers and duties of the mayor. If the mayor should become physically or mentally incapable of performing the duties of his office, the council may by unanimous vote declare that he is incapacitated and confer any of his powers and duties on the mayor pro tempore. Upon the mayor's declaration that he is no longer incapacitated, and with the concurrence of a majority of the council, the mayor shall resume the exercise of his powers and duties. In the event both the mayor and the mayor pro tempore are absent from a meeting, the council may elect from its members a temporary chairman to preside in such absence.

NOTES:

TOWN COUNCIL COMMENTS / ACTION:





Selection of Council member as authorized check signer

Attachment(s): no

MEETING DATE: DECEMBER 10, 2019

STAFF COMMENTS / RECOMMENDATION:

The current Cash Management and Investment Policy specifies the list of authorized check signers as: "Mayor, Mayor Pro-Tem, Town Manager/ Assistant Finance Officer, and Designated Town Council member." Following the selection of the Mayor Pro-Tem (previous agenda item), a motion to change bank signatories is needed. Ideally the check signer will usually be available to come into town hall during work hours to signs checks. The request is to designate the Council member and then staff will implement the needed bank changes without further Council action.

NOTES:

TOWN COUNCIL COMMENTS / ACTION:

Appointment to GUAMPO's Transportation Advisory Committee (TAC)*Attachment(s): yes*MEETING DATE: DECEMBER 10, 2019**STAFF COMMENTS / RECOMMENDATION:**

The attached letter explains the area opening on our MPO's Transportation Advisory Committee and that there is one collective seat for the towns of Summerfield, Oak Ridge, Stokesdale, Pleasant Garden, and Sedalia. Initially a December TAC meeting was scheduled, thus the effort to have an area member in place by then (that meeting has since been cancelled). The letter asks the other four jurisdictions if they are agreeable to John O'Day serving in this capacity. So far, Oak Ridge, Stokesdale, and Pleasant Garden have communicated agreement with his appointment with no confirmation yet from Sedalia (staff will follow-up through the Council meeting date).

If Council is in agreement with Council member O'Day in this position, a motion to that effect would be appropriate.

NOTES:

TOWN COUNCIL COMMENTS / ACTION:



November 19, 2019

To: Town Manager Bill Bruce, Town of Oak Ridge (bbruce@oakridgenc.com)
Mayor Carla Strickland, Town of Pleasant Garden (carlastrickland@pleasantgarden.net)
Mayor John Flynt, Town of Stokesdale (johnflynt@stokesdale.org)
Mayor Howard Morgan, Town of Sedalia (morganhj6228@gmail.com)

**Re: appointment to Greensboro Urban Area Metropolitan Planning Organization (GUAMPO)
Transportation Advisory Committee (TAC)**

Mr. Bruce and Mayors Strickland, Flynt, and Morgan,

Hello from Summerfield. In early December there will be an open transportation position in our area. Council Member Dena Barnes has been serving in this capacity for many years; however, she will be retiring from the Council at our December 10 meeting.

Regarding committee membership, the by-laws of GUAMPO's TAC dictate *"one member selected from the Town Councils of the Towns of Oak Ridge, Pleasant Garden, Sedalia, Summerfield, and Stokesdale. This member will represent the Towns. The Towns are responsible for selecting this member by caucus and to maintain communication with the representative about their individual and collective priorities."*

Carla Strickland has been serving as the alternate TAC representative, but it is my understanding that she does not wish to transition to be the regular representative. An incumbent and recently re-elected member of our Council, John O'Day, is willing to fill this role on behalf of the towns, provided that it is agreeable to Oak Ridge, Pleasant Garden, Sedalia, and Stokesdale.

The next TAC meeting is scheduled for December 11 and it would be good to fill the position quickly. I believe a collective agreement/approval of the jurisdictions to replace Dena with John would be sufficient for the TAC. Any new member is also required to have ethics training and the town would ensure that this is completed. **Please let me know if your town approves, preferably by December 2**, or if you propose another approach to fill this transportation position.

Respectfully,

K. Scott Whitaker
Town Manager

Cc: Tyler Meyer, Greensboro Department of Transportation (Tyler.Meyer@greensboro-nc.gov)



Approval of 2020 meeting schedule

Attachment(s): yes

MEETING DATE: DECEMBER 10, 2019

STAFF COMMENTS / RECOMMENDATION:

The attached meeting schedule is self-explanatory. The Christmas holiday portion is drafted per the Personnel Policies and Manual instead of using the Christmas schedule of 2018 and 2019 (closing the full week). In addition to the proposed meeting schedule, there will other dates (TBD) associated with adoption of the UDO. The attached meeting schedule needs Council approval.

NOTES:

TOWN COUNCIL COMMENTS / ACTION:

