

CUMBERLAND COUNTY POLICY COMMITTEE
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564
SEPTEMBER 2, 2010 – 9:30 AM
MNUTES

MEMBERS PRESENT: Commissioner Phillip Gilfus, Chair
 Commissioner Ed Melvin
 Commissioner Kenneth Edge

OTHER COMMISSIONERS

PRESENT: Commissioner Jeannette Council
 Commissioner Marshall Faircloth
 Commissioner Jimmy Keefe

OTHERS PRESENT:

James Martin, County Manager
Amy Cannon, Assistant County Manager
Howard Abner, Assistant Finance Director
Rick Moorefield, County Attorney
Bob Stanger, County Engineer
James Lawson, Human Resource Manager
Sally Shutt, Communications Manager
Mary Smith, Payroll Supervisor
Candice White, Deputy Clerk to the Board
Press

Commissioner Phillip Gilfus called the meeting to order.

1. APPROVAL OF MINUTES: AUGUST 5, 2010 MEETING

MOTION: Commissioner Edge moved to approve as presented.
SECOND: Commissioner Melvin
VOTE: UNANIMOUS

2. CONSIDERATION OF PROPOSED AMENDMENT TO FUNERAL LEAVE
 IN PERSONNEL ORDINANCE

Commissioner Gilfus called on James Martin, County Manager, who stated since the last meeting of the Policy Committee and the August 16th meeting of the Board of Commissioners, issues had been raised regarding the proposed amendment so it was being referred back to the Policy Committee for further consideration. Mr. Martin referenced a memorandum prepared by Deputy County Manager Juanita Pilgrim and stated the issues outlined therein had been brought to the attention of management and the county attorney.

Commissioner Gilfus called on James Lawson, Human Resource Manager, who stated the objective is to ensure consistency in application. Mr. Lawson further stated he had researched other jurisdictions across the state and it was not uncommon or common to have funeral leave. Mr. Lawson stated some of the jurisdictions allow the use of sick leave, annual leave or comp time. Mr. Lawson briefly spoke to issues that could arise under the amendment as proposed.

Commissioner Gilfus called on Rick Moorefield, County Attorney, who stated revisions to funeral leave in the county's personnel ordinance were proposed in order to decrease the cost to the county and to assist with consistent application throughout all county departments. Mr. Moorefield further stated one of the key issues raised was the proposed definition of family to exclude persons living within the household. Mr. Moorefield stated another issue was whether the number of days allowed for the leave should vary according to the relationship with the decedent and the concern that the three-day limitation, which was based on cost considerations, could have the appearance of diminishing the bereavement process. Mr. Moorefield stated he had attempted to tie the time period in the proposed amendment around the actual service as a cost and management application consideration and to avoid situations in which employees took funeral leave over a period of weeks. Mr. Moorefield further stated documentation can be handled by giving discretion to department heads. Mr. Moorefield explained the difference in funeral leave and bereavement leave and stated in terms of administrative ease of implementation and cost, his suggestion in the proposed amendment had been to keep it as funeral leave centered around the time of an actual service. Mr. Moorefield further stated cultural diversity is legally addressed by allowing everyone the same considerations.

Mr. Lawson noted in loco parentis relationships were no longer covered in the proposed amendment and stated during his research, he also found policies that contained provisions for domestic partners. Mr. Moorefield concurred that under the proposed amendment, in loco parentis relationships would not be covered.

Commissioner Gilfus called on Assistant County Manager Amy Cannon who stated management's interest is to develop a policy that is not cumbersome, can be consistently applied and equitable to all county employees. Ms. Cannon clarified that even though numbers were provided at the prior meeting, cost of the leave was not fully discussed.

Commissioner Gilfus shared the content of the City of Richmond's funeral leave policy for purposes of comparison and stated his concern with the proposed amendment was the definition of family. Commissioner Gilfus opened the floor for discussion, which included ways to resolve some of the issues raised regarding the proposed amendment and allowance for the use of sick leave. Commissioner Edge noted allowance for the use of sick leave and accumulation thereof would also have an effect on retirement. With regard to the implementation of an allowance for the use of sick leave, Mr. Martin stated it could serve as a benefit to employees and Ms. Cannon stated it could serve as an incentive for employees to better manage use of sick leave.

Commissioner Gilfus called for a close to the discussion. Mr. Moorefield confirmed that making funeral leave eligible for sick leave would not require a definition of family. Mr. Martin stated the number of hours accumulated for sick leave would have to be recalculated, which in a twelve-month period would allow the accumulation of three more days. Mr. Martin confirmed the implementation of the additional three days would not be immediate, but would accrue every two-week pay period so over a years time, there would be a gain of three days of sick leave accumulation.

MOTION: Commissioner Gilfus moved to repeal the current funeral leave policy and instead add the additional three-day annual accumulation to sick leave with the appropriate accumulation per pay period and with funeral and bereavement leave to be eligible uses of sick leave.

SECOND: Commissioner Melvin

Commissioner Gilfus inquired regarding the accumulation per pay period. Mr. Martin responded it would increase from 3.42 hours to 4.37 hours accumulation every two weeks.

Mr. Moorefield inquired whether there would be a limitation on the number of days taken for funeral leave. Confirmation was that it would be open. Mr. Moorefield further confirmed that funeral and bereavement leave can be taken as sick leave.

VOTE: UNANIMOUS

3. OTHER MATTERS OF BUSINESS

Bob Stanger, County Engineer, reminded members that at the last committee meeting, staff was directed not to take action on the request from the homeowner's association regarding a special assessment project to repair the dam at Point East Subdivision. Staff was also instructed to work with the homeowner's association, its engineer and others to determine what would be required to meet dam safety requirements. After a phone conference with dam engineers, the president of the homeowner's association and others, the consensus of the group was that an action plan would be developed for the homeowners to consider. Discussion included that if the homeowners failed to take action the state would breach the dam and then assess the cost of the work to the homeowner's association. It is now up to the homeowner's association as to what they elect to do. In order to protect the county's interest, Mr. Stanger feels the county needs to know what needs to be done and a reasonable cost estimate be obtained. Commissioner Melvin questioned what would happen if the county obtained the engineering work and assessed the cost for just the design and then the homeowners decided not to repair the dam. County Attorney Moorefield advised that an assessment cannot be made just for the design work; a project must be completed in order to assess the homeowners.

Commissioner Keefe led a discussion regarding the county's policy on purchasing goods and services. Commissioner Keefe explained the advantages of using local vendors and voiced his desire to change the policy for purchases under \$30,000 in order to allow consideration of a local vendor that has a 2 or 3% variance from the lowest responsible/responsive bid. Also if there is an opportunity for a match by a local vendor to the outside vendor, a local vendor should be allowed to match the lowest bid. Commissioner Melvin agreed and would like to see it extended to everything the county does. In response to a question from Commissioner Edge, Mrs. Cannon advised that most of the non-local vendors for purchases under \$30,000 are mainly software services. Commissioner Gilfus requested that this item be placed on the next agenda for further discussion.

MEETING ADJOURNED: 11:00 AM