

CUMBERLAND COUNTY POLICY COMMITTEE  
NEW COURTHOUSE, 117 DICK STREET, 5TH FLOOR, ROOM 564  
SEPTEMBER 1, 2011 – 10:30 AM  
MINUTES

MEMBERS PRESENT: Commissioner Ed Melvin, Chairman  
Commissioner Jimmy Keefe

MEMBER ABSENT: Commissioner Charles Evans

OTHERS PRESENT: James Martin, County Manager  
Amy Cannon, Deputy County Manager  
James Lawson, Assistant County Manager  
Rick Moorefield, County Attorney  
Phyllis Jones, Assistant County Attorney  
Sally Shutt, Communications and Strategic Initiatives  
Manager  
Julean Self, Assistant Human Resources Director  
Civic Center Commission Members  
Kellie Beam, Deputy Clerk to the Board  
Press

Commissioner Melvin called the meeting to order.

1. APPROVAL OF MINUTES: AUGUST 4, 2011 MEETING

MOTION: Commissioner Melvin moved to approve the minutes as presented.  
SECOND: Commissioner Keefe  
VOTE: UNANIMOUS (2-0)

2. CONSIDERATION OF “BAN THE BOX” INITIATIVE/PRE-EMPLOYMENT  
BACKGROUND CHECK POLICY

James Martin, County Manager, called on James Lawson, Assistant County Manager, who stated at the August 4, 2011 Policy Committee meeting, the committee directed staff to develop the pre-employment background check policy for consideration in conjunction with the “Ban the Box” initiative.

Mr. Lawson stated the essence of the pre-employment background check policy is to ensure that the county has a safe work environment and that the county does a thorough job of evaluating its candidates for employment prior to hire. Mr. Lawson stated for criminal background checks, applicants who have lived in North Carolina for five consecutive years must submit to a statewide criminal background check, and applicants who have lived in North Carolina less than five consecutive years must submit to a national background check. Mr. Lawson also stated a criminal background check will be

conducted prior to the employment of anyone for any position with the county, and background checks based on the duties of the position or business necessity may include a criminal conviction record, motor vehicle record, sexual offender registry check, reference check, credit history, or education, credentials, and licensing.

Commissioner Keefe stated he would like to see the sexual offender registry check expanded to all candidates. Commissioner Melvin concurred. Mr. Lawson stated he will see that the request is implemented into the policy.

Mr. Lawson stated the county's job vacancy announcement will include a statement that "a criminal background check will be conducted prior to the employment of anyone for any position with the County of Cumberland", and employees who are considered for interviews must sign releases authorizing the county to perform the background checks.

Mr. Lawson called attention to the supplemental application and stated the application will be completed by candidates prior to interview. Mr. Lawson explained the supplemental application basically outlines the requirements for employment with the county. Mr. Lawson referenced Item 7-Criminal Background Records Checks and stated the question regarding criminal convictions has been moved to the supplemental application because the interest was not to have the question at the front end of the process. Mr. Lawson also stated moving the question provides candidates an opportunity to discuss whatever prior issues they may have and how they resolved the issues. Mr. Lawson noted that Item 12-Secondary/Outside Employment had been added as a question to candidates.

Mr. Lawson explained that state agencies such as the Department of Social Services (DSS), the Health Department and Mental Health can elect to use the state application or the county application. Mr. Lawson stated at present, the Health Department, Mental Health, and the DSS are currently using the state application and the proposed policy and process have been shared with them. Mr. Lawson stated DSS Director Brenda Jackson and Mental Health Director Hank Debnam have elected to continue using the state application. Mr. Lawson further stated DSS and Mental Health are interested in expanding any background checks the county performs for candidates for employment.

MOTION: Commissioner Keefe moved to make a recommendation to the full board for approval of the "Ban the "Box" initiative and the pre-employment background check policy.

SECOND: Commissioner Melvin

VOTE: UNANIMOUS (2-0)

### 3. OTHER ITEMS OF BUSINESS

Mr. Martin stated at the last committee meeting, Commissioner Keefe brought up discussion about retention and vocational education in high schools. Mr. Martin further stated he met with Dr. Keen from FTCC and a couple of his staff people, and Dr. Till and

one of his staff people, to have a discussion about the matter. Mr. Martin stated he was quite impressed that there are a number of programs directed to these concerns already in place and Dr. Keen and Dr. Till indicated they would be happy to make a presentation either to the committee or to the full board.

Commissioner Keefe stated he was aware of individual programs and thought there would be a lot of synergy if the county could put something together with the school system, FTCC, and FTCC's Workforce Development program that would impact the county's significant drop out rate. Commissioner Keefe stated he would like for Dr. Keen and Dr. Till to make a presentation to the full board.

Phyllis Jones, Assistant County Attorney, stated the Civic Center Commission is empowered by Session Law to hire a manager and other employees and on June 28, 2011, the Civic Center Commission unanimously passed a resolution to make those employees subject to the county's personnel administration system. Ms. Jones stated the practical affect of that action was to formalize current practices.

Mr. Martin explained the Civic Center Commission is the hearing authority for employee appeals in disciplinary matters and the commission is asking that Civic Center employees be subject to the county's disciplinary and appeals policy. Mr. Martin also explained the general manager of the Civic Center will continue to hire employees.

Mr. Moorefield explained this is an important measure because the Civic Center Commission has never adopted a separate personnel administration system and personnel matters have always been handled by the county. Mr. Moorefield further explained that according to Session Law, Civic Center employees are not subject to the county's personnel administration unless the Civic Center Commission says they are.

Questions and discussion followed. Ms. Jones clarified that the Civic Center Commission wants Mr. Martin to be the hearing authority for employee appeals. Ms. Jones further clarified that the Civic Center Commission will retain the authority to hire, discipline, and remove the general manager of the Crown Center.

In response to a question posed by Commissioner Keefe, Mr. Martin stated he was in agreement with the request.

MOTION: Commissioner Keefe moved to recommend to the full board.

SECOND: Commissioner Melvin.

VOTE: UNANIMOUS (2-0)

Commissioner Keefe stated the county presently does not require privilege licensing even though Fayetteville and other municipalities have very aggressive privilege licensing for sweepstakes businesses. Commissioner Keefe further stated he feels the county should be proactive and have something in place. Commissioner Keefe asked Mr. Moorefield to

provide an opinion. Mr. Moorefield stated he would present the matter at the October meeting of the Policy Committee.

Mr. Martin asked whether the presentation by Dr. Keen and Dr. Till should be made to the Policy Committee of the full board. Commissioner Keefe responded the full board.

There were no further items of business.

MEETING ADJOURNED AT 11:55 AM