Raleigh City Council Member

Kay Crowder

A Delicate Balancing Act

League’s First-Ever Town & State Dinner

Big Benefits from Electricity Rate Case
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5 In Hendersonville, a Partnership Lifts Health and Economic Opportunity
*Here We Grow* feature story

16 Cities, Towns to See Big Benefits From Electricity Rate Case
Utilities Commission decides DEC rate case

18 On the Front End of Employment Liability
League works to stop problems before they start

27 Great Places Receive Deserved Recognition
Planners award transformational projects

42 New Vehicles for the Same Budget...or Less
*Preferred Partners Spotlight* feature story

6 A Delicate Balancing Act
Raleigh City Council Member Kay Crowder

11 League Holds First-Ever Town & State Dinner
League members, legislators break bread

22 Speak Your Identity
Exploring dialects – and how they’re changing – across N.C., U.S.

28 Rep. Garland Pierce
Making sure the door is always open

33 Legislators Put New Meaning in “Short Session”
Abbreviated process marks 2018 session

39 Charlotte City Clerk Named Head of International Clerks Organization
Kelly to lead IIMC
INSIDE

1 Board of Directors

4 Speaking Out: Breaking Bread and Connecting Purpose

15 Advocacy Angle: On the Right Side of the Debate on Performance Guarantees

20 Risk Management Services Board of Trustees

21 From The Trust Perspective: NCLM Insurance Trusts Had a Great Year

26 Legal Eagles: Elected Officials As Relatives and Employees?

38 Member Relations Corner: Risk Control Can Mean Much More Than Insurance

40 Talk of our Towns

44 Taking the Field: At the Legislature, Process Does Matter
More than 250 years ago, the community that eventually became Jacksonville began life as a ferry crossing over the New River. The town did not officially become a municipality for almost another hundred years, in 1842, and it was yet another century, in 1940, that the event that changed the community forever – the decision to build Camp Lejeune in Onslow County – took place.

Obviously, no one could have predicted, when that ferry was constructed, that one of the largest military encampments in the world would one day call the same area home.

Over the next 250 years, who can predict what changes will take place in Jacksonville, or in your community, or in North Carolina as a whole? The one thing that we can confidently predict, though, is that things will not remain the same. Change is inevitable.

And just like with individual towns and cities, change also is inevitable for an organization like the League.

That we have changed and are changing was never more evident than during the first ever Town & State Dinner. Taking the place of the League’s traditional key advocacy event, Town Hall Day, the reception and dinner focused on simple relationship-building rather than a full court press of daylong activities at and around the Legislative Building.

As I made clear in my remarks, the League is more than an advocacy organization. Yes, advocacy is crucial. Working on critical issues like broadband access and addressing the opioid crisis does involve advocacy. But it also involves working across all levels of government and with private-sector partners to explore best practices and to help cities and towns access resources.

It’s worth repeating what I said there: We are a mission-driven organization. That mission does not have anything to do with partisan politics. It has everything to do with serving the interests of towns and cities so that they can best serve their residents.

Meanwhile, creating such an opportune moment for municipal officials and legislators to break bread together and to establish stronger working relationships is something that fits well with that evolving mission. This was not just about advocacy.

It was about recognizing common purpose and connecting to pursue those purposes – be they projects that bring job opportunities and economic growth or improving the quality of life of North Carolinians.

As the evening concluded, it was obvious watching everyone’s reaction just how meaningful creating yet another way for all of us to connect and acknowledging that common ground had been. All of you made that happen.

We had great turnout of League members, almost 300 strong. And roughly 90 legislators took the time out of a busy day to attend.

I want to again thank all of you who were there, our staff who put the event together, our legislators for graciously accepting our invitations, and our key speakers: Gov. Roy Cooper, House Speaker Tim Moore and Attorney General Josh Stein. Finally, I want to thank my good friend, Sen. Harry Brown, for his warm introduction.

It was a wonderful time, and an event we should be proud of.
In Hendersonville, a Partnership Lifts Health and Economic Opportunity

A multi-party effort with the City of Hendersonville is generating important, regional benefits in health — and creating a powerful growth formula for the future.

Today, Hendersonville in western North Carolina is part of a region popular with retirees, with a quarter of the county’s headcount in the 65-plus age bracket. But healthcare provision hasn’t always kept up, with a lack of pharmacists and physician assistants just a part of the demand. It’s the troubling math of an aging population and the need for support that so many areas are experiencing. But it’s changing around Hendersonville thanks to work that could pay off well beyond the healthcare picture alone.

The idea: provide local students with accessible healthcare education and a reason to stay in the area to energize healthcare offerings that are much more convenient for residents in need.

In 2011, Wingate University established a satellite campus in Hendersonville for physician assistant and pharmacy programs, housed in two separate commercial office spaces downtown. Three years later, Wingate notified the City and County that it had outgrown its locations and was looking for a more permanent home for both programs. The Hendersonville City Council made it a priority to keep the campus in the downtown area, and a partnership was born.

The City purchased an acre of property adjacent to UNC Health Care’s Pardee Hospital in town, handled the necessary environmental assessments and razed a structure already on the site to make way for what would be a new, 100,000-square-foot facility. The City also provided the public infrastructure improvements needed to support it. Together, the City and the hospital acquired two additional properties to facilitate a street-widening and additional parking. Partner Henderson County handled the building’s financing and construction.

The Health Sciences Center, as it’s called, hit completion in fall 2016 and is bustling with collaboration. Wingate University and its Hendersonville campus occupy the first floor on a longterm lease for existing programs with hope for expansions over time. Blue Ridge Community College relocated all of its healthcare programs to the second floor (receiving also a $1.08 million grant for lab equipment from Golden LEAF) and provides general maintenance and security for the facility. Pardee Hospital, which provided a portion of the property and all of the parking facilities for the Health continued on page 43
With Raleigh’s booming growth, Council Member Kay Crowder had a million options for an interview venue. A choice restaurant (and there are many). A cool public art spot (ditto). One of downtown’s fashionably redeveloped plazas. A high-rise office overlooking new construction. The city holds any number of locations to support a narrative ala “This is what rapid growth looks like, here’s what it means for the character and quality of our city, and here’s how we’re managing it as municipal officials.”

That’s a hard story to avoid for a place like Raleigh today, but Crowder started from a slightly quieter vantage point. The rolling, green Dorothea Dix Park spreads across 300-plus acres far enough from busy downtown to feel at ease, but with a knockout urban skyline to reflect upon. “I think it’s really important to remember that the city has grown so much in a relatively short amount of time,” she told Southern City from a cottage in the park, a response prompted when asked why she chose to meet there. More broadly, it’s a former state-owned site that the city purchased in 2015 after years of pursuit and protracted negotiations. “Being able to have a park like this, basically for all practical purposes in the center of the city, is an awesome opportunity, and one that not many cities have the possibility of doing,” Crowder said.
Raleigh City Council Member Kay Crowder at Dix Park, a city-owned site of vast greenspace and a dynamite skyline view.

Photo credit: Ben Brown
The park, in its past life, was home to the Dorothea Dix Hospital, a state psychiatric hospital that operated there for more than 150 years. Its location was partly due to its semi-isolation, but the heights above the city are also why, less than a decade into the hospital’s operation, Sherman and his troopers chose it as an encampment during Raleigh’s occupation in the final days of the Civil War.

It’s easy to draw a mental-health connection to city dwellers’ appreciation of the relaxing, open greenspace available there. And it’s expansive enough to satisfy both camps of people who like their parks either passive or developed, Crowder noted. Plans are still rolling on what the site could become.

“I think this is a catalyst to really, really change the city, into an even greater shine than it has now,” said Crowder.

But there’s another tie-in for her, personally. Dix Park was one of the many cares of her late husband, Thomas Crowder, an architect and longtime City Council member whose vacancy she filled and whose causes she took up after his hard battle with cancer ended. He was in local office for roughly half of their 30-year marriage.

“Thirty years of marriage is a lot of pillow talk,” she said. “And I don’t know that many decisions didn’t happen to where he and I didn’t collaborate at some point in time.”

Crowder and her husband both were Raleigh natives (the Dix property being in their district) and they knew its quirks and needs closely. His architectural work led to an interest in development policy and quickly to municipal office. But when Crowder took on her husband’s unexpired term in 2014, she didn’t figure it would be ongoing. She described it as if the office
businesses come, what's the cost to our human capital? And if there is a cost, are we willing to accept that cost? And if we are willing, what can we do to envision it not having negative impacts on people?"

Crowder recalled her youth in Raleigh and the "good vibe" the city presented. She said it gave an easy welcome to all kinds of job seekers and people who wanted to build families. Her parents were education professionals (dad a teacher at Wake Tech Community College; mom working at the Department of Public Instruction), and both were interested in civics and local politics.

"I've always kind of lived in that place of 'You can make a difference,'" she said. People didn't seem distracted from that promise, either, she suggested while talking about the sense of unity and

Downtown Raleigh has bloomed in recent years with new eateries, cafes, entertainment spots and professional offices. Photo credit: City of Raleigh

"It's not that I don't want to move forward," she said. "I want to be measured and prudent in the process .... Sometimes I just want to think about, 'What are the consequences if we do this?'"

With the excitement over "smart cities" and civic technology atop population growth, business recruitment and the fast pace that many cities naturally have, it's easy to fall into a speedy groove. But many leaders, Crowder included, are resolute that everyday people have to be the beneficiaries, and people come as diverse and varied in needs and lifestyle as anything out there.

"It's important to remember human capital," Crowder emphasized, especially in Raleigh's drive to be all things -- including affordable -- to everyone. "This city is starting to examine, as
vision that City Council members and municipal staffers in Raleigh have had for as long as she can remember.

"I think the city, though it has percolated and grown, has always been a diamond, and it's always been shaped and polished by the different people who move through the process of making it a great city," Crowder said. "So we really are lucky that long before I got on council, and long before the council before that, or when my husband was there, we had these fearless leaders who had a vision for the city and have sort of moved forward with that vision. And each council that comes in or each city manager that comes in .... has also embraced that beauty of the city and that it could be so much more. And so each time they just polish it a little bit more, to make it a greater diamond."

Today, with Raleigh charting so high on the nation’s growth meter, other large cities across the U.S. are watching. And with careful speed, Raleigh is giving those spectators a show of intention, to give the future a quality foundation. "I think we have a lot to be proud of in enabling that to happen," said Crowder.

The city is aggressive (though careful) with infrastructure, for one, and Crowder says transportation must be a key focus. An enormous project transforming the old downtown Warehouse District is Union Station, a multimodal transit center with track and rail infrastructure that, at the time of this writing, was close to opening. A federal Transportation Investment Generating Economic Recovery Grant, or TIGER grant, assisted the project that has lured plenty of private development around it.

Alternate means of getting around – buses, bikes – also have Raleigh City Council’s attention, with local voters last year overwhelmingly approving the borrowing of nearly $207 million to support those and other connectivity improvements.

Crowder added that connectivity with Raleigh’s neighboring communities is important for the region. Many residents of surrounding counties work in Raleigh or want to be in Raleigh. "If you have to sit in hours and hours of traffic, it doesn't lend itself to you wanting to be here," she said. "So addressing the infrastructure need as it relates to transportation is big."

That also means good collaboration with nearby towns and unincorporated areas, as Raleigh decisions may affect them, or vice versa.

It helps that she has a sales and marketing background and knows how to frame for fellow stakeholders what she envisions. But she said it leans on areas of agreement and working toward a common future, of inclusion, opportunity, access and affordability for anyone who wants in.

Because it all comes back to human capital.

"A city is only as great as the people who live in it," Crowder said. "And so it is important for us to continue to be mindful of that part of the equation.... It makes service easy, to do it, when you feel passionate about that.”

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League Holds First-Ever Town & State Dinner

By Scott Mooneyham, NCLM Director of Public Affairs

Instead of a full day of activities around policy and individual meetings with legislators, perhaps a focus on simple relationship-building instead. That was the idea that led to this year’s Town & State Dinner, and by just about any measure, it was a success.

The event was held May 29 at the Raleigh Convention Center, and even with a busy schedule at the Legislative Building as budget debate took center stage, 90 legislators took time to break bread with nearly 300 municipal officials from around the state.

The conversation at a pre-dinner reception and around dinner itself, as League staff attempted to arrange seating that matched legislators with local constituencies, was the really the main event. But speakers from Gov. Roy Cooper to NCLM President Michael Lazzara to House Speaker Tim Moore provided both context and some policy points to the evening.

Lazzara, Mayor Pro-Tem of Jacksonville, set the tone for the event by noting that state and local government officials, in working toward their priorities that are ultimately focused on serving citizens, enjoy far more common ground than separate ground. He also spoke of the League as an evolving mission-driven organization that is focused “serving the interests of towns and cities so that they can best serve their residents.”

“We are one North Carolina, and the mission for all of us is to serve, as best we can, all of our communities, all of our people and all of our state,” Lazzara said of state and local officials. “Breaking bread together is and always has been the quintessential human experience, one that binds us and creates connections and can help both bridge culture and establish it.”

For the state officials who spoke at the Town & State Dinner, the menu included recognition of the various ways that they are working across the state with municipal officials on common priorities.

Gov. Roy Cooper, a featured speaker at the League’s Town & State Dinner, said the large turnout of legislators that night proved that cities and towns have their attention. Photo credit: Ben Brown
Noting the number of legislators in attendance -- more than half of the entire General Assembly -- Governor Cooper told municipal officials in the room that it “shows you are being listened to and you are crucial to this process.”

“I think it is important that local government have as much decision-making as possible. You are the closest to the people,” he said. Prior to his remarks, the governor spent a good deal of time speaking with municipal officials by moving from table to table, greeting them.

House Speaker Moore discussed the various gears of North Carolina’s progress, including the community college system for its workforce training programs and municipalities as economic engines. “Well-run cities are a key to the vitality of our state,” Speaker Moore said, while also commenting on the “exceptional leaders in our state’s municipalities.”

He was introduced by Kings Mountain Mayor and NCLM Board member Scott Neisler.

Attorney General Josh Stein addressed a central issue for his office and for communities across the state and nation: the ongoing opioid addiction crisis. "All of us working together, we can turn the tide," Attorney General Stein said, emphasizing a need for better treatment options rather than viewing the crisis through a crime lens. He said he hears time and time again from local law enforcement leaders that “we cannot arrest our way out of this crisis.”

Governor Cooper also remarked on the broadband divide that the League has taken the initiative to close. As highlighted in a recent, comprehensive report from the League, the governor noted that there is a way forward. “We can do it through public-private partnerships,” he said.

NCLM Vice President William Pitt, Councilman from Washington, in remarks prior to introducing Attorney General Stein, noted how his city is leading in a fashion similar to other towns and cities across the state – leveraging its unique assets to remain economically vital. In Washington’s case, that means its waterfront and historic buildings.
The event was kicked off with Senate Majority Leader Harry Brown’s introduction of NCLM President Michael Lazzara, whom he has known for more than 30 years.

NCLM Board member Liz Johnson, Council member from Morrisville, introduced a League-produced video that explored cooperation between state and municipal government. That partnership was the theme of the night was affirmed in the video, which features many legislators and local officials discussing how they’ve worked together on projects and problems of various scope. Said Goldsboro Mayor Chuck Allen in the video, “We are one North Carolina, and we’ve got to work towards being one North Carolina.”

Johnson, meanwhile, noted how crucial working across lines had been in Morrisville.

“One of the things that I learned very quickly – nearly two decades ago when first elected to the Morrisville Town Council – was what we do in Morrisville does not affect just Morrisville. We have to work regionally to address issues like transportation, like land-use planning. And, we have to work with our partners at the state and federal level,” she said.

Overwhelmingly, the evening was well-received by League members, as a subsequent survey showed those attending rating the overall event, the interaction and the programming highly. SC
NCLM
Town & State Dinner
For a big part of the 20th Century, there was quite a debate about debate. Given that most high school and college debate teams would draw the respective side that they would take on an issue from a hat, the question raised was: Are you teaching students to ignore the ethical?

Among those raising the question was Theodore Roosevelt, who opined in his 1913 autobiography that he was “exceedingly glad” that he had not joined the debate team at Harvard because he had “not the slightest sympathy with debating contests in which each side is arbitrarily assigned a given proposition and told to maintain it without the least reference to whether those maintaining it believe in it or not.” (Apparently Roosevelt had more sympathy for those who populate their autobiographies with lots of extraneous words.)

Although my oldest son, now in college, took part on his high school debate team, I have no idea whether such debates about the ethics of the debate process have completely faded away.

What I do know, though, is that there is certainly value in anticipating and knowing the arguments of your opponents in the realm of public policy debates, and that is the case on any issue.

With the adjournment of this year’s legislative session, League members would do well to consider the arguments around a critical land-use issue that came before state lawmakers and will likely make a repeat appearance in 2019: development performance guarantees.

Performance guarantees require developers, rather than taxpayers and recent homebuyers, to pay costs for incomplete or failed subdivision infrastructure. Legislation that would have severely undermined requirements for those guarantees – giving more discretion to developers for the terms, types and amounts -- moved through two Senate committees before ultimately stalling out at the end of the legislative session.

In those committee debates, the homebuilder lobbyists who argued for the change did so based on the idea that limitations on surety bonds and other financial instruments that serve as the guarantees would free up capital that can then be used to create more economic activity. It’s an argument that found resonance within those Senate committees. Here’s an argument that tends to undermine that idea: It’s really foisting private-sector risk onto the public. Asking to do away with those guarantees is essentially asking for government to subsidize the risks and costs of private development.

That’s not a theoretical argument. Subdivisions have failed. Developers have gone bankrupt. And performance guarantees have acted as a backstop to ensure infrastructure is completed so that homebuyers get the development that they were promised.

These are pertinent points to make, as this debate will surely come up again next year.

By the way, in the next edition of Southern City, I will not be taking up the arguments of the other side. As TR said, I don’t care to take up a debate without the least reference to whether I believe it or not. SC
Cities, Towns to See Big Benefits From Electricity Rate Case

By Scott Mooneyham, NCLM Director of Public Affairs

Weeks after the N.C. League of Municipalities and Duke Energy Carolinas (DEC) reached a beneficial settlement on street lighting, the N.C. Utilities Commission has issued a comprehensive order that should bring even more benefits to cities and towns. The order comes in response to the rate case filed by Duke Energy Carolinas – affecting customers in the western half of the state, including many cities and towns -- and follows League intervention on a number of issues. The order’s beneficial provisions for municipalities include additional time-of-use and critical peak pricing options for customers, instructions to collaborate with intervening parties on grid modernization, and that DEC savings from the federal tax cut be considered in its returns and rate increase. The Utilities Commission also approved in its entirety the earlier settlement on street lighting, a settlement that was featured in the previous edition of Southern City (Street Light Agreement Promises Municipal Savings, Efficient Conversion, May/June 2018).

Rose Vaughn Williams, NCLM’s Associate Executive Director of Public & Government Affairs, noted how crucial League member involvement was in the positive outcome.

“Thank you to all League members who have already taken lead roles and provided input on these issues,” she said shortly after the order was issued. “Our success in both the DEC and earlier Duke Energy Progress rate cases would not have been possible without your help and support.”

The League, working with outside counsel Smith Moore Leatherwood of Raleigh, arranged for testimony of members, and made specific requests of and arguments to the commission that proved crucial in leading to the resulting order.

The commission accepted League arguments that DEC savings from the federal tax cut should be considered
in its rate request increase, meaning that its revenue requirements for the first four years were reduced by $60,102,000.

It also agreed with League arguments that DEC should incorporate additional time-of-use and critical peak pricing options for customers, which promises to save municipal customers money while encouraging more energy efficiency. Water and sewer operations and recreational facilities, in particular, could benefit from these savings.

Time-of-use and critical peak pricing allow customers to lower electricity costs by offering lower rates at times of day, month and season when energy demand is low; they benefit utilities by creating more stable demand across hours of operation.

Finally, Duke Energy Carolinas has been instructed to collaborate with intervening parties regarding grid modernization and the most appropriate cost recovery mechanism for such costs.

While the order largely settles the issues before the commission, the role of the League and its member cities and towns in determining current and future issues affecting electricity usage continues.

Within the next six months, DEC will be filing details regarding the proposed new time-of-use, critical peak pricing and other dynamic rate structures called for in the order. While many customers will be able to take advantage of these new rate structures, the League was the main intervenor to make the requests, so will be ensuring that what is proposed is of the most use and benefit to our members. League staff will be seeking member input as a part of that process.

NCLM will also continue to participate in the stakeholder process for grid modernization and continue to meet with DEC on lighting issues.

As these discussions proceed, though, it is clear from the order coming from this latest rate case that NCLM is seen as a critical voice in educating and advocating for policies that make the most sense for a significant user of electricity in North Carolina – the towns and cities of the state.

“We are very pleased with the outcome and that commission members carefully and thoroughly considered our arguments,” Williams said.  

For a lot of people, communication is a tricky thing. It’s hard to find the right words to convey your message, and if that message impacts someone else directly, that’s even more nerve-racking. When saying the right thing matters – let’s say for example, when an employee is being terminated – it’s important to be confident about what needs to be said, what doesn’t need to be said, and where to turn for help.

For the last 13 years, the person many municipalities have turned to is Hartwell Wright, the League’s Human Resources Consultant within the Risk Management Services Division. “The reputation that Hartwell has built over the years has helped our members realize they can call before there’s an issue, and we can help,” says Bryan Leaird, the League’s Director of Risk Control Services.

Wright provides assistance with HR advice, manager or interim manager placement, workshops for the recruitment of managers or administrators, and connecting members to vendors who specialize in related services. And because personnel matters can quickly veer into legal matters and liability issues, the League’s Property and Casualty and Workers’ Compensation Trusts also tend to be involved either through the claims process or as legal counsel.

Navigating these situations is often confusing, and in some cases, there’s a lot at stake. Employment liability can potentially cause a lot of harm to cities and towns. Not only can a personnel misstep end up costing the municipality and/or its insurer money, it can also serve as fodder for mistrust and tension between staff, elected officials, and the public. In short, it’s a big deal.

That’s why the League is outlining a plan to better equip our member cities and towns and our insurance pool members with early interventions and increased services to help municipal officials navigate employment liability issues. “Historically, we’ve had to be reactive. Moving forward, we want to take a proactive approach,” explains Leaird. “Our goal is to reduce the amount of claims our members have, and to reduce the severity of those claims and future claims.”

For example, if the initial inquiry — typically a phone consultation — determines that the facts are of legal and/or political significance. Beginning July 1, 2018 with our new program, the municipality can be authorized for up to five hours of free legal counsel for members of the League’s Property and Casualty Trust. Legal counsel could include drafting of an appropriate separation letter for a municipal employee. Likewise, some inquiries might be turned over to the League’s Claims Division for assistance.

“In the past, when I have discovered a problem, I’ve worked to fix it and move on,” says Wright. “The need has
continued to grow, and over time it’s become obvious that early intervention saves the pools money and helps our members. What started as helping members with some HR stuff has turned into a full-time position.” A full-time position that has outgrown a single staff position; in June, the League hired Heather James as an additional Human Resources Consultant.

“Hopefully, with another person, the League will be able to go a step further to prevent and identify potential exposures,” Wright explains.

Based on the popularity and success of the League’s Law Enforcement Risk Review and the Police Chief’s Advisory Committee, Leaird, Wright and James began the process of establishing a program that gives member cities and towns a proactive approach to employment liability.

In addition to continuing to take inquiries from municipalities, the League will convene a Human Resources Advisory Committee which will be made up of a diverse group of municipal staff who are responsible for their city or town’s HR management. The team envisions a committee that is made up of members with geographic diversity -- from large, medium and small municipalities -- as well as those with experience working with the insurance pools so that the group has a solid understanding and can represent what local governments are facing.

“We want to share with the HR Advisory Committee members the kind of HR calls we are getting, the claims analysis from our insurance pools, and any national trends,” says James. “The committee can then determine how to best address these issues for our members and develop best practices, risk analysis, sample policies, and the training needed to achieve of goals.”

As municipal government sees a turnover in staffing, the League wants to reiterate the importance of knowing what services we offer and how new managers, staff and elected officials can take advantage of these services. As James – a former Human Resources Manager and Clerk for the Town of Davidson – puts it: “So many times municipalities are hesitant to make the call. If you don’t know, please call us. We are here to help you, and no inquiry is too small.”

“Our goal is to reduce the amount of claims our members have, and to reduce the severity of those claims and future claims.”

NCLM Human Resources Risk Management Consultant
Hartwell Wright

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The Brough Law Firm, PLLC is pleased to announce that S. Ellis Hankins has joined our firm as the head of our newly established Raleigh office. As an attorney and the former Executive Director of the North Carolina League of Municipalities, Mr. Hankins has years of experience advising and representing local governments. Please contact Ellis or any member of our firm if The Brough Law Firm, PLLC may be of assistance.

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City Manager, Elizabeth City

S. Mujeeb Shah-Khan,
City Attorney, Monroe

Richard Woodruff,
City Manager, Jacksonville

Ex-Officio
Paul Meyer, Executive Director
NC League of Municipalities

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For NCLM’s three self-insurance risk pools, the recently-completed renewal season was a great success. The League-administered risk pools, open to participation by NCLM members, are professionally managed and competitively priced programs offering Health Benefits, Workers Compensation and Property Casualty insurance, as well as a whole host of risk management services and consultation. Coverage provided by the Pools renews at the start of the fiscal year, every July 1.

Both the WC and P&C trusts already command their markets, writing the lion’s share of eligible public entities. While the Health Benefits Trust (HBT) doesn’t have quite the market penetration of the other two, it is catching up and has been the fastest growing trust over the past two years.

The Health Benefits Trust (MIT NC – Municipal Insurance Trust of North Carolina) added 21 new members this year, including cities, towns, counties, ABC Boards, COGS, and other special purpose districts. An additional 16 members added medical coverage to their existing HBT product mix. As of this writing, only six members chose not to renew in the program. Total HBT membership stands at 251 public entities.

On a net basis, HBT had a gain of 31 (14%) new public entity member groups, 2,000 (45%) additional covered employee lives, and approximately $10,000,000 (22%) of net premium growth. In addition to offering competitive rates, the Board of Trustees rolled-out several new programs to help members employees and their families improve their health and control costs, including the Complementary and Alternative Medicine (CAM) program that provides coverage for a variety of non-traditional therapies; “myStrength” (https://bh.mystrength.com/medcost), an online mental wellness portal; behavioral health case management through the Carolina Behavioral Health Alliance (CBHA); and outpatient utilization management for CT, MRI and PET scans.

The Workers Compensation Trust (NCIRMA – North Carolina Interlocal Risk Management Agency) added 11 new members since last July and lost three this renewal, for a net growth of eight. This represents 99% retention of existing business and a 2% net increase in membership. Total WC membership stands at 467 public entities.

On a net basis, WC had a gain of 11 (9%) new public entity member groups, 1,600 (33%) additional covered employee lives, and approximately $17,000,000 (22%) of net premium growth. In addition to offering competitive rates, the Board of Trustees increased the liability limit to $5,000,000 per occurrence, per member for no additional premium charge. The WC Trust remains strong and viable with 467 members and $22,000,000 annual premium.

The Property & Casualty Trust (IRFFNC – Interlocal Risk Financing Fund of North Carolina) added 14 new members since last July and lost only one member this renewal. This represents 99% retention of existing business and a 3% net increase in membership. Total P&C membership stands at 408 public entities.

On a net basis, P&C had a gain of 14 (3.5%) new public entity member groups, 1,500 (4%) additional covered employee lives, and approximately $787,000 (3%) of net premium growth. In addition to offering competitive rates, the Board of Trustees voted to retire the incentive credit program and replace it with a true dividend program. The discontinuance of the incentive credit this year allowed renewal base rates for all members to be lower than they otherwise would have been.

The Trustees are still contemplating the feasibility of a dividend program with the help of consulting actuaries and will make a determination at a future board meeting. Stay tuned for updates.

**From The Trust Perspective**

NCLM Insurance Trusts Had a Great Year

*By Ken Canning, NCLM Associate Executive Director of Risk Management Services*
A North Carolina native with a British accent.....

Nope, no punchline ahead. And anyhow, the joke would be on anyone unfamiliar with the classic dialect on Ocracoke at the Outer Banks, where U.K. or Australian inflections are baked warmly in to the native sound -- totally North Carolinian. Still, it surprises outsiders.

“Even the British misidentify them and ask them if they’re from the southwest of England,” said Walt Wolfram, a dialectologist and professor at N.C. State University who has spent an enormous amount of time cataloging and tracing the histories of how we speak in North Carolina.

One of Wolfram’s more recent books is “Talkin’ Tar Heel: How Our Voices Can Tell the Story of North Carolina,” co-written with NCSU associate English professor Jeffrey Reaser. It’s built upon two decades of research and more than 3,000 recorded interviews from Murphy to Manteo (literally). “And it’s led us to the conclusion that there’s probably no state that has a richer dialect heritage,” Wolfram said.

A cool feature of the book is direct access to those audio recordings, by way of a QR code you can scan on the page with your smartphone, so you can hear the dialects the authors are describing. Wolfram appeared recently on the League’s Municipal Equation

“Of the many effects of his work -- including 20-plus books and hundreds of articles -- is this: The reassurance that a twang or a lilt or a whittled-down “ing” doesn’t have to go down as incorrect English, and that it can be a sense of identity and pride for a locality. It’s the story of who we are.
podcast (Episode 50) to talk about linguistics and local significance, and he pointed out a popular phrase -- "High tide on the sound side!" -- that puts the Ocracoke accent on display (vocalized as “Hoy toyd ahn deh sound soyd!”).

What's notable is that different generations of Outer Banks natives exhibit variations on the dialect as external factors shape it.

"What we're talking about is an island where people were isolated.... People came there in the early 1700s (and) lived in isolation before they became a tourist hotspot," Wolfram explained. Natives have retained a lot of the old, distinct factors in their speech. But language tends to change.

Wolfram's work ends up being important preservation as North Carolina shifts with growth.

According to a March publication from the UNC Carolina Population Center, 43 percent of people living in North Carolina today are non-native. Just looking at adults, that percentage rises to 49. In Brunswick County, which has seen a retiree influx over the past 15 years or so, 53 percent of residents were born in a different state. Wake and Mecklenburg county natives are also outnumbered -- at 55 and 60 percent, respectively. The report's authors expect such shares to grow more as North Carolina remains attractive and prosperous.

"There is dramatic change," Wolfram said, pointing to a project of one of his colleagues that, as of this past spring, involved 300 interviews in Raleigh across all different age levels to gather what's different among them. "The most salient features of Southern speech, like the whole Southern vowel system -- 'feesh' for 'fish' or 'tahd' for 'tide' -- that's vanishing."

What's left is much more subtle, in terms of noticeable dialect. And that's happening across the United States, too, particularly in urban areas that are seeing so much residential fluctuation, often tied to industrial change. Author Edward McClelland has documented that across the Midwest.

"In the industrial heyday of Chicago, there weren't a lot of outside influences coming in to the city," he said. "The
World War II generation, the Baby Boomers -- that was the prime time for the classic Chicago accent. But the steel mills closing, I think, had a big influence on reducing its range or its habitat.”

The steel mills were significant because they were part of the self-containment, essentially, of those working class Chicago neighborhoods. Guys didn’t have to leave for college once they graduated high school. They could just cross the street, begin work at the mill and stay there until retirement.

Pittsburgh, another historic steel maker that’s transitioned away, has seen similar dialectical change, said McClelland, who covers the topic in his 2016 book “How to Speak Midwestern.”

Many know the ‘Burgh’s “Yinzer” accent, in which one would say “yinz” as a contraction of “you’uns.”

“But now, people just do it ironically in a lot of cases,” McClelland said, recalling when he talked to a Pittsburgh local who said Yinzer was the dialect of her parents, not her own generation.

“One thing I learned in doing this research is that accents are always changing and that every generation has its own accent, just like it has its own slang and its own music,” McClelland said.

“Language is cultural history,” said Wolfram. “When you’re looking at language, you’re looking at the past, you’re looking at the present, you’re looking at the future.”

And when the push to “speak properly” sets on, sometimes the local spirit fights back.

“I met a guy at a Pittsburgh sports memorabilia shop -- it was called Yinzers -- and he was complaining that his teacher told him to stop saying ‘yinz’ and start saying ‘you guys,’” McClelland said. “He said, ‘Well, you know yinz is what makes us special as a city. Why do they want us to stop doing it?’”

Wolfram acknowledged the tension between standard English and local flavor.

“But here’s the point,” he said. “Despite the fact that we move so much now and we’re migrating all over the place, people want to be from
someplace. And so when you hear someone from a place that you're associated with, that's kind of an identity. And people want that identity."

It doesn't have to create conflict with English teachers, he added. Anyone can take up a local dialect within standard speaking. When you go to lunch, one person might order a soda, another might order a tonic, and a third might order a pop. The waiter might bring all three the same drink. "And that's something we just need to embrace and cherish as a part of the legacy of language diversity," said Wolfram.

Hear dialect samples and more from Wolfram and McClelland on Episode 50 of the Municipal Equation podcast at nclm.org/municipalequation. SC

Documentarians capture the Appalachian language and music of the notable Queen family, whose matriarch, Mary Jane Queen, is seen at center. Their story is discussed in Wolfram's book, Talkin' Tar Heel. Photo credit: Walt Wolfram

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In this column we address two common questions about municipal elected officials: Is it legal for two members of the same family to serve together on the town council? And can an elected official also serve as an employee of the town?

**Elected Officials in Same Family.**
First, the simplest answer. Yes, members of the same family can serve together as elected officials on the same town board. Whether it involves spouses, siblings, parents and children, or some other combination of relatives, there have been examples in our member municipalities. From a legal standpoint, the analysis has to do with the qualifications for elective office that are set forth in Article VI of our state constitution. Case law holds that it is unconstitutional to add qualifications and disqualifications for office that are not otherwise contained in the constitution. See e.g. Moore v. Knightsdale Board of Elections, 331 N.C. 1, 413 S.E. 2d 541 (1992).

In that case, the state Supreme Court struck down the “resign to run” statute that required elected officials to resign from an existing office in order to run for another office. The Court made it clear that such a requirement improperly created a new qualification for office: that the candidate was not currently serving in an elective office. Similarly, neither a town nor the state could seek to enforce a prohibition on family members running for or being elected to the same municipal governing body. If voters have concerns about family members serving together, their remedy is at the polls.

**Elected Official as Employee.**
The second question is a little more complex, since the answer will partly depend on the form of government and population of the town in question. One concern with an elected official serving as an employee for the same town is that it violates the common law doctrine of “incompatibility of offices.” This doctrine prohibits a person from simultaneously holding a public office and a position of public employment when the nature and duties of the two positions render it improper as a matter of public policy for one person to do both. That is, case law has recognized that since the governing body is at the top of the hierarchy, an individual serving in both elected and employee positions would essentially be functioning as his or her own boss (or as his or her manager’s boss). The other concern is the applicability of G.S. 14-234, the criminal self-dealing statute. It prohibits an elected official from deriving a direct benefit, such as compensation, from a contract with the town that he or she is involved in making, such as an employment contract.

The legislature has created exceptions to both the common law doctrine and the self-dealing statute that are applicable to smaller jurisdictions. G.S. 14-234 has an exception for jurisdictions of 15,000 or less, with certain limitations and procedural requirements. However, that statute does not create an authorization for the employment of an elected official. The only such authorization is in G.S. 160A-158, which appears in Article 7, Part 3 of G.S. Chapter 160A ("Administration of Mayor-Council Cities"). That statute reaffirms the doctrine of incompatibility by stating that the mayor and councilmembers are not eligible to serve as department heads, then carves out an exception, specifically allowing the mayor and councilmembers to serve as department heads or other employees in towns that are under 5,000 in population.

*continued on page 43*
Great Places Receive Deserved Recognition

By Scott Mooneyham, NCLM Director of Public Affairs

For Sylva, it was all about blending the town’s rich cultural history with a vibrant downtown against a backdrop of the surrounding Blue Ridge Mountains. For Winston-Salem, it involved a mixed-used innovation district leading to transformation of buildings that once housed R.J. Reynolds tobacco operations.

The two municipalities were among seven honored as winners in this year’s Great Places awards sponsored by the North Carolina chapter of the American Planning Association. Other honorees were: Waxhaw, Holly Springs, Cary, Raleigh and Mount Pleasant. North Park Farmer’s Market in Alamance County was also honored as a Great Place for Healthy Living.

The awards were unveiled in May at a news conference held at the Legislative Building in which municipal officials and legislators extolled how cities and towns are working to transform their communities to improve commerce and residents’ quality of life. Rep. Sarah Stevens of Mt. Airy introduced the program, noting that each of the award winners represents “a great partnership between state and local leaders.” Waxhaw Mayor Steve Maher, who chairs the League’s Risk Management Services Board of Trustees, continued with the theme, highlighting the importance of state and federal historic preservation tax credits to Waxhaw’s downtown. “We are a cultural hub in western Union County,” he said. “This award highlights the importance of regional collaboration efforts.”

Waxhaw and Sylva were the winners for Professional’s Category: Great Main Street. According to APA-NC, “Downtown Waxhaw has thrived throughout the years by its ability to evolve. Waxhaw started as a mill town, then reinvented itself as a destination for antiques, and is now becoming Union County’s hub for diverse retail shops, award-winning eating and drinking establishments, local artisans, and cultural events.

The organization noted that Sylva’s Main Street had such unique appeal that it drew Hollywood there as the scene for the fictional town in “Three Billboards Outside Ebbing, Montana.” Sylva Mayor Lynda Sossamon pointed out the downtown’s renewal did not occur by happenstance, but through

continued on page 43
There weren't any House floor votes or pertinent committee meetings scheduled on the day that Southern City checked in with Rep. Garland Pierce in Raleigh. Still, the notoriously good-natured lawmaker from Wagram was full steam, juggling phone calls, text messages and unplanned, in-person visits from his district’s constituents.

He’s always amiable and feeling blessed, no matter what. And his backstory makes it pretty clear why. Representative Pierce, a Baptist minister, laid it all out in an interview that began a few minutes later than scheduled, as he was busy with his first priority – taking time out to visit with a few folks from back home who had traveled to Raleigh to see him.

How often do people from your district visit you here?

You’re always going to have somebody from the district, and that’s always a good thing. And when they get here, they definitely want to see their legislator. They hate when you’re not here. They want to see you. So I was available this morning to hear their concerns.
So you must make yourself available a lot, to folks from home and in your caucus, considering you're also minority whip. Describe what you do in that role.

With our members, we’re broken down into different groups and I’m responsible for at least 12 or 13 of the (Democratic) legislators, to keep them abreast of any pending legislation, how they might vote on that legislation, because we need to have a vote count to know who has to maybe vote a different way. But nine times out of 10, we’ve been somewhat lockstep this year on legislation that was proposed by the House. And they look to me for information. I was just calling around to see when we might be getting out of Raleigh. Stuff like that. Usually we meet with the (House Minority Leader, Rep. Darren Jackson) ... and we’ll call meetings to see what’s going on.

You’ve had other leadership roles in legislature, too, right?

I’ve been a whip. I’ve been conference chair. Two terms as chairman of the Legislative Black Caucus. I’ve been in leadership for the last few years. I’ve been here 14 years. If I’m successful in coming back next year, I’ll be about number-five in seniority among the Democrats. And I’m in the top 10 in the total House.

When you joined the House, was that your first time in public office?

I did stuff in the community. I was president of the NAACP, so that kind of started my work. I was third vice president on the state level and I was branch president in Scotland County. So that started my work, but that was more civil rights. It became an opportunity when the gentleman (who held the House district seat prior) was no longer running, and it was just a wide-open seat. I ran against two other gentlemen and won by about 140-150 votes. Both of them were seasoned politicians, I would say. One was a school board member. All my friends, good guys. But that was my first attempt at running at any type of (elected seat).

What issues did you want to address?

The area I represent -- which was Robeson, Hoke and Scotland at that time, before they did some gerrymandering and put in Richmond County -- is a minority district. So many folks are dealing with issues that would be civil rights issues, but also poverty issues, healthcare.... Robeson and Scotland were number one and two in poverty. Teen pregnancy and so on..... I think that was a real platform. And education.

Are you native to that area?

I’m from Cumberland County. I’ve been in Scotland County for 28 years. I’m a minister there. And I worked for United Parcel Service. I lived in Robeson for 10 years, worked UPS in Robeson for years. I worked in Hoke County for years. And also being a minister, you get around the churches, so I had a good base of people who knew me... I think having a church base is a good thing, when people know you from the church. Some people have issues with ministers in politics but, being here 14 years, I’ve been able to help folks because of my passion in the church and the NAACP. So it all worked together. Sometimes we get calls on issues that are not necessarily legislative issues, but they’re issues where people need somebody to advocate. And then when people have issues with agencies, I’m able to get in doors that they can’t get in, because they’re home. I tell folks, if they can’t come to Raleigh, I’m their voice in Raleigh, to talk to those agencies and work out situations that they’re dealing with.

What was life like growing up?

I was raised up in rural Cumberland County. That area has grown up. It used to be farming somewhat.... I was raised up in a black neighborhood. It was rural, but it was good because there was a major road that went through our community to Fort Bragg, so the traffic was good and we were close enough to Bragg. But the area has grown up so much now. I mean, when I was growing up, as a young man, the houses? There was nothing there. But now, if some folks came back from the dead, they’d wonder, “Where am I at?” I was raised by my grandparents, sheltered in that minority community. We thought we were doing pretty good, based on what other folks had. My grandfather worked in civil service at Fort Bragg. That was a plus. We had health care, plus it was federal government. He was a sanitation worker, but still.... And he was uneducated. But he could bring home food. We didn’t go without food. We owned our home. We had a garden. I was telling the church on Sunday that I remember the house payment like it was yesterday. $56.70 a month was the house payment. That’s what they called
a “dollar-down” house back then. So we had a home. $56.70. Can you imagine? That house is still standing.

So you had a good family and a good foundation, given the challenges in that area. Where did that take you? How did that motivate you?

I’m a first-generation college graduate. I think I was the first high school graduate, in that immediate family. Graduated from Fayetteville State University. Master’s degree now in divinity from Shaw University. When I graduated high school, I went into the military. I realized that if I was going to go forward, I had to do it myself. My folks did not have money to send me to college. So I just went out in the world for myself. That was a great experience. I was stationed at Fort Bragg, in the 82nd. I somewhat had a goal for where I wanted to go.

And the G.I. Bill helped with college.... Oh yes… I think that’s really helped me get where I’m at today… But you know, I didn’t have any other options, when I graduated high school and went into the military. And I was from a military town. I went into the military July 3, 1971, and Vietnam was dying down. But in my unit, in 1972, guys did go to Vietnam. I didn’t go to Vietnam, but this seemed like it was going to be the only option, and so I took it. And the rest is history.

You obviously took it pretty far. Modest background in a region of economic hardship, rural issues and so on. And obviously your life experiences are on your mind when you enter public office. But getting to the legislature, where you have every issue under the sun, what did you encounter?

When we campaign, we always say we’re going to change Raleigh (state government). I’m not going to say Raleigh changes you, but you get to learn the system and how it works. It’s not just issues that are important to me. You’ve got to find a like-minded 61 folks to support your issue. Everybody has different views. And I’ve been up here 14 years. Things that sound good might be good. But it doesn’t always go that way.... Things take time. That’s it: time. When I was in the military, we had a little saying: Hurry up and wait. “We’re going overseas! Everybody, get packed, get packed!” And then we get to Pope Air Force Base, and we might sit there for 10 hours. It’s called “Hurry up and wait.” Raleigh is a place where you’ve got to learn patience. If you have a cause, stay with it. If you have to advocate, then advocate. Good bills really don’t always get to where they need to be. So that’s what I had to learn. You can’t get frustrated with it, you’ve just got to stay on it.

Do you communicate often with local governments in your district?

I represent four counties... Everybody has my cell phone. There are times we meet with them and they share their concerns. Being up here 14 years, they know me personally and I’m always there. They know I’m there and they can call me.... When they have questions, if I can’t answer them, I go through staff and (find the answers). I’ve lived in those counties, those cities, those areas, I know those people. They can always call me.... But I think that one thing they get upset about is unfunded mandates. When we send things to them to do but we don’t send funding with it. That’s the biggest outcry they have.
Right. Cities and towns have a lot of energy to make a difference, but they need the resources. What do you think your district needs, with either economic development or...?

Hoke County is growing good. Military. The funding is different out there. Scotland County, they’re really trying to grow that downtown.... They’ve got some progressive ideas, but it’s hard to attract businesses for different reasons. They want to do more but... it’s kind of hard. The quality of life in those areas. When you bring in folks from out of town, they want to hear about all kinds of things going on in it. And I think for our downtowns, because of malls -- nothing against them, like Walmart and places like that -- that hurts your mom and pop operations on main street North Carolina. I think you see that everywhere. I’m glad for places like Walmart, but they can suck all the air out of your downtown. And everyone who comes to that town wants to build around that box, where the traffic’s at.... I just think (the right direction is) coming up with those mom and pop businesses that really attract. You have to keep downtown activities going on. Scotland is really good at that. They have jazz concerts.... All of them have downtown festivals, and they bring people downtown and they see what’s downtown, and that can help. Laurinburg is really aggressive with trying to open businesses. And they do a good job. When somebody opens a business, they try to have a chamber event to highlight that business. They’re trying to fill those empty buildings. If nobody’s in them, they start going down. That’s not a good thing. In most of the counties I represent, there are vacant buildings -- that are big. Just made to be a Belk’s, years ago. Who wants that much space? I think what towns would like to see is those buildings divided up and smaller businesses put in there. Incubators. I think people have enough good ideas to fill up that space. That...
creates activity. (Otherwise) those buildings, those dilapidated buildings, it makes the town look not so good.

That’s one part of that local energy -- the local government investing to turn things around and make it more attractive or easy for private businesses to come in. But, of course, having the resources....

If anything, what we can do in Raleigh ... is put more money back into those towns’ main streets.... Rowland is a classic example. There were big buildings. They’re just no longer able to be used. They’re too big. Back then a store would have men’s clothing on the first floor -- those types of businesses. All the counties I’ve called have those kinds of buildings downtown, where somebody could come in, gut the bottom and the top and put apartments upstairs. You could create more activity, more people moving around.

What’s kept you in the legislature for a decade and a half? What’s on your mind when you’re walking the halls here?

Constituent service is my hallmark, bottom line. Anybody could tell you that.... The pros and the cons on any legislation is what I have to wrestle with when I walk these halls. When a bill comes up, sometimes I’m like, “Oh no, what am I going to do?” Because I know I’ll get emails for and against, so you have to really weigh it. There’s a saying up here: “Vote your conscience, your constituents, and your caucus.” In that order. That’s what you have to do. You can’t just outright vote on something. You have to understand the implications of your vote each and every time. I think one thing I’ve learned is that people will respect you when you’re not wishy-washy and you just explain why you voted that way. I’ve never walked out on a vote, ever. Up or down, I’ve got to vote. I’ve never taken a walk.

What’s the trick to clearing your head when things get tough?

This place goes on with or without you.... I’ve been here 14 years. Joe Hackney was here, what, 30 years? He’s gone. This place is still here. You win some, you lose some. You’ve just got to know the process. Sixty-one votes. When you leave here on Thursday, leave the General Assembly here, and you get home to your family or your district. You can’t control what’s up here all the time. That’s not a defeatist attitude. But you’ve just got to know how to deal with things here.... It’s good, but it’s unpredictable at times, and you need to know that coming in. But when I look at my beginnings, and where I’m at now, I know I’m really blessed.

EDITOR’S NOTE: At this point, constituents from Representative Pierce’s district were waiting at his door to come in and speak with him. SC
Legislators Put New Meaning in “Short Session”

By NCLM Staff

The 2018 legislative session was unlike just about any that had come before.

Even-number-year sessions at the North Carolina General Assembly are always referenced as “short sessions.” That’s because they always begin much later in the year – usually May – than the odd-numbered year “long sessions,” usually beginning in January. When session begins, though, is no guarantee of when it will end.

This year, the session ended really early, just six weeks in, as legislators were intent on getting back home as quick as possible given a very uncertain political landscape headed into the fall elections.

That early ending came with the help of a truncated budget process that left individuals and organizations, including the League, with much less opportunity to weigh in on the budget’s components before the package received floor votes in the House and Senate. While the governor vetoed the approved budget, the legislature’s supermajority quickly cast override votes and put the plan into law.

Cities and towns did see wins, however.

The adjusted budget maintained funding levels for municipal transportation projects and water and sewer work. It provided more than $3 million in revitalization grants for certain downtowns. It identified specific local economic development projects for aid. It transferred $60 million to disaster recovery, including $10 million for infrastructure grants that local governments can access. It funded a number of local parks projects while boosting the total of the...
state Parks and Recreation Trust Fund beyond $20 million.

Also, the state Film and Entertainment Grant Fund saw an increase in the maximum amounts of the fund that can be awarded to films and television series (along with a reduction in the maximum investment required to receive funds). Coastal storm damage mitigation projects received help in a $5 million transfer from another account.

Outside of the budget, there were consensus updates to last year’s legislation that put into law uniform authorization for water and sewer system development fees, also called development impact fees. The updates include clarifying the authority to use system development fee revenues to repay bonds, shortening the window of time for projects to be included in the financial analysis that informs the fee amount, and stating more precisely the timing for payment of the fees. The changes will bring more clarity to the 2017 legislation, which marked a clear victory for cities and towns in the wake of a harmful state court ruling.

Local governments also picked up a new tool for fighting commercial, industrial and residential blight, in a bill setting up a new process called “vacant building receivership.” It will allow a local government, under certain circumstances, to petition the court to appoint a receiver to take over management of the property and make improvements. The legislation follows months of work on the proposal by League staff.

With cities’ and towns’ urgent focus on the opioid-abuse crisis, the passage of two bills promises some help in that fight. The HOPE Act, building upon previous legislation, both tightens criminal penalties and creates procedures to allow law enforcement to better access pharmacy and other information that could indicate violations. The plan will also invest annually in naloxone supplies and community-based drug treatment and recovery services, while funding efforts to destroy unneeded prescription drugs. The SBI would get a new special agent to coordinate with local drug investigators.

Separately, another approved bill affecting substance abuse would help address a League goal of lessening the strain on local law enforcement when it comes to custody of those with behavioral and mental health issues. The legislation gives law enforcement officers more flexibility when they take custody of and transport individuals subject to an involuntary commitment order. It also calls for more collaboration between local mental health management entities and law enforcement in developing plans
for how these commitments work.

The League also was able to stave off some potentially harmful legislation during the session.

Damaging changes to land-use legal proceedings, including a measure that would have seriously undermined development performance guarantees, ultimately died after moving through two legislative committees. Legislation affecting building inspections was also mitigated with League involvement, and will create a pool of on-call inspectors within the N.C. Department of Insurance to answer developer criticism that inspections of new homes was not occurring quickly enough in some jurisdictions. A permitting efficiency bill, which the League worked on with other stakeholders to address potential problems, ultimately did not pass.

League member cities and towns also let their concerns be known regarding a legislative proposal affecting firefighter and rescue squad worker benefits which -- without a state funding source -- would have created an unfunded mandate totaling more than $1 million annually for some cities. The bill was ultimately sent back to committee without a House floor vote. That moved followed steps by the League
calling members’ attention to the provision and issuing a news release pointing out that the League has always opposed unfunded mandates that place more pressure on local property tax bases and local taxpayers. It has done so while fighting to preserve a defined-benefit retirement plan – even as such plans have come under attack and even been repealed in other states – which benefits all municipal employees and helps attract quality employees to local government positions.

Working on all of those bills, in the relative short time span of the six-week session schedule, created a hectic pace for League governmental affairs staff. But staff, along with League leadership, also spent time letting legislators know of specific concerns created by budget provisions that received little vetting, and of plans to continue working to address them.

The budget does include clear recognition that the state needs to better address broadband access across the state, with a provision to establish a $10 million broadband grant program. That money, however, would be directed mainly at private internet providers and utility cooperatives, and not help to create the public-private partnerships and cooperation envisioned by the League as a crucial means of addressing the gap in broadband access in the state.

While the budget bill includes some language from the 2017 BRIGHT Futures Act, with a stated goal of improving the landscape for broadband public-private partnerships, a provision would actually prevent a key feature of those partnerships. The League plans to continue to work with legislators to take steps to minimize this unintended consequence.

A separate budget provision that received little scrutiny would allow cities and towns to spend property tax revenue for public education and allow local school boards, charter schools and other education entities to request appropriations directly from a municipality. A dramatic change in statewide policy, it would go into effect in this new fiscal year. It is important to note that the statewide provision was unexpected, even as there had been discussion of local legislation allowing a handful of municipalities to potentially set up or contribute to local charter schools.

The League raised concerns that the major policy shift received little vetting prior to floor debate, and will continue to discuss the effects of the change with members and legislators.

While the 2018 legislative session may be unique in many respects, it was not in this regard: The major issues raised during the session will continue to play out in new debates and through new legislative proposals both next year and in the years ahead.

And the League will continue to work with its members in trying to best position cities and towns for the best results possible.

You can read more about the 2018 legislation in this year’s End of Session Bulletin, which can be found at www.nclm.org/advocacy/league-bulletin.
Placement of funds through the ICS or CDARS service is subject to the terms, conditions, and disclosures in the service agreements, including the Deposit Placement Agreement (“DPA”). Limits apply and customer eligibility criteria may apply. In the ICS savings option, program withdrawals are limited to six per month. Although funds are placed at destination banks in amounts that do not exceed the FDIC standard maximum deposit insurance amount (“SMDIA”), a depositor’s balances at the relationship institution that places the funds may exceed the SMDIA (e.g., before ICS or CDARS settlement for a deposit or after ICS or CDARS settlement for a withdrawal) or be ineligible for FDIC insurance (if the relationship institution is not a bank). As stated in the DPA, the depositor is responsible for making any necessary arrangements to protect such balances consistent with applicable law. If the depositor is subject to restrictions on placement of its funds, the depositor is responsible for determining whether its use of ICS or CDARS satisfies those restrictions. When deposited funds are exchanged on a dollar-for-dollar basis with other banks in the network, the relationship institution can use the full amount of a deposit placed through ICS or CDARS for local lending, satisfying some depositors’ local investment goals/mandates. Alternatively, with a depositor’s consent, and in states where this is allowed by law, the relationship institution may choose to receive fee income instead of deposits from other banks. Under these circumstances, deposited funds would not be available for local lending. ICS, Insured Cash Sweep, and CDARS are registered service marks of Promontory Interfinancial Network, LLC.

Across the United States, thousands of local and state governmental organizations use the Insured Cash Sweep®, or ICS®, and CDARS® services to access multi-million-dollar FDIC insurance through a single bank relationship, safeguard taxpayer money, keep the amount of their deposit in the community to support local lending, and eliminate the burden of ongoing collateral tracking.

What could be easier? See if your bank offers ICS and/or CDARS, or find one of the thousands that do.

www.ICSandCDARS.com
“Priceless.” This word best describes the grants the League distributes to the members of the property casualty pools. In fact, to paraphrase Michael Pittman, our Director of Underwriting, one particular grant isn’t even a grant, “It’s a life.”

The Soft Body Armor Reimbursement Program was established July 1994. The program reimburses members up to 50% of the cost of police body armor, subject to a maximum of $250.00 per vest. Qualified agencies are eligible for reimbursement for a maximum of ten (10) ballistic vests, per fiscal year. In fiscal year 2017-2018, 73 members in our Workers’ Compensation pool were provided police body armor grants. That was a total of $87,000 in grant funding for 348 vests, potential life-saving equipment for each officer.

Our work in risk control doesn’t stop with body armor. Thanks to the RMS Board of Trustees, the Safety Grant Program was restored in 2017. This program assists insurance pool members in the reduction of accidents, injuries, and liability claims. Each pool is allotted $100,000 to help members purchase equipment and services that significantly reduce the potential for future workers’ compensation, property/casualty, or liability insurance claims. Members are eligible for up to $5,000 in matching grants for each pool in which they participate. In addition, members are eligible for up to 50 percent of the quoted cost of qualifying equipment with a maximum award that is limited by the member’s 2017 RMS insurance pool premium.

The spirit of this program is to help make high-cost items more affordable while ensuring that as many members as possible can apply. Examples include various types of ergonomic equipment, material handling equipment, various types of lighting, video cameras, and body cameras. All this equipment improves the safety and health of municipal employees, which in turn lowers premiums and saves tax dollars.

In FY 2017-2018, 34 members of our workers’ compensation pool and 20 members of our property liability pool were awarded safety grants for a total of $91,190 and $67,302 in grant money respectively.

Many of you are familiar with these grants and take advantage of them. Some of you go even further and participate in one or more of our “Shield Services.” Shield Services was the brainchild of our Director of Risk Control, Bryan Leaird, a former police officer. It encompasses the various training that we have available to law enforcement for members who are in our pools.

Our Shield Services staff includes professionals with extensive law enforcement management experience. These individuals are available to assist our members with complex policing issues. We also consult with NCLM’s Police Chief’s Advisory Committee to identify emerging trends and training needs.

For example, last year we conducted the following trainings or reviews: Law Enforcement Risk Review, Police Driver Training, Advance Use of Force Training, Dangerous Crossroads Ahead (1st & 4th Amendment Rights), Law Enforcement Management & Supervision Training (Online), Workplace Violence & Active-Threat Response. If you have not taken part in any of these training, I encourage you to contact your Field Representative (Rob Shepherd, Lisa Kinsey, Angela Greene or Eleanor Snell) and inquire about what is available to you. You can also visit our website at www.nclm.org.

As you move through FY 2018-2019, please remember that we’re here to serve you. Our risk control mission is simple: provide services to North Carolina cities and towns that help them keep their citizens and employees safe and healthy.
Charlotte City Clerk Named Head of International Clerks Organization

By Scott Mooneyham, NCLM Director of Public Affairs

Over the next year, Charlotte City Clerk Stephanie Kelly will head the International Institute of Municipal Clerks, an organization with more than 14,000 members worldwide.

Kelly was named president of IIMC during the organization’s 72nd annual conference held in Norfolk, Va., in May.

“I am deeply honored and humbled to have been elected by my peers to lead our organization. With my theme of ‘Together, WE can!,’ I am committed to promoting IIMC’s purpose of providing education and professional development programs and opportunities for its members,” Kelly said regarding her election.

She indicated that a top goal would involve more member engagement.

“During my term, I pledge to encourage members to become more involved in service to the organization and to promote more diversity and inclusivity among the organization’s leadership. In my travels as IIMC President, I am pleased to also represent the City of Charlotte and my dedicated co-workers, especially those in the City Clerk’s Office. This is truly an opportunity of a life-time for which I am grateful,” she said.

Kelly is no stranger to municipal clerks across North Carolina and across the country. In 2014, she was installed as president of the North Carolina Association of Municipal Clerks, and called it her proudest accomplishment to that time.

She becomes the third North Carolina clerk to serve as president of IIMC. Retired Garner City Clerk and City Manager Mary Lou Todd was the first, while retired Rocky Mount City Clerk Jean Bailey was the second. Bailey had the honor of swearing in Kelly as president at the IIMC conference.

Prior to becoming city clerk in Charlotte, Kelly worked for 20 years for the City of Shelby, her hometown. For 17 of those years, she served as clerk for that city. She has been a member of IIMC since 1996 and served on the Board of Directors from 2007-2010. A graduate of UNC-Greensboro with an MBA from Gardner-Webb University, Kelly was among the first class of municipal clerks in 2012 to receive the new designation as a North Carolina Certified Municipal Clerk from the UNC School of Government and the N.C. Association of Municipal Clerks.

Founded in 1947, IIMC is a professional nonprofit association with members throughout North America and 15 other countries, representing municipalities with populations of 1,000 to more than 8 million. IIMC prepares its members to meet the challenge of the diverse role of the municipal clerk by providing services and continuing educational development opportunities in 46 permanent college- and university-based learning centers.

IIMC offers Municipal Clerks a Certified Municipal Clerk Program (CMC), a Master Municipal Clerk (MMC) Program and other opportunities to benefit members and the government entities they serve.
Talk of our Towns

Newton recognized with national award as reliable public power provider

The City of Newton Electric Utility Division has earned a Reliable Public Power Provider designation from the American Public Power Association for providing reliable and safe electric service.

Roy Jones, chief executive officer of ElectriCities, presented the city with a plaque honoring the achievement during the June 5 Newton City Council Meeting. Jones noted that out of more than 2,000 public power providers nationwide, only 254 have received the designation.

Neil James, manager of distribution operations at Santee Cooper, SC, and chair of the American Public Power Association’s Reliable Public Power Provider review panel, presented the designations during the association’s annual Engineering & Operations Technical Conference held in Raleigh.

The designation, which lasts for three years, recognizes public power utilities that demonstrate proficiency in four key disciplines: reliability, safety, workforce development, and system improvement. Criteria include sound business practices and a utility-wide commitment to safe and reliable delivery of electricity.

“This designation is about more than just reliability. It’s about operational excellence,” James said. “These utilities and their communities should be proud to represent the best of the best in the areas of reliability, safety, workforce development, and system improvement.”

“Newton’s electric staff work around the clock to keep the lights on in Newton,” Mayor Anne P. Stedman said. “Our response time to outages is among the best in the state, and that high level of customer service is made possible thanks to their dedication. I applaud the Electric Utility Division on bringing home this award.”

“This is a great honor,” said Doug Wesson, Newton’s Electric Utility Division manager. “We take a lot of pride in the work we do to power this community. We are very happy to get this recognition for our initiative and hard work.”

The American Public Power Association has offered the Reliable Public Power Provider designation for 13 years. The association is the voice of not-for-profit, community-owned utilities that power 49 million people in 2,000 towns and cities nationwide. The association advocates and advises on electricity policy, technology, trends, training, and operations.

Burlington Awarded American Institute of Architects Grant

The City of Burlington has been selected by the American Institute of Architects (AIA) to receive a 2018 Sustainable Design Assistance Team (SDAT) grant.
The grant will provide the City with a multi-disciplinary AIA project team that will work with community stakeholders to build a shared, sustainable vision and comprehensive master plan for the redevelopment of the former Western Electric facility on North Graham-Hopedale Road.

In addition to providing volunteer design experts, the AIA will contribute up to $15,000 toward the process. The City is providing $5,000 in matching funds. The total estimated value of the AIA grant is $175,000.

The AIA has helped more than 200 cities use interdisciplinary design expertise to solve community problems over the last 50 years, according to Erin Simmons, AIA’s Senior Director of Design Assistance. “The redevelopment of the former Western Electric facility presents a unique opportunity for the revitalization of both the site and the surrounding neighborhoods. The SDAT program is looking forward to working with residents and stakeholders to develop an overall vision coupled with actionable recommendations for the project area,” she said.

Located on the east side of the City, Western Electric is a 22-acre former US Army missile & communications systems manufacturing site with 760,000 square feet of space in 16 buildings. At its peak in the 1960’s, this plant employed almost 4,000 engineers, technicians and line workers. Entire neighborhoods, schools and shopping areas were built nearby to serve the plant.

Employment slowly declined at the plant as the Cold War ended. In 1991, the facility officially closed. The property was sold by the US Government in 2004; it has been predominantly vacant since. In 2016, the plant was added to the National Register of Historic Places to encourage tax credit investors and historic redevelopment.

How can this former plant anchor a vibrant, sustainable economic future? The SDAT process is designed to align multiple resources and stakeholders to create a series of actionable steps that will lead to neighborhood revitalization, new investment and new opportunities for the community. Action steps will be developed based on the priority issues and needs identified by the SDAT Steering Committee and feedback from the AIA SDAT team members.

The representatives from the diverse Steering Committee, which consists of representatives from area governmental agencies, non-profits, religious institutions, and businesses, convened on May 31 with the City’s assigned AIA project team leader, Tom Liebel, to kick off the process. Mr. Liebel is a Baltimore, MD based architect and a leading voice on adaptive reuse and historic preservation projects nationwide. His projects have won multiple awards from the Urban Land Institute, AIA and the US Environmental Protection Agency. Mr. Liebel is a Fellow at the AIA and was one of the first architects in the country to receive the LEED Accredited Professional designation.

Burlington Economic Development Director Peter Bishop is the City’s project lead for the SDAT process. “I believe the AIA SDAT grant will engage our stakeholders to design solutions together that will jumpstart redevelopment interest in the plant and strengthen the neighborhood,” he said.

The final SDAT presentation is expected to take place in the fall. The final SDAT report is anticipated to be delivered to the City of Burlington this winter. 

Former Western Electric facility in Burlington is poised for redevelopment. 
Photo credit: City of Burlington
Government entities – across North Carolina and nationwide – are facing intense pressure to deliver first-rate community services with increasingly scarce resources. In turn, government leaders are being challenged to find creative ways to do more with less, while maintaining high standards of quality.

With aging vehicle fleets taking their toll, many local government agencies are learning that working with a professional fleet management company like Enterprise Fleet Management provides them with flexibility and control over their assets: they can not only improve the lifecycle of their vehicles but also reduce their total cost of ownership with no impact on their current budget. As a result, government agencies are able to invest those cost savings in better serving the people who matter most: taxpayers.

**Finances and Cash Flow**

It’s no secret that older, high-mileage vehicles cost more as a result of frequent maintenance and reduced fuel economy. Other hidden costs include administration, taxes, registration, depreciation and insurance.

Many municipalities pay cash for light-duty vehicles out of their capital budget to own their fleet, which typically limits their ability to replace vehicles to a small percentage annually. This method often results in vehicles remaining in fleet past their recommended replacement policies.

By working with a professional fleet management company, a municipality can replace more of its fleet on an annual basis while maximizing savings. Fleet management companies assess reliable forward-looking market data to help government agencies implement the mobility solutions that best meet their needs at the lowest cost to the taxpayer.

“Prior to partnering with Enterprise, we were burdened with a fleet of aging vehicles and no plan for replacement. Our partnership with Enterprise Fleet Management has provided us with new vehicles we’re proud to put on the road to represent the city,” said Steve Zickefoose, City Manager and Finance Director for Lincolnton, N.C. “In addition to helping us reduce vehicle downtime and overall costs, Enterprise provides unparalleled customer service. I truly feel like we are part of the same team working to achieve the same goal.”

**Technology and Innovation**

Industry-leading cost control and reporting capabilities help customers reduce total cost of ownership, while also improving productivity and providing updates on the latest industry trends.

For example, Enterprise Fleet Management offers telematics solutions that provide fleet operators a comprehensive view of the analytics of each vehicle and driver.

“Adding telematics to our vehicles has enabled us to maximize fleet productivity as well as better manage our drivers’ time and scheduling,” said Zickefoose.

**Vehicle Resale**

Resale expertise is an important (and often overlooked) element of reducing fleet expenses. A fleet management company with remarketing expertise can help maximize vehicle resale value with a rapid sale process and optimal exposure through multiple channels.

**Customized Approach**

All budgets and fleet needs are different. It’s essential to partner with a company like Enterprise Fleet Management that can provide a customized solution for your agency’s needs. You just might find that you have more control over your fleet costs than you thought – without sacrificing on quality or flexibility.
Great Places  continued from page 27

the effort of local business and community leaders working with state officials on a Streetscape program that revived a dying corridor. “Sylva began to come alive. Festivals were expanding and new ones added. A park was developed along the creek that flows through Sylva using public and private funds,” she said.

Holly Springs and Cary were honored in the Professional Category: Great Main Street in the Making. For Holly Springs, the award recognized how the town is beginning to see a dramatic change involving mixed-use development after years of most development taking place away from the downtown.

Cary’s Academy Street, meanwhile, was noted for “wide sidewalks that feature intermittent seating, ‘outdoor rooms’ create unique gathering areas along the street and reinforce (its) sense of place and highlight the beauty of urban outdoor space.” Raleigh and Winston-Salem received awards for Professional’s Category: Great Transformation. The Wake Forest Innovation Quarter – considered to be the largest historic redevelopment project in North Carolina history and now a huge generator of advanced business development – was recognized in Winston-Salem; the Peace Street redevelopment along the outskirts of Raleigh’s downtown, with its promise to connect more of the city to a walkable and bikeable urban core, led to Raleigh’s award.

Mount Pleasant and its hosiery mill were honored in the category of People’s Choice: Great Historic Rehabilitation. The mill’s redevelopment, part of a public-private partnership involving the town, has attracted new businesses nearby and inspired other redevelopment projects.

Here We Grow: Hendersonville  continued from page 5

SC

Legal Eagles  continued from page 26

population. [Note that there is no similar authorization in Part 2 ("Administration of Council-Manager Cities").]

Thus, only those elected officials in towns under 5,000 that are operating under the mayor-council form of government may legally be employees of the town and receive compensation for their employment. Of course, the fact that it may be legal to employ an elected official should not end the inquiry. The governing body may wish to weigh practical factors such as the appearance to citizens and the potential complications of the individual and his or her colleagues trying to navigate between the two roles. SC

Health Sciences Campus.

The initiative and its possibilities have fed great media coverage, with an emphasis on the advantage in partnerships.

“For any large endeavor to be successful, strong partnerships are needed,” the Science Center’s Dr. Kurt Wargo told the Carolina Public Press. “Without even one of these key partners, this project would have been exceedingly difficult for us.” SC
At the Legislature, Process Does Matter

By Paul Meyer
NCLM Executive Director

One of the refrains that you occasionally hear at the North Carolina General Assembly is that the public doesn't care about process – the how of policy proposals becoming law. It's that idea of “not wanting to know how the sausage is made.”

That idiom, by the way, is based on an older proverb that even more directly speaks to the task at hand within legislative bodies: “Laws are like sausages. It’s better not to see them being made.”

Of course, it’s the job of folks on our Public & Government Affairs staff to do exactly that – to see and influence on your behalf how the sausage is being made, and what ingredients go into the sausage. In that regard, they are no different than others who work for dozens and dozens of advocacy organizations working the halls of the Legislative Building throughout a legislative session and beyond.

All of these organizations represent constituencies – various pieces of the public who do care enough about the legislative process and what comes out of it to form advocacy groups to pursue their unique interests. Those interests can be very broad, like those of AARP representing retirees from every background. They can be fairly narrow, representing a single profession like chiropractors or anesthesiologists.

But they all exist because enough people decided to come together to create an association, just like enough municipal officials decided to come together in 1908 to establish this association.

And they do so because they expect that, in larger numbers, they will enjoy more influence when it comes to getting better legislative outcomes for their collective interests.

But when there is not a very open legislative process, there is far less opportunity for that to occur.

By the time that you read this, the North Carolina General Assembly will have already adjourned for the year. As was expected, they plowed through one of the fastest legislative sessions in recent memory.

Rolling through legislation on such a fast track creates less opportunity for input – by the League and by many other advocacy groups. But the legislature’s majority party wanted to get out of town quickly ahead of what some predict will be its most difficult election since taking power in 2010.

That’s understandable. And by and large, legislators limited the scope of what they considered this year.

What’s less understandable – or at least, less justifiable – is the process used to pass the state budget bill.

Legislative leaders used an unprecedented process to strip and replace an existing bill that already been through both the House and Senate – but without final differences being resolved – to roll out its 267-page budget bill. Because technically it was a so-called conference report – even though its contents had absolutely nothing to do with the original, unremarkable bill affecting Department of Insurance reporting requirements – the bill could not be amended or changed.

The bill included numerous policy provisions that very few people had seen prior to the bill’s unveiling. Among them: one allowing municipalities to fund schools, another negatively affecting broadband projects, and another affecting municipal costs and oversight of road construction when schools are built. Each of these changes have significant impact on cities and towns, and impact North Carolina citizens and businesses in very dramatic ways.

All needed a lot more public vetting. Because of the process, they didn’t receive it.

For the sake of League member cities and towns, all the people who choose to join civic associations to pursue their various interests, and on behalf of open, transparent government, let’s hope it is the last time we ever see such a process.

SC
A High Deductible Health Plan combined with a Health Savings Account can be a great health insurance option for both employers and employees. The League’s Health Benefits Trust offers several HDHP options that reduce costs for employers and still offer employees robust health insurance that provides more control over health care decision-making and spending. Our HDHPs cover wellness at 100% just like traditional coverage, and they have out-of-pocket maximums that protect employees. But the real advantage of HDHPs is the “Triple Tax” savings – HSA contributions are made on a pre-tax basis, the account balance grows tax-free, and eligible expenses are paid tax-free. Call us at (919) 715–4000 to get a quote and learn about HDHPs and other group health insurance options.
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“It was in that moment I realized having a relationship with LGFCU was going to pay off. LGFCU is truly an institution with values.”

Jean T., City of Lexington
Risk Management Specialist
Member since 1989

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