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5 For Kannapolis, Construction is in the Works
   Here We Grow feature story

18 When It Comes to Policy, the Political Landscape Matters
   Many forces shape lawmakers’ thinking

28 Should We Self-Insure?
   Understanding health insurance options

32 League of Women in Government Working Toward Parity in Leadership
   Raleigh meeting explores problems, solutions

41 Wrightsville Beach Town Clerk Recognized by Peers
   Sylvia Holleman named Clerk of the Year

6 Tireless Dedication
   Zebulon Mayor Bob Matheny

10 Taking the Risk Out of the Pool: League Assessors Ensure Safety in Aquatics
   It’s not just about risk pools

15 A Winning Session: Cities and Towns Enjoy Legislative Successes in 2017
   Impact fees, billboards among key wins

23 Take the Alley (Back)
   Cities and their partners taking new approach to alleyways

34 Born of Community Spirit
   Sen. Angela Bryant has a long history of political involvement

38 Charlotte Ready to Roll Out the Royal Treatment for NLC City Summit
   Event will bring municipal officials from across the country
INSIDE

1 Board of Directors

4 Speaking Out: An Honor and a Privilege

14 Advocacy Angle: A Fine Line of Communication

22 Legal Eagles: What’s the Status of Prayer at Council Meetings?

27 From The Trust Perspective: NCLM RMS BOT SPI ERM – What?!

40 Member Relations Corner: Caring, Community and Kindness

42 Talk of our Towns

47 Career Opportunities

48 Taking the Field: A Helping Hand Up

WRITERS THIS ISSUE

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Back in June, Nomaco, a longtime corporate resident in my town, Zebulon, announced that it was expanding, opening a new 60,000 square foot facility and eventually employing 153 people and opening Nomacork (maker of synthetic wine corks) employing another 168 people. The custom foam manufacturing firm has been here for 38 years, and has always been a strong business presence and partner of the town. At the time of that announced expansion, John Wojcik, vice president of operations at Nomaco, stated: "The Town has partnered with us over the years to find solutions to challenges that we've faced … and we appreciate that support."

As I look back over my past year as League president, I thought those words were worth recalling because they reflect and are so emblematic of the contributions of municipal governments all across North Carolina to local economies, to the larger state economy and to the lives of our residents. Similar words are being repeated all across North Carolina, and cities and towns can be proud of being such steady partners with both private-sector and other public-sector actors. And, as the North Carolina League of Municipalities, we can be proud that we are collectively helping to facilitate those partnerships, helping to provide a range of services that better enables cities and towns to engage in them, and advocating for the state policies that give us the flexibility to do so.

The League has changed and evolved a lot during my time as a member of the Board of Directors, and officer. Over the past year, those changes continued at a rapid pace even as staff was displaced by Raleigh's massive downtown fire (displacement that continues even now).

We have a lot to be proud of, and I am proud to have worked with staff members as they worked through the transition forced by the fire. As president, I had the opportunity to see that work, and see many of those staff members – whether the government affairs folks, the event planners, those in insurance operations or the finance and IT employees – keep the organization moving forward. And I enjoyed the opportunity to be enlisted in the staff's advocacy efforts on billboards, revenue flexibility for our towns and cities, and with the promotion of local municipal economic development efforts through the League's Here We Grow campaign. I also had the pleasure of seeing this organization begin a new mayors affiliate organization that promises to give all mayors in the state a collective voice, but more importantly, should allow us together to have another means of putting a spotlight on important policy challenges facing North Carolina. I know that Wake Forest Mayor Vivian Jones and Franklin Mayor Bob Scott will do a great job leading that organization.

Another change that I believe will help make the organization stronger is restoring the second vice president's position, allowing for more transition in those officers' roles.

As I prepare to leave the post of President and into the position of Immediate Past President, I want to reiterate my thanks to all of my fellow board members. This organization is fortunate to have such dedicated public servants who recognize the need to look beyond the borders of their own towns and cities and work on the behalf all cities and towns. It has been a pleasure and honor to work with all of you, and learn from each of you. One of the great benefits of being involved in the League is that opportunity to learn from one another, and the comradery that comes from being involved in these initiatives.

continued on page 46
For Kannapolis, Construction is in the Works

The City of Kannapolis has released an animation of the West Avenue streetscape which is the first component of the City’s visionary Downtown Revitalization Project. The animation can be found at https://www.youtube.com/watch?v=8zPm-i3R_YA. The streetscape is designed to curve and wind through the main core of downtown – West Avenue. It will feature green and outdoor spaces that will complement the new sports and entertainment venue, apartments, retail and restaurants. It will also include improvements to the surrounding streets of downtown.

The most important piece of the streetscape project will be the least visible and the most expensive. It is the infrastructure improvements which include replacing and upsizing aging and undersized underground utilities such as water, sewer, storm water, natural gas, electricity and the installation of technology. “This streetscape is critical to creating an experience for the people who will live, visit and play in our City. It is an outdoor space designed to serve as our living room and we want everyone to feel welcome and to spend time and ultimately invest in our downtown,” commented Kannapolis City Manager Mike Legg.

The unique design allows the streets to serve as a linear park. The streetscape focuses on green spaces, encouraging pedestrian activity, outdoor dining and social hubs – all while maintaining traffic flow using two traffic circles and offering parking options. The design provides interaction between businesses and preserving historical elements of the City’s core. The project will begin in fall 2017. The City has been planning for almost a decade for these improvements. The project was placed in the City’s Capital Improvement Plan years ago so that the City could set aside monies collected from water, sewer and stormwater fees to pay for a portion of the project. Water, sewer and stormwater fees, as well bonds, will be used to pay for the project which is estimated to cost $22 million.

“We have been working diligently to have a financial plan that would allow us to make this significant investment in our downtown core. Without increases in our fees, our fiscal capacity to sell bonds, and growth in our revenues we would not be able to move forward with this exciting project, said Legg. The entire Downtown Revitalization Project is expected to bring over $370 million in private investment to Kannapolis once completed. SC
Tireless Dedication

Zebulon Mayor Bob Matheny Looks Back on League Presidency, Deep History in Local Public Service

By Ben Brown, NCLM Advocacy Communication Associate
Bob Matheny had a clear-cut reason for involving himself in local government. What he couldn’t imagine was how long that would last.

Said the man first elected in 1974, “You just figure you’re going to serve a few terms and get out.”

Now, Mayor Matheny of Zebulon is adding to his curriculum vitae a successful term as president of the League of Municipalities, during which he helped to guide hundreds of cities and towns through one of the best General Assembly sessions they’ve experienced in at least a decade.

Those major legislative wins included preserving development impact fees and stopping harmful billboard legislation. They could represent a perfectly appropriate way to drop the curtain, a strong punctuation on more than 40 years of elected service, a proud time to recline into political retirement, maybe sleep in once in a while. Not the plan, of course.

Matheny stands to serve, “As long as I have something to give,” he said during an interview in Zebulon Town Hall. “Fresh thinking, insights, whatever the case may be.”

It doesn’t extend to self-importance.

“I think that you’re elected to represent and look after the people,” he said. “And it’s easy to get caught up in your own thinking and lose focus on the fact that you are here to represent the people.”

That’s why he ran for elected office in the first place – not in a vaguely principled way, though.

“It was actually rather specific,” he said.

Matheny was already serving as chairman of the local planning board at the time, in the early 1970s, when one building housed all town services – police, fire, administration, everything. And he was there to give a planning board recommendation to the town board of commissioners, in a disturbingly small room taken up by a conference table and a lack of open space for residents who want to attend.

“They closed the doors – basically, went behind closed doors – never accepted the planning board’s recommendation, and made a zoning decision,” Matheny recalled. “I was really upset. I said, ‘This is wrong. This is not open government.’”

And the thought followed: “If you want to do something about it, you need to run for office.”

Matheny spread his word that things needed to change, and won election as a town commissioner in 1974. Asked what kind of change followed that election, he said: “Well, I can assure that we listened to the planning board – and didn’t go behind closed doors.”

But there were quirks. The board that Matheny joined was all-new – every member a first-termer. And there were big, timely issues bearing down on them. For one, the town was in talks with neighboring Wendell about interconnectivity of water service.

“We just had no background … and we had a steep learning curve,” he said.

Fortunately, Matheny, at the time in his mid- to late-20s, had resources. For one, a former town commissioner who had not run for re-election was a trusted friend, and able to provide Matheny a lot of insight on that and other pressing issues.

Matheny and the board also prioritized transparency, holding meetings in a better, larger venue, boosting public confidence.

“We just became a more open government,” he said.

It didn’t hurt, apparently, Zebulon having grown from about 1,200 population, and a little bit of industry at the time, to nearly 5,000 residents today and a sizable industrial presence on the tax rolls.
On the timeline, after 15 years as a commissioner, Matheny became mayor, and voters have returned him to that chair every election since. “We’re still a small town,” he said. “Of course, right now, we’ve got over 3,000 new homes either recently built or in the pipeline, so that within itself, we’re talking about doubling the population. And I think there’s probably a lot more to come as well.”

That’s a lot to set the table for, but it’s also helping to diversify the town’s tax base. A residential stronghold can help economically in the event of any industrial declines (though none are known or expected).

Matheny is also proud of that industrial development and the employment it represents, a lot of which followed intentional work on the town’s part. For example, the extension of utility lines out to the local baseball stadium – yes, Zebulon has its own Class A team and 6,500-capacity ballpark – made a U.S. Foods facility feasible there. It’s one of the town’s bigger employers today.

It also doesn’t hurt that Zebulon can market itself as proximate to Raleigh via a great roads system and sitting amid a five-county workforce, the mayor noted. “I can remember when (the planning department) was just one person,” he said with a laugh.

Readying for the change takes open-mindedness and planning, he continued, pointing out unified development ordinance updates and policy changes that are helping builders through approval processes more quickly.

“We’re seeing a lot of public hearings, one right after another,” Matheny said. For what feels like the first time to any significant degree, a number...
of developments are coming to Zebulon from outside entities (where the Zebulon of yesterday primarily experienced projects born locally).

As part of the League’s leadership, Matheny knows these experiences and changes aren’t unique to Zebulon, which he said is one reason he’s especially enjoyed his time in League office. The sharing of ideas and creation of consensus can count for a lot.

“Your large cities and your small cities face, I believe, some of the same problems, just on a different scale,” he said, adding his League involvement also led him to travel to many parts of the state to talk with municipal counterparts for perspective.

“Quite frankly, flying helped me do that,” he said with a laugh.

He didn’t mean boarding commercial airlines to travel between towns. This mayor flies his own plane, a Cessna 152, and has been licensed for about as long as he’s been in elected office – appropriately so, as part of his method for clearing his head among the nonstop business of public service. Hunting and fishing are also in the mix, as is craftsmanship – in quite an accomplished way, with a 2,600-square-foot log cabin among his personal credits. Most importantly, though, is the good care he gives his wife, Ann, and their relationships with their three, grown children.

“There’s a lot I’ve done, a lot I enjoy,” Matheny said.

Restlessly, to be sure.

His long dedication to public office wasn’t without a private career alongside, like the property-and-casualty agency he ran in town before moving on to management and leadership with Whitley Furniture Galleries, which he followed to retirement. Sort of.

“After I retired from that, I didn’t go home and sit down,” he said. “I actually went out and got my general contractor’s license.”

The League thanks Mayor Matheny for his tireless devotion to bettering not only his community and family but the state as a whole as he winds down his term as 2017 president, and prepares for a new role as League immediate past-president.  

Mayor Matheny put a lot of warmth behind the blue League nametag at Town Hall Day 2017 (top) and CityVision 2016.

Photo credits: Ben Brown (top) and Cindy Burnham for NCLM
You’re familiar with risk pools, one of the more basic concepts in insurance. An important piece of the League’s risk management work, however, centers on another sense of the term.

Its goal specifically is to make pools of the aquatic sort safer for swimmers and other visitors – reducing or eliminating risks that could lead to injuries and subsequent claims at municipally owned facilities. And not just for wet-surface slips and falls or drownings. The scope can extend to water quality or bacterial issues, and even electrocution. The key is knowing that not all risks are apparent, and that it’s important that a practiced eye review the possibilities.

The League’s aquatic risk assessments aren’t new – they’ve always been a part of the property and liability program – but have evolved in recent years following studies of how actual incidents have occurred and as splash parks and other modern, interactive water features are added to municipal parks and recreation systems for all-ages enjoyment.

“This year, I have been checking with those towns to determine how they are
maintaining and ensuring the integrity of the water quality of these interactive water features,” said Risk Management Field Consultant Amy Whisnant, who was in Morganton recently assessing the city's pools and splash park. That city is adding an additional splash pad at one of its parks, bringing into focus the water quality of that location.

The city is doing it right, Whisnant reported.

“Morganton uses water straight from their water treatment plant to feed into the interactive fountains at Martha’s Park,” she explained. “The water is then sent into the sewer system, so the water is not recycled into the fountains again; therefore, water quality at the splash park is maintained.”

Clean practices in aquatic recreation became a household topic last year following media focus on the so-called “brain-eating” amoeba blamed for the death of a teenage girl who was rafting at the U.S. National Whitewater Center in Mecklenburg County. According to the Charlotte Observer, the Whitewater Center (which is not a municipal facility) logs more than 800,000 visits annually and, following the amoeba’s detection in water there, instituted new safeguards to prevent its reappearance. The League’s risk management team monitors and analyzes such events, however rare, to improve guidelines.

The exponential growth of technology hasn’t left pools behind, either, and there’s plenty of safety application for cities and towns. Lightning-detection systems are being integrated, for instance. The League is also working with a member to evaluate a new product designed to alert lifeguards when a swimmer has been under water for too long. If that pilot is successful, the risk control team may advise cities with public pools to consider the technology for swimmer safety and claims reduction.
Staffers have also seen new, creative uses for pools or pool settings in community events, like movie nights in which participants lounge with flotation devices during the viewing. The risk management team would examine whether the pool room is darkened during the movie and whether lifeguards are on duty, or, if not, whether signage is posted saying so.

“The other issue is the number of electrocution injuries and fatalities that have occurred in pools, both private and public, nationwide,” Whisnant said, adding that field staffers give municipalities copies of anti-hazard literature and information about monitoring equipment built to detect voltage in pool water.

The N.C. Department of Labor points out that while electrical hazards aren’t always on the pool-goer’s mind, public pools involve a lot of electrical componentry. Meanwhile, water and chlorine happen to be great conductors. Citing U.S. Consumer Product Safety Commission data collected between 1993 and 2003, there were roughly 60 deaths and nearly as many serious injuries resulting in bad combos of electrical equipment and pool water. From 2003 to 2014, regulators documented 14 related deaths.

The dangers are quite real, but Whisnant said North Carolina cities and towns do a great job complying with regulations and best-practices for safe aquatics facilities, which, she added, are also inspected by their regional environmental health inspectors before they can open to the public.  

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One of the realizations that anyone who enters the world of legislative politics quickly comes to understand is how important clear communication is when speaking about your position on legislation. Perhaps that admonition appears obvious. And maybe it sounds easy enough to accomplish. But is it?

Some years ago, I recall one of the more influential lobbyists in the Legislative Building discussing how one advocacy organization had member businesses who would benefit from a major tax change being considered, while other parts of its membership would suffer. “Sometimes it is better to just not say anything,” he concluded. That might have been fine for that particularly organization, although had they been pushed by a news media organization, saying nothing may not have been an option.

Much more often, though, organizations like the League are asked to take a position on issues affecting their members, and sometimes a mixed bag of positive and negative benefits – combined with powerful legislators who support a bill and have the power to affect other legislation affecting cities and towns – requires a nuanced approach.

Small cell wireless technology is a perfect example.

The League knew that a bill laying out how that technology be deployed would be filed this session, and that there was a strong likelihood, with industry backing, that legislation would pass. In anticipation, League Legislative Counsel Erin Wynia organized a series of forums around the state involving industry officials and local government officials to look at what was coming.

Eventually, House 310 was filed, creating both procedures and restrictions on local government regulation of small cell wireless facilities – technology that promises to bring next generation wireless communication to some areas. Throughout its movement in the General Assembly, the League’s position was clear: The organization would neither oppose nor support the bill, as long as we were given opportunities to have input.

That is what happened, and League negotiations helped to ensure cities continued to have some oversight regarding permitting, public safety and aesthetics and appearance, even if the final product was not completely to municipalities’ liking.

As clear as the League and its staff had been, that nuanced approach had the potential to lead to confusion and may even have done so at one point in the process. It’s far easier dealing with legislation that you can totally support or completely oppose.

Later on, after the bill had passed, I received a call from a reporter from the national trade publication Communication Daily inquiring about the bill. Reiterating the early points was fine, and I did. But I also took the opportunity to make another point about the larger subject of communication technology and broadband access.

The publication wrote: Believing the small-cells bill will solve broadband gaps in rural North Carolina is “a dangerous conclusion” that may leave small towns behind, said Mooneyham. Small cells are likely to be deployed mainly in highly populated urban areas, he said. “One of the disappointing parts of the debate here has been this perception that somehow, this technology is going to address the issues around the lack of broadband in rural areas and small towns in North Carolina.”

It’s also good to communicate clearly about issues for future consideration before the legislature.
In a shifting and sometimes difficult environment, cities and towns enjoyed their most productive legislative session in many years in 2017. It wasn’t easy, and there were still some bills filed – and a few which passed – that were not good for cities and towns. Nonetheless, by and large, North Carolina legislators during the 2017 legislative session took into consideration the concerns of cities and towns and worked closely with League members and lobbyists to fashion solutions to the challenges faced by municipalities.

Municipal officials can be proud of their hard work and communication. Potentially damaging bills were minimized or stopped, like the harmful billboards bill that saw a rare floor-vote failure in the House, and a number of positive pieces of legislation passed, including the bill authorizing impact development capacity fees going forward. And all of this happened against a backdrop of larger trends and policy considerations that worked at times with and at other times against the broader interests of League members.

HB 2, the “Bathroom Bill”

By the conclusion of the legislative session, it was almost easy to forget how the passage of the so-called Bathroom Bill became such a huge policy focus for legislators, the business community and the media. Since its passage in 2016, the legislation shaped a lot of ebb and flow of the General Assembly as businesses and sports leagues pushed back against its passage. While the League immediately opposed the bill on the grounds that it usurped local control, League staff also took steps to try to prevent other policy considerations of cities and towns from being affected by any blowback. Still, through one full annual legislative session, a portion of another, and two special legislative sessions, the politics of the bathroom bill often pushed aside other issues. Interestingly enough, the deal struck between legislative leaders and Gov. Roy Cooper on a partial repeal of the legislation came on Town Hall Day in March, forcing the governor to miss a scheduled appearance before League members.

Once that deal was struck and the partial repeal bill passed, the issues surrounding the legislation slowly and largely faded into the background.
Besides the considerations around House Bill 2, legislators also came into the legislative session with a court ruling requiring that they redraw legislative districts hanging over their heads. That kind of political uncertainty – and not knowing what your future electoral district might look like – created some level of cautiousness on the lawmaking front.

Impact Fees, Billboards and Funding for Municipal Needs

League members and staff came into the legislative session with one issue in particular on their minds – a court ruling in the summer of 2016 that imperiled water and sewer impact fees, also known as development capacity fees, that allows many towns and cities to plan for growth. As a result of that court ruling in Quality Built Homes vs. the Town of Carthage, the League had adopted an advocacy goal of authorizing the fees going forward and limiting liability. For months, League representatives negotiated the compromise language with the N.C. Association of County Commissioners and the N.C. Home Builders Association. The result was HB 436 Local Government/Regulatory Fees, legislation that initially banned the fees but was turned into a bill that made great strides ensuring that growth could be planned for and move forward with a standardized impact fee structure. Legislators also limited potential local government liability from any future adverse court rulings related to these fees.

In a strong bipartisan show of support for local control over billboard siting decisions, the House voted down an industry-backed measure that would have severely restricted that local decision-making. The 48-67 vote represented a rare floor defeat and came after League members had spent weeks
reaching out to legislators to explain the potential negative effects for local communities, which included harming local visions for economic development.

Cities and towns also saw positive movement of legislation providing for revenue flexibility by allowing residents to approve a municipal-only sales tax. Although the bill did not gain passage, its approval by a House committee signaled good things for the future. And League staff helped to influence language authorizing the deployment of small cell wireless technology, having some effect on permitting and siting of the facilities. Other positive developments for municipalities included a state budget that provided for a number of grant programs for cities and towns, many of them recognizing the key role that cities and towns play regarding local investments that create jobs and economic growth. The General Assembly also approved legislation laying out how relief funds for Hurricane Matthew and other disasters will be distributed.

“There is no question that cities and towns are on a positive trajectory at the legislature. Legislators see cities and towns as important partners in helping shape our economy and growing jobs,” said NCLM Associate Executive Director of Public & Government Affairs Rose Vaughn Williams. “We recognize that we will not always agree on every part of every part of legislation, as state and local perspectives are not always the same. But in 2017, we had a seat at the table and were a part of the conversation when it came to legislation affecting municipalities.”

The passage of impact fees legislation allows for orderly planning of growth. Photo credit: iStock

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When It Comes to Policy, the Political Landscape Matters

By Erin Wynia, NCLM Legislative Counsel

Often, the key to effectively advancing an agenda at the North Carolina General Assembly is appreciating the host of political considerations our state leaders consider with every decision they make. You can probably list a half-dozen off the top of your head.

Some less obvious, but critical, considerations that affected legislation big and small in 2017 year included:

• Demographic trends that both create policy challenges and affect legislators’ perspectives about those challenges.
• Pending court decisions affecting next year’s elections.
• Happenings in Washington and how that affect voters’ moods here in North Carolina.

Changing demographics and national politics intruding on state politics aren’t new, and have often been a clear and present consideration for our state lawmakers. But their effects have intensified here in recent years. Why? Well, as North Carolina has grown more diverse, so has its political leanings. Our state is much more closely divided—and its political races more bitterly contested—than ever before.

No matter how you measure it, North Carolina’s demographic make-up is drastically different in 2017 than in any previous generation. While the state’s overall population continues to
rapidly increase, since the last census, three out of every four N.C. cities either lost population or grew more slowly than the state as a whole. Further, our population is more racially and ethnically diverse. It is also aging faster than before.

And while our population is generally better educated than previous generations, advanced degrees no longer guarantee workers a larger paycheck. Compounding this problem, as in the rest of the country, the wage gap in North Carolina rose significantly since 2010. In that time, the state added 25 percent more high- and low-paying jobs, but shed middle-class jobs. To boot, the buying power from earnings in a middle-class job in North Carolina today has fallen to levels not seen since the early 1980’s. More people earning less means a disintegration of social cohesion in our communities, and a greater demand on the public services that local and state governments provide.

These changes pose political challenges for state lawmakers, whose arguments about economic success can struggle to gain traction with those voters who haven’t seen the fruits of that success.

The policy challenges resulting from these demographic shifts are seen in every corner of our state, whether urban, rural, or suburban. And yet to affect change, these changed circumstances require creative—and politically difficult—policies. Seeing bold proposals passed into law usually requires intense focus and negotiation within an environment relatively free of tense political overtones.

The 2017 legislative long session, however, had an abundance of political hot potatoes, resulting in a much more modest legislative long session than has been seen in recent memory. As a result, legislators passed roughly one-third of the bills typically approved in a long session.

Holdover policy issues such as HB 2, the so-called Bathroom Bill, certainly contributed to this slower pace of lawmaker, with legislators giving their undivided attention to that issue for the first several months of session. And toward the end of session, the uncertainty surrounding legislative district maps for next year’s elections likely affected leaders’ willingness to take up large, controversial bills.

Then, throughout session, legislators and Gov. Roy Cooper engaged in the typical partisan back-and-forth that comes with divided government. Each took political swipes at the other with regularity and predictability throughout session. But with a legislature that could easily override his vetoes, Governor Cooper needed to take another approach to score
political points this year: the courts. In one high-profile lawsuit, Gov. Cooper contended that the legislature could not take away the governor’s ability to appoint a majority of the state board that oversees elections.

Political dynamics outside of North Carolina also likely influenced how this legislative session played out. The 2016 elections demonstrated that voters across the country are disgruntled, and they want to see changes now. Congress continues to operate in a stalemate, and our state legislators know that midterm elections are historically shaped by two factors: the incumbent president’s popularity, and the enthusiasm of the party’s core voters. So how it goes in Washington, it will likely go here in North Carolina with next fall’s legislative elections.

Add to the political challenges of inaction in Washington this factor: the 2018 election here in North Carolina will be a “blue-moon election,” which takes place only once every 12 years. In this type of election, other than select judicial races, no statewide races appear on the ballot. There will be no high-profile governor’s race or U.S. Senate race to drive people to the polls.

Blue-moon elections historically have the lowest voter turnout of any even-year election during that period. Because a galvanized group of voters is the most effective way to overcome low turnout, legislators on both sides of the aisle will continue to take steps to stoke the enthusiasm of their supporters.

These political trends will likely intensify in the coming months as federal courts approve the final district maps and legislators can better understand the political leanings of their newly-drawn districts. Happenings in Washington will likely enhance or dampen each political party’s chances of winning next fall, and legislators will try to build a local backstop to any national headlines.

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Constitutional questions regarding public prayer at council meetings can be tricky ones. This summer, the U.S. Court of Appeals for the Fourth Circuit (covering North Carolina and four other states) addressed the issue again, either clearing things up or adding to the confusion, depending on your point of view.

For many years, towns relied on *Marsh v. Chambers* (1983), which involved the practice of opening a state legislative session with prayer given by a state-paid Christian chaplain. The U.S. Supreme Court upheld the practice, noting that the country’s long history of legislative invocational prayer showed the practice to be embedded in the fabric of society. The Court observed that the prayers at issue were non-denominational and found no indication that they were used to proselytize, advance any one faith, or disparage others.

More recent cases have addressed practices where invocations were more sectarian in nature. In *Joyner v. Forsyth County* (2011), the county commissioners had local religious leaders deliver invocations, and most of the prayers made specific references to tenets of Christianity. The Fourth Circuit held that in order to survive constitutional scrutiny, invocations must consist of non-sectarian prayers that solemnize the meeting of the body and “seek to unite rather than divide.” The court determined that sectarian prayers ran afoul of “the promise of public neutrality among faiths that resides at the heart of the First Amendment’s religion clauses.”

The U.S. Supreme Court declined to review the case. For several years thereafter, NC local governments worked to adjust their policies to curtail sectarian prayers, which often thrust them into the difficult position of trying to police the prayers offered by those invited to do so.

In 2014, however, the high Court waded back in, overruling the *Forsyth* court’s approach in a case with similar facts. In *Town of Greece v. Galloway*, the town invited local clergy members to give the invocation, and the informal procedure resulted in mostly Christian prayers. The U.S. Supreme Court ruled 5-4 that the Constitution’s Establishment Clause is not violated by sectarian prayers delivered at council meetings, so long as the town does not discriminate against minority faiths in determining who may offer a prayer and there is no coercion to participate. The majority stated that “[a]bsent a pattern of prayers that over time denigrate, proselytize, or betray an impermissible government purpose, a challenge based solely on the content of a particular prayer will not likely establish a constitutional violation.”

But *Greece* did not fully settle questions on invocational practices, since it concerned only clergy-led, not lawmaker-led, prayer. In July of this year, the Fourth Circuit weighed in on that nuance. In *Lund v. Rowan County*, the elected county commissioners themselves delivered the invocations on a rotating basis. Some 97% of the invocations were sectarian and identified with Christianity, with occasional prayers that proclaimed the spiritual supremacy of Christianity or implied that other faiths were condemned. In a 10-5 decision, the Fourth Circuit found the practice to be unconstitutional. Noting that “the prayers referenced one and only one faith and veered from time to time into overt proselytization”

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*What’s the status of prayer at council meetings?*

By Kim Hibbard, NCLM General Counsel

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*continued on page 46*
You've just parked downtown to meet a colleague at the new craft brewery you've been hearing so much about, but traffic was a drag and you're running a few minutes behind. The brewery is on the other side of the block from where you are, and you're thinking you might shave a couple minutes by cutting through the next alleyway. But you shake your head. Alleyways are dark, gritty, dangerous. You're carrying cash and wearing your best suit. Of course you're not going into an alley. Not worth it.

And that's probably good judgment, maybe rooted in those grainy awareness filmstrips you watched in elementary school about avoiding "bad guys" and the dark, shady places they're known to lurk.

But during a recent walk through downtown Durham, Southern City found a few alleyways not only clean and charming, but downright inviting. They featured cafe seating and business access and served pedestrians passing through. They've been taken back from disuse, cleared of stigma and added to the portfolio of public space, which people are enjoying as much as any sidewalk or pocket park.

“I think that they're really forgotten spaces in most urban contexts,” Peter Gorman said of alleyways. Gorman, playing alleyway tour-guide and imagineer during Southern City’s visit, is an urban planner who studied alley redevelopment potential as a graduate fellow with UNC-Chapel Hill's Development Finance Initiative while a master's student at the Department of City and Regional Planning.

Gorman pointed to the beautified alleyway next to trendy cocktail bar Alley Twenty-Six in downtown Durham. "It's seating, it's a pedestrian connection, it's a welcoming space that people wander into," he said.

Wandering into it, style and warmth were everywhere, clearly through intentional efforts to preserve the historic feel of the surrounding architecture, with old wood beams and archtop windows in the brick. Seen a little farther in was an artsy metal doorway to a business, which

A historic alley preserved and done up with pride in Ely Court, London, where functional alleyways are commonplace. Photo credit: Allison Meier
likely relies on that alley’s welcoming atmosphere for customers’ sakes. Gorman said alleyways in Europe and Asia historically were designed for pedestrians – safe passage away from the street bustle. In the U.S., however, alleys became the place for utilities, trash bins and delivery parking – not public enjoyment. And that’s still true today in many cases, but not always in a well-maintained or organized way. Over time, many have taken on a forgotten or unruly look and reputation as nasty corridors for grime and crime. Sometimes, Gorman added, no one knows who owns them.

But several North Carolina cities and towns are part of the movement now spread across the U.S. to make alleyways friendly to the public and assets to urban areas.

Count Wilson among them. Artsy Alleys is a project of the Wilson Downtown Development Corporation (WDDC) to take the arts “to new locations in forgotten places,” its website says. Collaborators have added color and artistic ironwork to alleys there, and installed lighting to make them attractive and safe at night. An ElectriCities grant helped with improvements.

Susan Kellum, WDDC’s downtown marketing and communications coordinator, said the beautified alleys there are drawing people in, even luring those who don’t frequent downtown. “A bigger purpose was to bring the community together and...
much as $55,000 – meant that anyone interested needed to squeeze for creative solutions. “At that number, it just wasn’t going to happen,” said Fred Blackley, president of the Uptown Shelby Association’s Board of Directors.

So Blackley, a Scout leader who also works professionally as a landscape architect, went to familiar corners. In one move that made all the difference, he shopped the alleyway improvement idea out to an Eagle Scout, who eagerly pursued it as a volunteer service project. The math was working.

The Uptown Shelby Association would cover basic improvements like drainage and grading; the Eagle Scout and his helpers would prepare the ground for foot-traffic; and the City of Shelby would donate a large supply of paver bricks that were leftover from another project.

“So all the Scouts, we all laid the bricks ourselves, which was a painstakingly long process, but it was really worth it,” said Austin McInnis, the Eagle Scout approached by Blackley. The team put down more than 8,000 bricks, McInnis said.

to get people involved,” Kellum said. “You get a nice side benefit of that: They start seeing all the things that are happening (downtown).”

She added that signage is going up in those alleyways to let people know what’s on the other end.

These efforts for the most part have been volunteer-driven, even with crowdfunding, though local governments have been known to invest in basic improvements or supply materials, like pavers.

In Shelby, ideas for alley improvements go back a long way, but the price tag – for a certain alley, as
In the end, after all the volunteer work and donations, the entire thing cost just $5,000 cash.

Today, it’s a hit – one that inspired a similar alley improvement across the street. And they delight the people who find them. Uptown Shelby Executive Director Audrey Whetten said these beautified alleys, for being so surprising and striking, stoke people’s sense of discovery and exploration, like they’ve found a gem and can’t wait to tell other people about it.

“We heard often that people were changing their routes – even to go to their office or to go to lunch, or if they parked and were going to dinner or meeting somebody – they would go out of their way to go through that alley, because they thought it looked so good ... and it was so much more pleasant to be there,” Whetten said.

“And so,” she continued, “I think there was both a sense of delight that something had been improved so visibly, but also a sense of pride that this beautiful space was available to them to use ... and basically show it off. In my opinion, you really can’t ask for much better than that...”

Visit soundcloud.com/municipalequation and click on Episode 29 of Municipal Equation (the League’s biweekly narrative podcast) for a deeper exploration of alleyway improvement, successful projects and answers to technical questions. SC
In the insurance industry we love acronyms. We often throw around terms like these and assume everyone knows what we are talking about. Have you figured out what the above means yet? Let me explain, it stands for North Carolina League of Municipalities (NCLM) Risk Management Services (RMS) Board of Trustees (BOT) Strategic Planning Initiative (SPI) with Enterprise Risk Management (ERM).

Risk Management Services is the department of the League that administers the member-owned self-funded insurance pools offered to the membership by the League. And those would be MITNC – Municipal Insurance Trust of North Carolina, aka the Health Benefits Trust; NCIRMA – North Carolina Interlocal Risk Management Agency, also known as the Workers Compensation Trust; and IRFFNC – Interlocal Risk Financing Fund of North Carolina, also known as the Property and Casualty Trust. Even these nickname can be reduced to acronyms: HBT, WC and P&C.

The RMS Board of Trustees met recently and began the process of revisiting their strategic plan. This will include a new look at the strategic objectives of the board and its governance of the three pools in alignment with the overarching 2030 Vision Plan put in place by the NCLM Board of Directors. Outcomes of this process will include updated mission and vision statements, as well as actionable objectives that will provide direction to NCLM staff as administer of the programs.

The trustees and staff will also evaluate the enterprise-wide risks faced by the board and the pools, and develop risk mitigation strategies for each identified risk. The enterprise risk management objectives will be integrated into the overall strategic plan. This is important work being done by the trustees that will guide the activities of the board and staff into the future, focused on serving the membership, protecting the value of the pools and being fiscally responsible.

In other news, RMS staff will be conducting a mini-roadshow this fall at nine locations throughout the state in early November. These will be lunch-and-learn opportunities for you to hear about the latest offerings from the insurance pools, especially relating to health care coverage, which is a constant challenge for every public entity. We will share with you some of our new ideas and strategies to help reduce your health care costs through plan design and the even more important goal of reducing claims by improving the health of your employees.

There is no cost to attend and lunch will be provided. I look forward to meeting with you at these meetings and learning how the League can help you navigate your way through the choppy waters of insurance. Remember we’re here and happy to talk with you about workers compensation, property (including flood coverage), liability (general, law enforcement, public officials and employment practices), automobile, cyber security and data breach, in addition to health and related insurance coverages. We are just a phone call or email away, and we have field staff who are available to meet with you in person at your convenience.

Now let’s try this again: The BOT which governs MITNC, NCIRMA and IRFFNC has engaged in a SPI including ERM with help from NCLM RMS staff. Makes perfect sense now, right? I look forward to seeing you at the Connect City Vision 2017 Annual Conference of the League membership in Greenville. Please do not hesitate to contact me directly with any questions you may have regarding the League’s insurance products and services.

From The Trust Perspective

NCLM RMS BOT SPI ERM – What?!

By Ken Canning, NCLM Associate Director, Risk Management Services
There’s a lot of talk in the health insurance world about self-insurance these days – with the rising costs associated with providing employee health insurance benefits, self-insurance is often touted as the least expensive way to manage the rising cost of healthcare. And for many large employers, that may be true. But for smaller organizations, it is important to first understand the pros and cons of self-insurance, and how such a program would impact the entity’s budget before jumping on the self-insurance bandwagon.

“A lot of our member cities and towns, and other local government entities who are eligible for the League’s group health insurance options, have fewer than 300 employees, which makes self-insuring more of a toss-up,” said Ken Canning, the League’s Associate Executive Director of Risk Management Services. He further explained, “Self-insurance can help an employer have more control of how they manage healthcare costs and decisions, but an employer needs to have a large enough pool to spread the risk. Having at least 300 employees is a good rule of thumb when even considering the self-insurance option.” Canning suggests considering the following questions when making decisions about group health insurance:

So what is a self-funded plan, anyway? Self-insurance is a funding mechanism where employers assume the financial liability associated with health care expenses in exchange for potential cost savings and more control of the health plan’s design. In a self-funded plan, employers pay for all

“The good news is that the League is here for our members. We are the best resource for understanding what self-funding and other health insurance options are available for local government entities in North Carolina, and we want what’s best for our members.”

Ken Canning, NCLM Associate Director, Risk Management Services
Wellness programs have become an integral part of health insurance programs. Photo credit: iStock

administration fees, stop-loss insurance and commissions or fees to brokers and consultants if used. So if claims are lower than expected, the entity retains the savings. The inverse is true as well, though – if claims are higher than what is budgeted, they still must be paid on time and the program could end up costing more than the employer expected.

What is your municipality’s risk tolerance? Entities that are fully insured are on the least risky option and usually have less flexibility. Being self-insured with no stop-loss protection is the most risky alternative, but has the most flexibility. Self-funded coupled with stop-loss insurance is the middle ground option with some risk and flexibility.

What is stop-loss insurance? This is simply a financial threshold below which the entity assumes 100 percent of the claims expense and above which claims costs are paid by the stop-loss carrier. There is a cost for stop-loss coverage and the lower the threshold, the higher this fixed expense will be.

Do you need predictability or can your budget handle volatility for health insurance claims of your employees? The benefit of being fully insured is the predictability of cash flow from one month to the next because premiums are based on the number of employees and are a fixed expense. In self-insurance, the employer pays not only the fixed expenses for claims administration, broker fees and stop-loss coverage, but also the claims payments themselves which is the biggest portion of the health care expense and can be unpredictable. This creates volatility, and if an entity is not able to tolerate and manage this effectively, then maybe self-funding isn’t the right option.

Do you have a good sense of your total cost of providing health care coverage to your employees? Do you understand the health insurance utilization of your employees and how that might change year to year? Careful consideration needs to be given to the ongoing fixed costs of a self-funded program as well as the volatility of claims below the stop-loss threshold.

Are you considering self-insurance only because you’ve been told it will save you money? Self-funding may save an entity money in how it structures its plan, but it does not in and of itself lower health care costs. There is also the phenomenon of first year “savings” anomaly. There is a big difference between a first year self-insurance contract and a mature program. In the absence of a mature-to-mature claims cost comparison, the first renewal could be a shock. Entities considering self-
insurance must set aside reserves and plan well to make sure they can cover their commitments.

“If all of this is clear as mud, don’t panic,” adds Canning. “The good news is that the League is here for our members. We are the best resource for understanding what self-funding and other health insurance options are available for local government entities in North Carolina, and we want what’s best for our members.”

The Health Benefits Trust itself is a member-owned, self-funded health insurance pool, which means it can offer competitive rates and provide a tremendous amount of control and flexibility to League members. Being self-funded on a program basis, members have the benefits of being self-insured plus the budget predictability of a fully-insured plan. For example, for large entities, the Health Benefits Trust can offer administrative services only (ASO) plans to members who choose to self-insure. On the flipside, we offer fully-insured, customizable coverage that is underwritten based upon individual group’s risk exposures and claims experience and for the smallest members, our pooled rates program provides the best value.

Finally, the Health Benefits Trust can provide a hybrid approach for groups who want the best of both worlds. One great option for entities wanting to lower their fixed costs and take some risk in a controlled manner would be a Health Savings Account compatible High Deductible Health Plan. This is also known as a Consumer Driven Health Plan as depending on how the plan is structured employees also have a little skin in the game and are incentivized to be more discerning in their use of health care resources and to price shop for the lowest cost service. This can lower costs for everyone in the system: employees, employers and the Pool. If this sounds interesting, we would be happy to discuss this option with you in more detail.

The League’s Health Benefits Trust staff and Business and Membership Development Services consultants can help you determine if self-insuring is the best option. We’re here to help you determine the best options for your employees and budget. To find out more or if you have questions about health insurance, contact Julie Hall, the League’s Director of Health Programs, at 919-715-9782 or jhall@nclm.org. We will meet with you – and your agent if you have one – to determine the best way to provide health insurance that your employees want and the cost savings your budget needs. SC
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League of Women in Government Working Toward Parity in Leadership

By Ben Brown, Advocacy Communication Associate

To Pam Antil, the numbers didn’t compute.

Leading a national task force on the presence of women in the government workforce, she saw no acceptable reason for the low tally of women in leadership positions, like city manager.

Her team had researched, and found that more than half of state and local government employees nationally are women, and that women represent more than half of the masters in public administration degrees granted each year.

“And so, it just doesn’t make sense that there are not the same number of women that are also vying for these positions and getting these positions,” said Antil, president of a national group formed out of the disparity conversation called the League of Women in Government (LWG).

Antil, who is assistant city administrator of Santa Barbara, Calif., was in Raleigh in late August as a facilitator of an event called “Engaging Women in Public Service: Designing Your Way Forward,” put on with partners including the UNC School of Government, the International City/County Management Association, and Engaging Local Government Leaders. With roughly 200 attendees (nearly all of them female and many of them League members), the program focused on ways attendees could laser-lock on goals or sharpen skills, like negotiation.

This kind of engagement is meant to impact the ratio in Antil’s leadership – one reason why the program included noted futurist Rebecca Ryan (who was also a standout speaker at the League’s CityVision 2014). Ryan encouraged attendees to take a time-out from their fast-paced routines to think about an action they could take that very day to realign themselves with a specific, long-term goal. Each mapped out different, realistic scenarios based on their actions.

“Scenarios are used to try on plausible futures,” Ryan said. “If we start just today, and we try to predict tomorrow, tomorrow is going to look mostly like today…. But as we go further out over time, more and more plausible futures become possible to us.”

When Antil and collaborators began their research, she had assumed that the imbalance of women holding government staff leadership positions – with women representing less than 15 percent of chief administrators, according to 2014 numbers – was rooted in the Baby Boomer generation’s pre-retirement hold on the c-suite.

But that isn’t what they found. “What we were finding was that there was just a dramatic number, an increasing number, of women in the assistant chief administrative officer position,” Antil said. “But, for whatever reason, we were not able to make that hurdle into the (chief) position.”

They’re learning more about why. LWG became a 501(c)3 two years ago and is currently gathering data – the breakdown of women to men applying
for or being offered a specific job, for instance – to give unprecedented context that may help explain it and support recommendations for better diversity policies.

The group says it has documented needs for confidence-building among women in the profession and for better awareness of biases. “We all have them,” Antil said. “But it seems to affect women in the profession and people of color in the profession most dramatically.”

Since its formation, the group has enlisted 4,000 members who want to take the conversation outside of their base.

“We can talk among ourselves all the time about the challenge of women in the chief administrative officer positions,” said Bonnie Svrcek, city manager of Lynchburg, Va., and LWG vice-president. “But that’s not going to get us anywhere.”

Information about LWG, with resources, research and ways to support, is found at leagueofwomeningovernment.org.

Rebecca Ryan, a noted futurist, helps women working in government look at their best possible future paths.

Photo courtesy of UNC School of Government
Stepping into Sen. Angela Bryant’s legislative office in Raleigh, there’s a lot to take in. Floor to ceiling, it’s loaded with signs of what her district and her elected role mean to her. Four-dozen or more plaques and certificates – for service in areas like the environment, social and economic justice and housing, to name a few – cover most of the vertical space, and her door is papered with “thank you” notes from kids she’s connected with in her community. Every memento, trophy and photo has a tie to serving people. Outside of that office, she works as an attorney and consultant focusing on humanity, with a local government background on the Rocky Mount City Council after a variety of appointed public positions.

But Southern City’s visit, during one of the legislature’s late-August continuations, coincided with some heavy, new choices in that realm for the six-term lawmaker, who served three terms in the House prior to her three terms so far in the Senate.

The new redistricting maps had just come out, with a dramatically different drawing of her district (currently consisting of Vance, Warren and Halifax counties with portions of Nash and Wilson counties). If the maps held, the Democrat could lose some of the area she’s served and find herself in Republican-dominated territory. The maps and supporting documents were in binder clips in front of her desk, so it was no surprise that she started there when Southern City asked generally how things were going.

Senator Bryant: Right now, I’m a mixture of sad, scared, hopeful…. I’m sad because, in the process, I’m losing my five-county district that I of course love representing and am now in a Republican district. And so I’m sad about that. Scared, or anxious, about what decisions to make in the future. There is a Democratic-leaning House District that I am going to consider. There is an adjoining Senate district two blocks from me that I could consider. And should I be thinking, “Is this a time to make a change, a shift into a whole new way of contributing, in terms of public service?” So there is scare, anxiety, concern for me as I look at those opportunities…. And I also worry that this – depending on how the courts respond and how the parties to the lawsuits respond – could be drug on and on and on. It’s concerning.

“I’m a very strong advocate for local governments, both city and county, and feel very connected there... I’m very close to my municipalities ... I have about 20 towns. I’m closer to some than others, but I focus in on our towns as best I can.”

Senator Angela Bryant

It doesn’t sound like you’re leaning toward moving away from public office.

I had a series of appointed positions. I was a deputy commissioner of the North Carolina Industrial Commission, I was a judge at the Office of Administrative
Hearings, I was on the UNC Chapel Hill Board of Trustees and the UNC Board of Governors, just to name a few. And the Disciplinary Hearing Commission of the State Bar. So, in my career, I had had some public service appointments that I had served on. My first elected office was the Rocky Mount City Council. And then the House and the Senate. So I’ve had 14 years of elected public service, and I think about 35 years total of public service in various offices.

What originally drove you?
I was telling somebody that when I was a teenager, I got involved in Eva Clayton’s first campaign for Congress, and I think that sort of gave me a little bit of the bug. And my father was a community activist and tried many times to win elected office on the city council in my hometown of Rocky Mount, and because of racially polarized voting, he was never successful. And so I guess … politics was on the family menu. Politics was something the adults in my family discussed from my childhood. I ran for my first office in the fourth grade (laughter), and I ran for school hostess – speaking of gender-defined roles – to represent the school when guests came. And my father – we owned the corner store – he brought me candy to give out to the kids. As part of it, I had to make a speech to everybody in the fourth grade, and I took my box of candy around, to give out candy and ask everyone to vote for me (laughter). So I had my first taste of campaigning at that age…. I was also one of the children in my community to integrate the schools, at age 11. Martin Luther King Jr. came to my town and spoke. So I think it was both my family’s socialization and my generation…. So it became a part of me, who I am.

Is that also why you got into law?
It’s also why I got into law. My goal getting into law was to make changes, in the unfair and discriminatory things that I had experienced, only to find out how difficult of a problem that is in the long run … and how long it takes.

But heroes like Eva Clayton showed you the possibilities.
It just gave me a sense of excitement, possibilities. I mean, she was a black woman serving in Congress. Watching
her, I kind of saw, “This is how you do it, and I can do this, too.” It’s hard to accomplish something without a vision for it, without seeing yourself there, or seeing how it might happen. That surely helped me in other things I did, or in whatever service club I was in…. I often would run for office or leadership in many of the organizations I was in, or lead a project. And my mother was a good role model for both leading and serving.

**What was she like?**

She was an educator, but she was a very important women’s leader, in many organizations, various women’s clubs. She was a “club woman,” as they call them. Sort of in the mindset of Dorothy Height, in that kind of vintage. So I saw a strong role modeling in black women’s clubs and coming together and serving the community. And I had the father who was more of the community activist.

**Your run for city council – did that pay tribute to your father?**

It did. It actually came out of a voting rights situation, in that our community had, as long as I could remember, had been split in districts – I think in a way that kept him from running and having the support of the whole neighborhood. Our neighborhood was split. In fact, the line ran right in front of our house. As I learned more about redistricting and how to address it from a community standpoint … it took us about 20 years of working in the community and getting our elected officials to understand and to realize how to get a hold of this redistricting process. It took us two rounds of redistricting to get my whole community in one district, which was the key, geographically, to the city of Rocky Mount, to having fair representation of the community…. Once we got all that work done, somebody needed to run. I wasn't my initial plan to be that person, but before I would let that opportunity be lost, I thought I would run. My expertise, I do diversity and organization training … I thought I could bring that experience to the table to help the city and the communities, black and white. That was my start.

**Was the legislature on your mind in some way, too?**

I was getting ready to continue on the city council when two legislators (from other districts) died. And the dominoes moved such that my legislator (replaced one of the deceased, creating a new vacancy). They were looking for somebody who had experience and could jump right in. I had been an administrative law judge and had been a local government official, and I was in the district, so people contacted me. If you can imagine being in the legislature where, two weeks before, it wasn't even
on my mind … I came and got sworn in and sat down (in January 2007) and had to learn by the seat of my pants. I even missed orientation, because it had already happened. I had to pick it up as I went.

**What did you find yourself in the middle of?**

The big issue that I came with at that point in time was Medicaid. The counties wanted relief from the Medicaid burden, and that was critical. I represented Nash and Halifax counties, and that was their top priority, the top priority I came with at the time. And I was the local government person, having been on the city council. The good news is I was very close to the issues of importance to the cities and counties and knew a little bit about the legislature as we would work with them, through the League and (the N.C. Association of County Commissioners).

**Does that still carry with you? That closeness to local government?**

I’m a very strong advocate for local governments, both city and county, and feel very connected there … I’m very close to my municipalities … I have about 20 towns. I’m closer to some than others, but I focus in on our towns as best I can. A lot of small towns.

**What advice do you have for towns in reaching out you as a legislator and addressing local priorities?**

I would ask them to invite me to meet with them and to tell me the top list of four or five things that they would need from me at the state level, to give me an instruction sheet or a task list. At that point, I wouldn’t even say it has to be right or perfect. Just give me whatever you have off the top of your head. Ultimately, it would be great to have some support, for me to know what the asks are that I can fulfill.

**What do those asks tend to be, for your district?**

Jobs. Education. Transportation-related issues. Housing and community development – it’s hard to promote jobs when there’s nowhere for the people to stay. Jobs are a need, and community development also helps support you having a community where somebody will want to come to create jobs. And then channeling all of the community development money – and some of those communities aren’t even ready to use the infrastructure money for community development, for jobs.

They need to be ready for some of that job creation. Some of my communities even need service stations. A decent retail environment. But a service station isn’t going to come to a dilapidated community.

**What would be a game changer? What’s one thing a community like that needs?**

A big game changer for the Rocky Mount area, which will help the region, is the CSX terminal (which, according to news reports, could create 1,500 new jobs). Any time you can get a transformative project like that, it can make a difference. But I think in some of those small towns, it’s transforming some of those neighborhoods to make it more investor friendly. Otherwise, it’s just not even attractive. Making sure they have community development money could make a big difference. Warren County would like a hotel … I think it’s workable. How do we help them get there?

**So you can see it. Being able to visualize those outcomes, like you were saying before about your leadership. Is that the inspiration for you at the General Assembly?**

The inspiration for me is knowing I can help and make a difference. That I can take on a challenge … Helping to do those kind of transformational things, and the little things they want. Intervening with state agencies to help them see the bigger picture. Advocating for Community Development Block Grants and Rural Infrastructure Grants for projects that have been game changers for many of our communities.

*continued on page 46*
The Queen City is excited to roll out the royal treatment for the 2017 National League of Cities City Summit, which will take place at the Charlotte Convention Center in heart of uptown Charlotte Nov. 15-18.

“We are very excited about hosting the NLC City Summit in 2017 in Charlotte,” said James Mitchell, Jr., a member of the Charlotte City Council and Past President of the National League of Cities. “We have worked hard to make sure we create a good experience for those attending. Don’t miss the Closing Event featuring the Commodores.”

Ideally positioned as the crown jewel of the Southeast, Charlotte is known for her diversity, distinct neighborhoods and high quality of life. The Charlotte region continues to be one of the fastest growing in the nation. Her charm – as a hub for innovative ideas and a friendly, welcoming atmosphere – will drive strong conference attendance. NLC City Summit attendees represent small towns and big cities from 50 states, plus Washington D.C., Puerto Rico and Canada.

Hidden gems await the arrival of this year's attendees. Rich in culture and history, our city offers many surprises, no matter your interests – sports, art, dining, music, or something else altogether – there's always something new to discover about the Queen. She
shines with nightlife, culture, parks, retail, entertainment and best of all, incredible people. Come experience the eclectic mix of modern and traditional, urban and natural – that can only be found here!

“As Immediate Past-President of the National League of Cities LGBT-Local Elected Officials (LGBT-LO) and the current second Vice President of the National Black Caucus of Local Elected Officials (NBC-LEO), we are proud to welcome the National League of Cities back to Charlotte, NC,” said LaWana Mayfield, Charlotte City Council, District 3. “We look forward to showing off our beautiful city which is welcoming to all regardless of age, sex, gender expression, ethnicity or social-economic status.”

NLC attendees are invited to stroll under the willow, oak and elm trees in Myers Park, wander the art galleries in NoDa, play a round of golf in Ballantyne or hit one of our trendy rooftops overlooking our skyline in Uptown. Ride our LYNX Blue Line light rail into South End or march to a different beat in Plaza Midwood.

“As President of Women in Municipal Government, it would be an honor to welcome the National League of Cities to Charlotte,” said Patsy Kinsey, Charlotte City Council, District 1. “Whether you want to take in a show, visit a museum, or try out your skills at the U.S. National Whitewater Center, Charlotte will entertain and delight visitors with a variety of interests.”

As a complement to the traditional conference structure, the City of Charlotte will conduct 13 high-impact mobile workshops to showcase innovative and successful city initiatives. Guests and spouses will enjoy customized programming throughout the conference, including dynamic tours of the sites and amenities Charlotte is known for, along with special opportunities to experience her history, creativity and natural beauty.

Plans include a mobile bike tour along our cross city trail, exploration of our uptown avenue of the arts, and guided tours of historic sites and special districts as part of the conference line-up.

Guides and resources for planning your trip are available online through the Charlotte Regional Visitors Authority website, charlottesgotalot.com, which features information on the “6 Amazing Experiences Exclusive to the Queen City” and “2017 Charlotte Official Visitors Guide.” Visit citysummit.nlc.org for more information and to register.  

Rich in culture and history, Charlotte offers a lot of activity for any interest.
Photo credit: City of Charlotte

Rich in culture and history, Charlotte offers a lot of activity for any interest.
Without a sense of caring, there can be no community. “(Anthony J. D’Angelo). These words embody two experiences I had last week. First, moving my son into UNC Chapel Hill. He is the second of two children and I would have official empty nester status once it was done. I was more anxious about him going to college than my daughter. (Those of you with oldest daughters may understand my trepidation). Fortunately, I recently had visited one of our members, Roger Stancil, Town Manager of Chapel Hill. During our conversation about the town, he mentioned what a responsibility, and appreciation, he feels having these sons and daughters as part of his charge. I thought about his words as I moved my son in. Roger’s natural awareness of this part of his constituency eased my mind. While I would still worry about his study habits, I knew my son would be safe in this town.

The second event was the eclipse. We were fortunate to have many places where you could view parts of it and if you were in Franklin, you caught the whole thing … including Mayor Bob Scott in eclipse glasses. Wow! As I watched it, surrounded by a few hundred strangers, I was most captivated by the sense of community. People cheered as the sun became further and further hidden. People offered eclipse glasses, a bottle of water, a place to sit on a blanket, all given up gladly to friends and strangers alike.

So, after I closed out the summer with the “last child college move in” and a potentially once-in-lifetime eclipse, I had to reflect. Life was different now. What was foremost in my mind was gratitude. Gratitude for my family, for my community, and not least of all, for my work. I am grateful for the chance to serve you. Every day in every way, thousands of municipal staff and elected leaders go about their work making their own hometown healthy, safe, productive places for us to live, recreate, and, yes, send our children to learn and grow.

To a fault, as I have traveled throughout this state, I have been met with people who take pride in their work and love what they do. They care about their community.

Lastly, I thought about kindness, which I experienced again and again over those few days. According to Seneca, “[w]herever there is a human being, there is an opportunity for kindness.” Caring, community and kindness. This is what we do in North Carolina. Thank you for what you do and for allowing all of us at the League to support you.

Wishing health and happiness for all of you. SC
Wrightsville Beach Town Clerk Recognized by Peers

By Scott Mooneyham, NCLM Director of Public Affairs

Wrightsville Beach Town Clerk Sylvia Holleman might have known something was up at the recent meeting of the N.C. Association of Municipal Clerks Summer Academy and Annual Conference held in Atlantic Beach. A whole host of local officials from Wrightsville Beach showed up at the conference. They were there for one reason: To see her be recognized as the 2017 Clerk of the Year by her fellow clerks in the N.C. Association of Municipal Clerks.

“I am so honored to have been named the North Carolina Association of Municipal Clerks’ Clerk of the Year. I’m thankful to the members of the Association as well as the Wrightsville Beach Board of Aldermen (Mayor Blair, Mayor Pro Tem Mills, Alderman King, Alderman Miller and Alderman Weeks), to my Town Manager Tim Owens, and to my co-workers for their support,” Holleman told Southern City.

While Holleman was recognized for her dedication to the job, being the person who both Wrightsville staff and residents have come to look to when they need to connect various dots in the town, she credited much of her success to her predecessor, Linda Askew, who passed away in 2001.

“She was instrumental in shaping my life as a clerk. Linda was very involved in the North Carolina Association of Municipal Clerks and I saw early on what a valuable resource that was,” Holleman said.

Town Manager Timothy Owens and Alderman Lisa Weeks nominated Holleman for the honor.

In his letter of nomination, Owens wrote that Holleman is “the glue that holds this Town government together,” pointing to her unparalleled relationships with people in the town and her attention to detail. Weeks wrote that her thoughtfulness for others is revered by staff, the town board and residents. Both Owens and Weeks also cited Holleman’s organizational skills.

Holleman has been Town Clerk since November 2001, and had been appointed deputy clerk in August of that year. She had previously been the town’s public information officer for six years and has been an employee of the town since 1991. She has served under the tenure of eight mayors and six managers.

Holleman said the support that she received from town officials and from the N.C. Association of Municipal Clerks allowed her to turn a job into a career.

“All the elected officials supported my thirst for knowledge and allowed me to attend as many conferences and classes as possible,” Holleman said.

“Wrightsville Beach residents and businesses have always been supportive. Most of them are now like family and this community that I love has become my second home. It is surprising how quickly time passes when you enjoy what you’re doing. I have truly been blessed.” SC
Wake Forest installs free wireless in downtown

The Town of Wake Forest has launched free wireless Internet service in downtown Wake Forest.

Free downtown WiFi now makes it possible for residents and visitors to use the Internet outdoors along portions of South White Street, South Brooks Street and South Taylor Street using their smart phones, tablets and laptops. The network is not designed to penetrate through buildings, so users will be unable to access the Internet in their homes or businesses via WiFi.

Users can access the WiFi without a password. After selecting the network - TWFPublic - users will be required to read and accept the user policy. From there, they will be free to roam the Internet. However, content filters are in place to restrict users from accessing certain websites.

Access to the WiFi service is free for up to 90 minutes after which time users will be required to repeat the log in process.

The total cost to the town was approximately $26,000.

By providing free WiFi service in downtown Wake Forest, the Town has addressed Objective G in Goal 2 of the town’s strategic plan: Promote the use of technology to enhance our community.

Morrisville Police Department Unveils Internet Purchase Exchange Location

The Morrisville Police Department has unveiled an Internet Purchase Exchange location in front of the Morrisville
Police Department, located at 260 C Town Hall Drive. The exchange location includes marked, designated spots in front of the building, which is monitored by video. The location provides a safe space for those who make internet purchases from companies like Craigslist or through Facebook.

“With the increasing popularity of buying and selling apps, we felt it was important to provide our residents, or those in the area, with a safe place to make a purchase or sell an item,” said Police Chief Patrice Andrews. “We encourage residents not to meet strangers at their homes or an unfamiliar place. Our Internet Exchange Location provides a safe, video monitored place for these transactions to take place. As always, residents can also call the Police Department directly at 919-463-1600 to make an appointment to have an officer present for a purchase or sale.”

Kannapolis Welcomes Amazon Distribution Center

The Kannapolis City Council has approved an incentive grant for an Amazon Distribution Center which will be located off N.C. 73 and Kannapolis Parkway.

“We are very excited to welcome one of the nation’s largest companies to Kannapolis. Their role as a world leader in commerce continues to evolve and we look forward to being a part of their innovation in the distribution of good and services,” commented Kannapolis Mayor Darrell Hinnant. “The City is pleased to provide incentives that will result in over 600 jobs for people in Kannapolis and throughout the region.”

Amazon’s new facility will be an $85 million, one million square foot industrial building at 6501 Macedonia Church Road. The company anticipates creating a minimum of 600 full-time jobs with benefits.

City of Asheville holds groundbreaking ceremony for River Arts District Transportation Improvement Project

After seven years of planning with the community, construction of Asheville’s River Arts District Transportation Improvement Project (RADTIP) has begun.

The River Arts District Transportation Improvement Project (RADTIP) is a City of Asheville multi-modal transportation project that includes the installation of sidewalks, street trees, public art, bike lanes and greenways in the River Arts District, adjacent to the French Broad River.

The City engaged the community multiple times throughout the years to form the vision for RADTIP. When complete, the project will incorporate a 2.2-mile piece of the Wilma Dykeman Riverway, an urban parkway designed to support sustainable development along approximately 8 miles of French Broad River and Swannanoa River corridor. It will not only increase safety for pedestrians, bicyclists and motorists, but also incorporate a greenway and new recreation.
facilities along the French Broad River.

Half of the construction cost of RADTIP is funded through a $14.6 million TIGER VI grant from the federal Transportation Department, a $3.5 million grant from the Buncombe County Tourism Development Authority, and two grants from state of North Carolina. The City share comes from a combination of parking and stormwater funds, general funds and City debt proceeds used to finance the Capital Improvements Plan.

Concord deploys new public safety tools into the community

The City of Concord is deploying new technology to enhance public safety in the community. Although their sizes and features have little in common, over a year of budgeting, planning, and training is coming to fruition in order to better equip the Fire, Police, and other departments of the City to serve the community.

In July, the Concord Fire Department received its new fire prevention and life safety trailer. Manufactured by BullEx, the custom-built 34-foot trailer has the only technology of its kind currently in operation in North Carolina.

In addition to the traditional “smoke house” function experienced by many young children learning how to escape from a bedroom, fire prevention and safety trailer is equipped with training props and realistic sensory experiences to help citizens of all ages learn how to respond to emergencies. There are separate training environments for the bedroom, kitchen, and an industrial setting. Additionally, an extreme weather scenario package can provide training for a variety of emergencies beyond fires.

For more information contact your Retirement Plans Specialist Kimberly Stone at 919-570-8670 or toll free at 866-838-6769
Concord’s new fire prevention and life safety trailer helps people of all ages learn about emergency response and safety. Photo credit: Town of Concord

“Fire prevention is the art of promoting environments and behaviors that avoid accidents and injuries,” said Fire Chief Ray Allen. “The old fire safety house served to educate thousands of people in our community and as a result countless fires and injuries have been avoided. No one keeps statistics on close call accidents or injuries, yet this is the margin fire prevention lives in, working behind the scenes to save lives we never knew were in danger. This new, state of the art safety trailer enables us to expand our audience into areas previously unreached. It is a credit to the City’s management and elected officials that they understand the importance of community education and are willing to invest in such education.”

The City is also preparing to begin using an unmanned aircraft system (UAS) for emergency response and other situations. Commonly referred to as a “drone,” the City has been working for the past year to develop policies and procedures around the UAS, comply with FAA and NCDOT regulations, and identify and train potential operators. The primary use of UAS is situational awareness in order to keep coworkers and citizens safe during dangerous operations.

The City’s Emergency Management team has led the effort to plan for and operate the DJI Inspire 2 complete with a range of equipment. At least 375 public safety agencies across the United States have added UAS to their capabilities, and 80 percent use a DJI-manufactured model. Potential uses for the UAS include search and rescue operations (for example, lost children in the woods—even at night), structure fire monitoring and investigations, barricaded persons/hostage situations, accident investigations, and inspection of City infrastructure such as water tanks, drainage areas, roads, power lines, and buildings. In summary, the UAS provides aerial observations without the cost and risk associated with a helicopter.

“The UAS will be a useful tool in helping us improve service to the community,” said Deputy City Manager Merl Hamilton. “Public safety departments will be able to use it in critical responses to protect life and property, while other departments will have another method to inspect our infrastructure and respond to problems. All departments will benefit from the safer working environment created by the use of the UAS. Our Emergency Management team will oversee and monitor the program to include deployment, assessment, and accountability.”

SC
Littleton wanted a new library, which has been a hopeful, bright star for that community on their Main Street. Helping them have the resources that they need. One of the reasons I supported sales tax fairness legislation is to help communities (with a scarce business presence) have a little more resources to be on the playing field. And to be able to fight for that and have them see the benefit of that. I love helping to include my cities, bring them along, help them see, help them think through what they want, get in the fight, and then make good decisions on using those resources they get.

I know going forward that the League will continue its evolution helping towns and cities meet ever more complex challenges. For so many municipalities, those challenges are immense, as they face a shifting economy and population changes. But I am confident that the League has never been better prepared to help you stride into that future.

Where does that leave your town? For now the alternatives seem to be to (1) carefully review the municipality’s practices to take into account factors addressed in the cases up to this point, recognizing the risk that further rulings on other facts or nuances could expose the town to litigation, or (2) limit risk by replacing prayer with a moment of silence, during which attendees may pray, or not, in accordance with their own beliefs. The moment of silence has been successfully adopted by a number of local governments and is the safest course of action from a legal standpoint. Ultimately it’s a judgment call for the municipality, and one that we recommend involve your local municipal attorney.

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Legal Eagles

continued from page 22

and that attendees were requested to rise and pray with the commissioners, the court concluded that the county’s practice served to impermissibly identify the government with Christianity. The majority found that the elected officials represented “the very embodiment of the state,” meaning that “the prayer-giver was the state itself.” We don’t know yet if the Supreme Court will review the case.

Where does that leave your town? For now the alternatives seem to be to (1) carefully review the municipality’s practices to take into account factors addressed in the cases up to this point, recognizing the risk that further rulings on other facts or nuances could expose the town to litigation, or (2) limit risk by replacing prayer with a moment of silence, during which attendees may pray, or not, in accordance with their own beliefs. The moment of silence has been successfully adopted by a number of local governments and is the safest course of action from a legal standpoint. Ultimately it’s a judgment call for the municipality, and one that we recommend involve your local municipal attorney.
MANAGEMENT

Town Manager – Town of Walnut Cove, NC, population, 1,425. Small, friendly community just north of Winton-Salem, $1.8M budget, water/sewer department and License Plate Agency, 10 FT and 3 PT employees. Law enforcement is handled through a contract with the County of Stokes. Manager-Council with Mayor and four Commissioners. The successful candidate will demonstrate excellent oral & written communication skills, strong community leadership & interpersonal characteristics, & solid planning and decision-making abilities. Responsibilities include supervision of employees, budgeting, grant administration & the overall administration of town functions in accordance with Board policies. Minimum qualification: bachelor’s degree from an accredited school in public administration, business administration or a closely related field. Strongly preferred: 3-5- years of experience as either a town manager/administrator or assistant manager with supervisory experience. An MPA or MBA is a plus. Hiring range $40,000 to $50,000. Please submit resume, cover letter and Town employment application to: townmanagerwc@embarqmail.com or mail to: Manager, Town of Walnut Cove, PO Box 130, Walnut Cove, NC 27052. www.townofwalnutcove.org. Position Open until Filled.

Scholarships are available thanks to Local Government Federal Credit Union.

Visit lela.unc.edu for an up-to-date calendar of educational programs offered through the Local Elected Leaders Academy. To learn more, contact Donna Warner at 919.962.1575 or warner@sog.unc.edu.

Capital Budgeting for Elected Officials

NOVEMBER 16 CHATHAM COUNTY
One of your jobs as an elected leader is to look ahead and plan for the needs of your city. Planning for and financing things like schools, parks, green ways, public safety needs and water/sewer is a major responsibility. This workshop will help you understand your leadership role in the capital budgeting process, translate complex financial terms into plain language, and provide you with the right questions to ask your manager and finance staff. The course will also help you see the value in strategic planning, consensus-building, and goal setting.

To register, visit bit.ly/CBEO2017 and click “Click here to register for this upcoming course offering” under the program title. To register by phone, call 919.966.4414.

Upcoming Leadership Training Opportunities

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2017

NOVEMBER 16 CHATHAM COUNTY
Capital Budgeting for Elected Officials

2018

JANUARY 11–12 HICKORY
Essentials of Municipal Government

JANUARY 17 KERNERSVILLE
Budgeting and Financial Basics for Municipal Elected Officials

JANUARY 25–26 CHAPEL HILL
Essentials of Municipal Government

FEBRUARY 9 TBD
Managing Conflict: How to Disagree and Still Work Together
Over the past year, I have had several conversations with State Treasurer Dale Folwell, and among the topics that we have discussed are the rising number of municipalities that have been put on the Local Government Commission’s fiscal distress “watch list.”

There are a number of reasons that local governments are placed on the list. Some of the reasons are not actually related to the financial condition of the units of government, but instead involve fairly technical issues or reporting requirements. Sometimes, though, the listing will reflect real financial difficulties, and ones that cannot be solved with easy fixes.

One the pledges coming out of the League’s strategic visioning process, Vision 2030, was that we, as an organization, would step up when it comes to providing valuable and effective membership services, as well as serve as a trusted provider of technical assistance. It’s important to remember that those aims did not come from League staff, but derived from a member-driven process and member input.

In my conversations with Treasurer Folwell, I recognized that one way that we could accomplish that end was to help members with financial and management assistance.

With that in mind, you will soon see the League employing four part-time municipal operations consultants, people who will be working in the field with individual cities and towns to help them address financial and management challenges. Although our hiring process was just beginning as of this writing, I would expect the positions to be filled with individuals with significant municipal management experience.

Over the past couple of years, the League has done a lot to enhance communications – whether through our publications and media, programming at annual conference or other events, or issue-specific webinars – to provide members access to information regarding best-practices occurring in this state and in local governments all around the country. This move takes that effort a step further, putting experts in the field, “case workers” for cities and towns.

As I said before, I know that some of the challenges facing member cities and towns are not easy.

We know, for example, that towns which have lost population but operate substantial public works infrastructure like water and sewer systems can be under tremendous financial pressure to continue to pay for the operation of those systems with fewer users. Those kinds of financial strains are exacerbated when the losses include a major manufacturer that made up a significant portion of the property tax base.

We know that natural disasters can place huge financial strains on towns and cities, ones that they may recover from for several years.

Obviously, these new positions and the people who fill them will not be a panacea for every difficulty faced by every town.

What they will be is a means for this organization to be more responsive to you, and to helping you address problems in a hands-on way that will hopefully translate into delivering better, more effective services to your residents.

This effort isn’t our first and won’t be our last when it comes to re-imagining the League as an organization that can better help members adapt to the future. We do hope it will be a key part of that larger plan. SC

By Paul Meyer
NCLM Executive Director
If the pharmacy ever tells our clients how bad we are ripping them off, they could put us out of business.

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