

**COLUMBUS COUNTY BOARD OF COMMISSIONERS**

Monday, November 28, 2011

6:30 P.M.

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, for the purpose of resuming the November 21, 2011 Regular Session Board Meeting on the fourth Monday.

**COMMISSIONERS PRESENT:**

Giles E. Byrd **Chairman**  
 Amon E. McKenzie, **Vice Chairman**  
 James E. Prevatte  
 P. Edwin Russ  
 Lynwood Norris  
 Ricky Bullard  
 Charles T. McDowell

**APPOINTEES PRESENT:**

William S. Clark, **County Manager**  
 Mike Stephens, **County Attorney**  
 June B. Hall, **Clerk to Board**  
 Bobbie Faircloth, **Finance Officer**

**RESUMED MEETING CALLED to ORDER:**

At 6:30 P.M., Chairman Giles E. Byrd called the resumed meeting to order. Chairman Byrd stated the following:

1. I will request that Michael H. Stephens, County Attorney, orally read the policy on Public Address to the Board;
2. I would like to say on behalf of the Board, we are all here to make decisions and do the best we can for the County;
3. We are not here to be preached at as we have been in the past;
4. You need to make your point clear;
5. We all understand the issues, the pros and the cons;
6. Each person that has filled out a card will be allotted three (3) minutes to speak, if we ask you questions, then your time will be extended, but if we don't ask any questions, then you will be maintained at the three (3) minutes;
7. At the end, I will ask if someone wants to speak that has not, being I don't have but three (3) or possibly four (4) cards; **and**
8. At this time, I will ask the County Attorney to orally read the policy on Public Address to the Board.

**READING of the POLICY on PUBLIC ADDRESS to the BOARD:**

Michael H. Stephens, County Attorney, orally read the Policy on Public Address to the Board.

**PUBLIC COMMENTS (5):**

1. **Brigitte Jeannora Johnson (No Address Listed):** stated the following:
  - A. My question is, are we contract workers, specialized workers or county employees?;
  - B. We got Mr. Ed saying that he wants to change it to specialized employees;
  - C. You'll are saying we are contract workers; **and**
  - D. We would like to know what are we?

**William S. Clark:** stated the following:

1. Right now, under the existing arrangement, you all have signed an agreement that when you came to work for the county that you were independent contractors; **and**
2. Is that correct Mr. Worley?

**Ed Worley:** Yes sir.

**Johnson (cont'd):**

- E. When I first joined, I didn't sign no papers saying I was a contract worker;
- F. Later on, during that time when I was there, we had a meeting at Southeastern, and that is when they said we were contract workers; **and**

G. I didn't want to sign the paper, but if I didn't sign the paper, I wouldn't have no job.

2. **Dianne Turner Hewitt, 3219 Andrew Jackson Highway, SW, Chadbourn, NC:** stated the following:

- A. There is one thing that I would like clarified for me;
- B. In the paper last week, it said that Mr. Clark and Mr. Worley had been in a meeting and discussed the full-time employees doing the furlough, two (2) days off a month with no pay;
- C. Is that two (2) days off a month without pay, is that considered the two (2) days that they are off every other Friday, or is that two (2) other days?;

**William S. Clark:** replied stating that was two (2) other days.

- D. I didn't know, because that was not specified and I just want to clarify this;
- E. Like I previously said, we are here to make a decision, one way or the other, and it is not going to make everybody happy;
- F. Like we have all said, we just want to be treated fair;
- G. I thought we were all working as one big family to get things done;
- H. I care about our clients and what their circumstances may be, and I am there to help them, and I think we should be compensated for this;
- I. If we have to take a cut, that is fine, and like I said before, when we are cut, the ones that have been there the longest, it is not the fact of being cut, but is being the new ones coming in that is going to be making the same amount as we are, even though we have been here fifteen, twenty (10-15-20) years;
- J. This is not right;
- K. If a person has been here for several years, they don't want someone just coming on board making the same amount as they are making;

**William S. Clark:** I would like for Mr. Worley to address this.

- L. That is what they were talking about doing the first time. The In-home Aides \$8.00 and something and the Aides back down to \$9.00, right?;

**William S. Clark:** That is not in the final recommendation. Our recommendation is to be across the board.

- M. At one time, that is what they were saying.

**William S. Clark:** You are right. At one time, that was on the table, but that has been changed.

**Chairman Byrd:** stated the following:

- 1. The Board stated that we wanted to be fair to everybody;
- 2. That is why we have gone back and looked at the different options that we have;
- 3. We are all aware that we do have a problem, even you know that we have a problem, and we have to work it out;
- 4. We want to treat the first employee that went to work for the County the same as the last employee that went to work for the County, as far as being fair;
- 5. Along the way, with the way that it had been set up, maybe that is something that should have been handled differently;
- 6. What has happened, we are paying a price, Medicaid and/or Medicare has cut back, and we are still paying at the same level we were paying when things were going good;
- 7. We have experienced severed cuts from Medicaid and/or Medicare, whatever the billing is;
- 8. The margin between operating expenses and what we are getting paid has come to the point where we are losing money;
- 9. That is why we are here where we are tonight;
- 10. Everyone is not going to leave happy, but I hope this Board leaves tonight with a decision that everyone can live with;
- 11. We have to live with the decision, even though it does not affect us as much individually as it does each one of you tonight, it will affect us;
- 12. We got you employees of the Department of Aging to think about, and we got the

- total citizenship of Columbus County to think about;
13. Statements are being voiced relative to why did you not make a decision, we are still losing money, you are not doing anything, why are you not doing something;
  14. The people don't realize that we have searched our hearts and souls to try to come out with a fair and honest decision to benefit everyone the best we can;
  15. We have to protect the citizens of the County totally, the taxpayers, we are dealing with their money also;
  16. We want to be fair, and I hope we can resolve this tonight.
3. **Debra J. Hollingsworth, 220 Choppin Street:** stated the following:
- A. We were considered contract workers, not when we first started working for the Department of Aging;
  - B. I started working for the Department of Aging in 1998;
  - C. Mr. Worley and them had us to sign some contract papers in 2000;
  - D. In the midst of us signing those papers, being an employee in 1998 and him getting us to sign some contract papers in 2000, so what were we doing, why were we considered an employee, and then later considered a contract worker?;

**Ed Worley:** All along, as far as we were concerned, they were contract workers, and it was affirmative in the year 2000.

- E. In 2000, but I started to work in 1998, and we asked Mr. Worley along this time why were we not getting healthcare and our benefits;
- F. Mr. Worley said to us that we could not get healthcare benefits and the benefits the County offered because we were contract workers;
- G. Now that we are not contract workers, I want to know why can we not get what we are due as our benefits;
- H. We aids are sitting here and we are working, and half of these aids out here don't even know what they are entitled to;
- I. Why don't Mr. Worley tell the aids what the County offers the County employees, the full-time County employees that work 37.5 hours;
- J. I feel like those who are saying the in-home aides have to take a furlough, I don't think that is right, and I don't think the ones on the outside need to take an eight (8%) percent;
- K. If you cannot pay your workers, you do not need to fund these centers;
- L. If you are going to build this nice big center, bring them together so you can pay your workers to work for these people;
- M. It is not fair to us, and it is not fair to the workers inside, and I want everybody in here to know what benefits that the County offers to the County employees, the full-time County employees;
- N. I want everybody in here to know what they have lost, what the County has taken away from them.

**Vice Chairman McKenzie:** Debra, have you been receiving the full benefits during the time you have been working for the County?

**Debra Hollingsworth:** No, no. I receive seven (7) paid holidays which we, I was suppose to receive twelve (12). I was suppose to receive twelve (12) sick days which I did not receive. I was suppose to receive my healthcare walking through the door, my 401 pension plan, if the company offered it to the employees, I was supposed to be offered. It was not even mentioned to us. None of these benefits were mentioned to us. We would go to Mr. Worley and say something about benefits, that was the reason he had to come up with this fake contract to prevent us from getting our benefits, and it is wrong. So, what does the County intend to do about what mistake the County has done to us. I mean it is wrong. Everybody else in the County gets their benefits except for the CNA's and In-Home Aides. Everybody else that works for Columbus County Government gets their benefits. We are the only little group of people that goes out there and works that don't get their benefits.

**Vice Chairman McKenzie:** You said in 2000, that you signed the contract.

**Debra Hollingsworth:** When he brought that contract before us, it was in 2000.

**Vice Chairman McKenzie:** Let me ask you this question. Did you, at that point, inquire about your benefits other than just going to Mr. Worley?

**Debra Hollingsworth:** No, because we respected Mr. Worley for what he told us. We have always respected Mr. Worley. We had no doubt that he was doing us wrong in any kind of way. But we went to him and would ask him . . .

**Vice Chairman McKenzie:** But you were not receiving your benefits.

**Debra Hollingsworth:** No, but I am saying, we thought what he gave us was all that we were entitled to, because that is what he told us. We respected that, what he told us. He would even go the point where he would say he was going to see about getting us some self insurance, and would bring in certain people that would offer it to us, without us having to pay a lot of money to get health insurance, where the County was paying for the health insurance, but wanted us to pay out of our money to get our health insurance.

**Vice Chairman McKenzie:** But as far as you know, you were not getting these benefits?

**Debra Hollingsworth:** No.

**Vice Chairman McKenzie:** Mr. Worley had told you that you were a contract employee and you were not entitled to these benefits?

**Debra Hollingsworth:** Exactly. But in the meanwhile, we were made a County badge. Everyone of us had a County employee number. My W-2 Form says that I am a County employee worker. The IRS says that I am a County employee worker. What else can I say?

**Vice Chairman McKenzie:** The thing that puzzles me is that it has been a long time since 1998, and as outspoken as you are, . . . . .

**Debra Hollingsworth:** No. I respected Mr. Worley for what he told us. As a worker, we gave him the highest respect for what he told us. Those were his words. Ever since we mentioned that, those were the words that Mr. Worley gave us. Later on, when we first started working, we were not even getting travel. One of the workers in the office went to him, I guess, and recommended that, by law, it was by law that the employment required that we get travel. We were not getting any of that stuff.

**Vice Chairman McKenzie:** At that point, your only reference point was Mr. Worley.

**Debra Hollingsworth:** Mr. Worley and his word.

**Vice Chairman McKenzie:** You do realize that people that do not do a normal 36 hours or 40 hours, they are part-time employees.

**Debra Hollingsworth:** I was doing 39 and 40 hours per week when I was working for the Department of Aging.

**Vice Chairman McKenzie:** When you came here, did you realize that is was a part-time job?

**Debra Hollingsworth:** No. They did not tell me that it was a part-time job. They didn't hire me as a part-time worker.

**Vice Chairman McKenzie:** As far as you knew, you were a full-time worker, but you were not eligible for the benefits?

**Debra Hollingsworth:** I was not eligible for the benefits, no more than what he gave us. When I first started working, I think we only got one (1) week vacation, and I found out now, if you are there fifteen (15) or more years, with years accumulated, I am supposed to get like three (3) weeks vacation, and we have people out here that have been here twenty (20) years or more should be getting four (4) or five (5) weeks of vacation, and they are not getting it.

**Debra Hollingsworth:** My questions were not answered.

**Ed Worley:** stated the following:

1. When they come to work for us, knowing that you may get a three (3) hour PCS Case, you may get a seven (7) or eight (8) hour CAP case, but you never know until those cases become available;
2. They are not promised anything beyond that;
3. When they come to work, they are promised how much we were paying per hour;
4. No benefits have ever been added to it, said to it or insinuated;
5. I did, at one time, try to find them some hospital insurance, and I could not locate hospital insurance that where they would be willing to pay part of it, and the County pay part of it;
6. We had meetings and never had attendance at them;
7. No benefits have ever been mentioned;
8. We didn't have it in the program to allow it; **and**
9. Therefore, I am sorry.

**Chairman Byrd:** So, what you are saying is when the employee came to work, it was according to the caseload as to how much time they got each day, each week or however. Then if one client was to pass away, or something, it may be days before they got another client. Is this what you are saying?

**Ed Worley:** Yes sir, that is what I am saying?

**Vice Chairman McKenzie:** Do you by any chance have a copy of that agreement that those individuals signed when they came in, and do they get some kind of welcome packet to explain their benefits they are entitled to? Do you have anything such as that?

**Ed Worley:** I don't have a copy with me.

**Debra Hollingworth:** I can get you mine out of my car.

4. **Ardella Scott, 309 West 4<sup>th</sup> Street, Tabor City, NC:** stated the following:
- A. My question is I want what is due to me;
  - B. When we go out to these clients' houses, you want quality work, and we do quality work, and I don't think it is no more than right for you'll to treat us like somebody;
  - C. I drive from Tabor City to Mollie every day to help my client, and then I go back to Green Acres, and one thing I really want you'll to know, I got a client in Green Acres; **and**
  - D. I have to be there at 7:00 A.M. in the morning, and my supervisor, when she goes to Green Acres, she has to bring a co-ordinator with her, but yet I am up there before day in the morning, and if it is bad for her, it is bad for me.

**Vice Chairman McKenzie:** How many hours do you work?

**Ardella Scott:** I work forty (40) hours, and I have three clients. I give one (1) client 13.25 hours, one (1) client 13.15 hours and one (1) client 13.15 hours. I have got a 2004 car. When I started driving my car, I had 20,000 miles on it, and now, my car has got 70,000+ miles on it now. You know that you are not going to pay me enough money to buy me another car.

5. **Timmy Lyn McCollum, 217 East 3<sup>rd</sup> Street, Chadourn, NC:** stated the following:
- A. Mr. Worley stated that he gave the County over \$1 million when they needed help, and now I see in our department we need help, and we are not receiving any help from the County;
  - B. I disagree with the suggested cuts because we don't make enough money;
  - C. Some of the workers in the office and some of the CNA's in the field have other jobs to make ends meet;
  - D. This eight (8%) percent cut will hurt us and our families;
  - E. I could not pay my bills if it was not for my husband, as well as with other employees;
  - F. I don't understand why the County does not help our department; **and**
  - G. I looked up the specialized worker and I don't see it anywhere, and I don't see this information, and would like to know what it is.

**Michael H. Stephens, County Attorney:** That is a classification that the Board of Commissioners chose. The Board can differentiate between employees in the County, and they can say full-time employee, part-time employee or a special employee classification. In those different classifications, the Commissioners can say what fringe benefits will be given to each class of employee. Not each class of employee will receive the same benefits in the discretion of the Board of Commissioners.

**Vice Chairman McKenzie:** How many hours do you work?

**Timmy McCollum:** Right now, forty (40) hours.

**Vice Chairman McKenzie:** When you came to the job, did you think it was part-time, full-time, what did you think?

**Timmy McCollum:** I thought I was a full-time employee. I worked in a nursing home. I was never told that I was a contract worker. I was told that I was an employee. I was told in school that CNA's make between \$18,000 and \$25,000 per year, that we receive benefits, we work in hospitals, nursing homes, private care facilities and departments of aging. I never considered myself a contract worker. I always thought I was a County employee. I thought I was different from Interim and those private in-home care agencies, that the Department of Aging is what makes them qualify for benefits. You have got your cafeteria workers all the way down to Waste Management that receive their full benefits, but we CNA's don't receive our full benefits.

**Vice Chairman McKenzie:** What year do you start work with the County?

**Timmy McCollum:** Between 1992 and 1993.

**Commissioner Bullard:** Ms. Timmy Lyn, how long have you worked for forty (40) hours consecutively?

**Timmy McCollum:** I worked thirty-five (35) for about six (6) or seven (7) years, and then I took on another client, and that made me forty (40) hours.

**Commissioner Bullard:** So you have pretty much worked a heavy load each week?

**Timmy McCollum:** Yes sir.

**Chairman Byrd:** Have you had one (1) client for twelve (12) years or longer?

**Timmy McCollum:** There were times when I had single clients, but most of the time, I had one (1) client.

**Chairman Byrd:** One (1) client for all those years?

**Timmy McCollum:** At times whenever my client got sick and went to the hospital, or even passed away, they gave me fill-ins until they gave me a full-time client.

**Chairman Byrd:** I was not aware that anyone was assigned to a client a full eight (8) hour shift in a day. You said you had one (1) client, and you would have to work a full eight (8) hours shift at that one (1) home, five (5) days a week.

**Timmy McCollum:** I had one (1) client that I worked thirty-five (35) hours a week and I took on another client which gave me five (5) extra hours, but now I have two (2) clients right now.

**Chairman Byrd:** So, you are assigned seven (7) hours at one (1) house?

**Timmy McCollum:** Yes.

**Commissioner Bullard:** Can you clear that up Mr. Ed.

**Ed Worley:** She has got a CAP client, and they qualify for seven (7) hours. There is a variation due to the equipment that is purchased for that client or other procedures that are required.

**Commissioner Prevatte:** stated the following:

1. Mr. Chairman, I have a question;
2. My question is to Ms. McCollum, Ms. Scott, Ms. Hollingworth, Ms. Hewitt and Ms. Johnson;
3. When we first encountered this situation some time back, I kept hearing treat us all the same;
4. I want you to keep that in mind too as we deliberate on what to do, and that is to treat everybody the same;
5. Don't just cut down on the aides, put on some of the other employees;
6. You realize that even at what you are making now, you make more, as you said, than private companies pay, you make more;

**Timmy McCollum:** I can't agree with that because I have an aunt that works with a private company and she makes over \$10.00 an hour.

7. I talked to several private companies today, and as a whole, and there are individuals, but as a whole, our employees average more per hour than what the private agencies are paying;
8. My second question to you, because our purpose was to hear you speak tonight, and I didn't promise you anything more than these people here, I don't think, in 1998, we didn't promise you any benefits because we were not here;
9. I am not saying you were not due them, you may have been due those benefits, but we are facing a dilemma here that not just the in-home aides are facing, but the entire County is facing, and that is that we, the citizens of Columbus County, lost \$500,000.00;
20. I wasn't working out there, but I lost it too because I am a taxpayer;
21. What would you five (5) propose to have us do to fix that problem, how can we get rid of that deficit, tell me how we can get back in the positive figure?

**Timmy McCollum:** When Mr. Worley gave the County that \$1 million when the County needed help, I feel like the County should step up and help our department.

**Chairman Byrd:** Mr. Worley did not give us \$1 million. Ms. Bobbie Faircloth, the County Finance Director, can tell us that \$1 million has been used along the way to correct deficits that have been created at the Department of Aging. Ms. Bobbie, will you address that?

**Bobbie Faircloth:** The \$1 million that keeps being referred to is actually due to billing software problems with the State back in 2005 - 2006 year that had to do with the In-Home Aides, the CNA Program and other programs, and all that, that the Department of Aging was never able to recoup.

**Commissioner Prevatte:** We did not take it. You asked for answers to questions, and I am asking you one (1) question - If you were sitting here, how would you correct the \$500,000 deficit? You are asking for more things which increases the amount. How would you correct the \$500,000 deficit?

**Timmy McCollum:** We are asking for the County to help us, that is what I am asking.. I am asking for the County to help us with our problem.

**Commissioner Prevatte:** You answer my question, and I will answer yours. Would you raise taxes?

**Timmy McCollum:** That the County help us.

**Commissioner Prevatte:** How can we help you if you are already in the red? Tell us how.

**Timmy McCollum:** The \$500,000 that you are saying that we are missing, you're saying that came from the Department of Aging. The Department of Aging gave out over \$1 million in 1995 or whenever. Okay, what I am saying . . . . .

**Chairman Byrd:** That money was never given anywhere. It was never collected. What it is, we are spending more money than the Department of Aging is taking in. You are paid a certain amount per hour for services rendered, but the Federal Government is reversing their price, they are lowering it year after year, after year, and the margin is getting closer, and they are cutting back. They are cutting what they are paying Columbus County per hour, so that is why we are in the situation we are in. We have continued to pay the same rate out when we have been getting less back in. So that is what has happened to us. They have been some late billing maybe, some billing problems and there have been some other issues, and we understand that. It deals with the Department of Aging. It does not deal with the County Finance Office, or the Federal Program. We are dealing directly with the Department of Aging like we would Waste Management or any other separate entity in the County. We are spending more than we are taking in, and that is our problem. That is the one thing, as Commissioner Prevatte stated, that I wanted to treat everybody the same, from the top to the bottom, every employee out there, the salaried employee, as well as the hourly employee. That is something that I said early on. We didn't just want to cut the aids. Everybody in that department needs to sacrifice some to maintain it or we can't maintain it. We can't take the general tax money just to subsidize it because we got to come back next July and we will have to raise taxes. I have received calls both ways. A lot of people don't benefit from the Department of Aging. It is the senior people. The younger generation out there, they say you are spending our money, we are having to work and pay taxes, and you are letting it be lost. Why haven't you guys done something? Why haven't you guys tighten the reins up? Why are you letting it go on? Why didn't you make a decision a week ago? We are here and we have worked very hard from every angle that we possibly could to come with a solution, and I am hoping that we can do that tonight. Everybody is not going to leave happy. We know that, but we have got to do something and we want to do the best thing we can for the employees of the Aging Department wherever you rank, and the best thing we can do for the Columbus County taxpayers. That is what we have to do. That is where we are. We can't just take money and subsidize the program and keep it going. We just can't do it.

**Vice Chairman McKenzie:** The other night, you were not here, Debra was here, and we said that we would come here tonight, and we want to be in a position whereby we can make a decision as to which route we can go. My colleagues have said, and you realize now that the \$1 million you keep talking about is not on the table anymore. This County, of course we operate on what is called a budgeted year. When the budget requests go in, and we honor that budget, and that is the money that is out there for every group to spend. We rely on certain revenue to come in. Based on the budget they request and based on the approval of that by these seven (7) Board members up here, and once that is done, of course it is in effect, and everything has to come into place. We anticipate money coming in. The money that was anticipated at the Department of Aging, the \$500,000, did not come in like it was suppose to because the Federal Government cut the program which that affected the State, and that which affected us down here on this end. We don't have the money available. What I am asking you is that we can come to some kind of agreement. You guys have done nothing wrong. If you want to put the blame, put the blame right here. This is where the blame lies. We did something wrong by mistake. But the main thing is that we want to correct that. First of all, we wish we could make you a County employee, we wish we could afford to do that. We would have to raise the tax rate on the citizens, and you don't want your taxes increased no more than I want my taxes increased. We want to make sure that everybody here understands our position and we all work together to solve this problem. I don't want you leaving out of here being mumbling and grumbling and being enemies of the County thinking that we took advantage of you. I want you to know I have observed every penny, I have talked to many people about this, not only the ones that call me but I have called several people to talk to them to see how they felt about what was going on. But we want to do what we can, based on what we presented, what kind of adjustment that we need to make, the things that we can do, we want to work with that. Not the things that we can't do. The reason we can't make you County employees is simply because we don't have the capacity. We are doing well to keep what we have right now within our capacity, but we are willing to try to make everybody as happy as we possibly can baring the situation and the circumstances that we are in. We did not plan for this, Mr. Worley didn't plan for this, and each day that we let it go past, we are spending more money, money that we don't have. We are operating in the red. That is what we doing, because we are operating on the budget that we have, based on the funding that was suppose to come in. We want you to keep a job. We want you to stay here with us. We love you and we appreciate what you do. I want everybody here to understand we appreciate what you do and we admire what you do. We want you to stay with us. Let's keep doing what we are doing. If there is an opportunity to make the pie a little more sweeter, and more money comes in, then naturally you

will be the first ones to put it where it needs to go. But right now, we are in a position where we really can't afford to do as you want, to become a County employee. We want to keep you working. We want to keep you as a County employee, but you will be under special consideration.

**Chairman Byrd:** There was a 2 ½% cut that came on October 1, 2011 with Medicaid, and when we made the budget up in July, 2011, I am sure that we included that cut coming. We have that cut and there will probably be more cuts coming in January, 2012. We want to keep the program going. We want to keep the employees with the Department of Aging with a job. We don't want to close the agency down. There are a lot of private sectors out there that feel like it shouldn't be in existence, period, and would like to see it closed down. They may come along and they may promise you a great job, and they may promise you everything until the program is gone, and then you may not have anything. This Board has worked very hard to try to keep you under the Department of Aging rather than just doing away with the program. You do a wonderful job, and I have heard many positive comments about your work. You have to pay. We have to do things to be able to keep this program alive ourselves. We are not here against anyone here tonight, not the first one. We are here to support you and do the best we can. But the people elected us also from respective districts throughout the County to represent them, and we got to do that also.

**Vice Chairman McKenzie:** Something that happened approximately five (5) years ago, and since the program has started, there has been a constant flow of agencies approaching the Board and recommending that we go ahead and privatize this service. One (1) of the main questions that I ask is that 'are you going to keep the employees that we have now?'. Their answer is no, we cannot do that, but we can hire some of them and they can apply. At that point, I was not interested anymore, and the reason is if any of you had lost your job because of that, I didn't want to be a part of it. I knew if we kept you here, we could keep you working. If you lost your job in the private sector, you would be on your own. That is the main reason I said no because they were not going to take care of the employees we had, they were not going to guarantee everyone of our employees a job. If they had said we would accept all of our employees as is, I would have been more in favor.

**Commissioner Prevatte:** We looked at many types of alternatives. Just last week, one (1) alternative that we looked at, or had to look at, is the possibility of cutting ten (10) positions. Is there ten (10) employees out there who would like to give up their jobs? In order to balance the budget, we would have to give up ten (10) of the forty (40) positions. If you give up ten (10) of the In-Home Aides, you are not going to generate the revenue that comes in for it. It did not make sense. Mr. Chairman, I am going to put something out there for consideration. In order to treat everybody, I promised you Ms. Hewittt that I was going to treat everyone the same way, to the best of my ability, I will offer the following motion for consideration.

#### MOTION:

- Commissioner Prevatte made the following motion;
1. Term the **In-Home Aides** as **Special Employees**;
  2. The **In-Home Aides** who work a minimum of one thousand (1,000) hours per year, give them the retirement that they deserve;
  3. The County should pay seven (7%) percent and the employee should pay six (6%) percent of the retirement amount;
  4. In lieu of doing furloughs, cut every employee eight (8%) percent across the Board, to be inclusive of all the employees in the Department of Aging and the **In-Home Aides**; **and**
  5. Cut out the **flex time** for the Department of Aging employees.

The motion was second by Commissioner Russ.

Discussion was conducted relative to the benefits of flex time and the fact that other departments in the County are utilizing flex time.

Commissioner McDowell requested that Commissioner Prevatte amend his motion to include an effective date of January 01, 2012, due to the Christmas holidays.

#### AMENDED MOTION:

- Commissioner Prevatte made the following amended motion:
1. Term the **In-Home Aides** as **Special Employees**;
  2. The **In-Home Aides** who work a minimum of one thousand (1,000) hours per year, give

- them the retirement that they deserve;
3. The County should pay seven (7%) percent and the employee should pay six (6%) percent of the retirement amount;
  4. In lieu of doing furloughs, cut every employee eight (8%) percent across the Board, to be inclusive of all the employees in the Department of Aging and the **In-Home Aides**;
  5. Cut out the **flex time** for the Department of Aging employees; **and**
  6. This will be effective on January 01, 2012.

**Vice Chairman McKenzie:** stated the following:

1. The biggest problem I have with this is the fact I don't like to cut anybody's pay;
2. We have put in a position where we have to do something;
3. We went through the process of giving them a pay increase a few months ago;
4. The main thing my suggestion is that we would for the rest of 2011 and 2012, until the next budget year, that we keep everything just the way it is, and that the County meet the obligation, pay that \$500,000;
5. My bosses are you, you put me in office, and the only ones that can take me out is you, and I listen to you;
6. I do not agree with taking pay away from you;
7. I listened to the County and I want my colleagues to hear it;
8. At this point, we have an obligation because these folks did not do anything wrong and they should not be held accountable for what has happened;
9. Since it is our problem, then I think we need to meet the obligation;
10. That is the only fair way of doing it;
11. The employees are being punished for something they did not do;
12. There was a calculated error somewhere, and the employees do not need to be punished for this;
13. We need to make the necessary adjustments and move on;
14. Next year, there will have to be some adjustments made and correct what the problem is at the Department of Aging;
15. Their title should be Special Employees but we should not take any pay away from them; **and**
16. That is the right way to do it.

**SUBSTITUTE MOTION:**

Vice Chairman McKenzie made a substitute motion to leave everything just the way it is and that the County meets the responsibility there as far as the shortfall, until July 01, 2012.

**COMMENTS:**

**Susan Shipman:** stated the following:

1. We have been sitting here tonight discussing the In-Home Aides not being contract workers;
2. We call them and offer them jobs every day and they refuse those jobs;
3. Debra Hollingsworth refused to go to a client this morning that was three (3) hours;

**Interruption by Debra Hollingsworth:**

Why should I take a three (3) hour job when I can get a five (5) hour job? They have not give me any hours.

**(Simultaneous inaudible conversation by Susan Shipman and Debra Hollingsworth)**

4. I don't have a choice of whether I do a job or not;
5. I am an employee, I have to do what is said;
6. Half of these girls have turned down employment in the last two (2) weeks;
7. That is a contract worker;
8. They pick and choose where they want to go and when;

**Interruption by Debra Hollingsworth:**

She is lying.

9. No, I am not lying., I have documentation;
10. The flex time does not cost Columbus County one dime. It is a morale booster; **and**
11. The flex time allows the employees to handle matters that can't be handled during the work

hours.

The **substitute motion** did not receive a second. The **substitute motion** dies for the lack of a second.

A roll-call vote was taken on the **original motion** with the following results:

**AYES:** Chairman Byrd, Commissioners McDowell, Bullard, Russ, Norris and Prevatte; **and**  
**NAY:** Vice Chairman McKenzie.

The original motion passes on a six (6) to one (1) vote.

## COMMENTS:

**Commissioner Bullard:** I voted the way I did to keep the jobs for our employees, and hopefully we are on the right track.

**Commissioner McDowell:** We are in tough times, but when times improve, we will remember you. We will put things back as quickly as we can, and that is the best we can do.

**Commissioner Prevatte:** I was trying to do what you told me to do. I asked you point blank how can we fix the problem, and I tried to treat everybody equally the same. I did not want to terminate anyone, because I look forward to next year, and maybe next year, things will improve and we can give it back.

**Chairman Byrd:** There was no easy solution to this problem. In the beginning, we stated we would try to work out something that would be fair and equal to each and everyone of you, and we have tried. We know that we did not satisfy everyone because there is no way we could everybody no matter what we done. The decision had to be made, we had to fix the problem. It starts January 01, 2012. Let's work the best we can with it, and we will over it. Times will get better.

**Commissioner Norris:** Mr. Chairman, it might be time for us to start on our budget and get a jump start before July, 2012.

## APPROVAL of ENGAGEMENT AGREEMENT between GOOD HEALTH SERVICES, INCORPORATED and COLUMBUS COUNTY:

Commissioner Prevatte stated that William S. Clark, County Manager, had presented an Engagement Agreement for operational review at the November 21, 2011 Board Meeting for the Department of Aging. This was not addressed at that meeting, but needs to be done. This agreement is between Good Health Services, Incorporated and Columbus County, at the **estimated fee** of nine thousand, five hundred and 00/100 (\$9,500.00) dollars to ten thousand, five hundred, and 00/100 (\$10,500.00) dollars.

After discussion was conducted relative to the need and cost, Commissioner Prevatte made a motion for Mr. Clark to proceed with the Engagement Agreement for operational review between Good Health Services, Incorporated and Columbus County, at the **estimated fee** of nine thousand, five hundred and 00/100 (\$9,500.00) dollars to ten thousand, five hundred, and 00/100 (\$10,500.00) dollars, second by Commissioner Bullard. The motion unanimously passed. A copy of this agreement will be marked as Exhibit "A", and kept on file in Minute Book Attachments, Book Number 4, in the Clerk to the Board's Office, for review.

**Lady in Audience:** stated the following:

1. I understand what you are trying to do to be fair to everybody; **and**
2. The only thing I would like to know, I understand that you are operating in the red, and I understand that there are a lot of budget monies being cut, is why you are putting up thousands of dollars to build a new building when you could take that money and put it back into the Aging Department.

**Chairman Byrd:** replied stating that money is grant money that was allocated for that and could not be used for anything else. We either take the money and use it within the County and build a facility or the money would go to some other county, and that building can be used for many different things. That was a grant that came through Congressman McIntyre's Office. It was not County money. We

either take it or not take it.

**Lady in Audience:** stated the following:

1. When I agreed to work for the Department of Aging back in May, 2011, I am one of employees making the lowest amount;
2. I was told that after working six (6) months, working thirty (30) hours a week, that we would get ten (10) holidays, ten (10) vacation days and fifty-one (51) cents per mile for travel; **and**
3. Are we still going to get that?

**Commissioner Prevatte:** Who told you that?

**Lady in Audience:** My supervisor Lisa Colon.

**Chairman Byrd:** We have no knowledge of that.

**Lady in Audience:** stated the following:

1. I am a nurse with the Department of Aging and I have been there for eleven (11) years;
2. I would like to ask Commissioner Prevatte how will taking flex time away from the employees benefit the County or the Department of Aging or anybody else?

**Commissioner Prevatte:** The purpose of eliminating the flex time was not to save the money but to treat the In-Home Aides the same way as the others. They don't get the flex time, and you are considering them as part of the Department of Aging. So my point was to treat everybody the same way.

3. Why should you penalize us that way when it does no good to anybody?

**Commissioner Prevatte:** I don't consider this to be a penalty to anybody.

**Amanda Jernigan:** I would like to address the \$1 million that keeps being brought up as follows:

1. I have been working at the Department of Aging since July 01, 1988;
2. I have every book of every year since I have been here that has the expenses and revenues in there;
3. I have a report that is done at the end of each year and the amount of money has never amounted up to \$1 million;
4. What happened was somebody had added up the ending balance at each year together;
5. It never has been \$1 million;
6. Bobbie was thinking it was coming from billing, and we did have a year when all of our internet services kept breaking down, The I.T. Department kept trying to fix it because the rotaries kept messing up, and there was one (1) year that our billing did not get in on time because of the equipment shutdown that we had;
7. Alan James got his department, and we finally got a rotary that was sufficient to handle the workload, so then the bills got caught back up;
8. Our billing is being done as the payroll is done, and the billing is not the problem;
9. There was never \$1.4 million dollars for the County to take out of our budget; **and**
10. **Leo Hunt did make this statement**, and I don't know where he got this information.

**Lady in Audience:** It is bad that it has come to a point, within the organization, that it has been termed that we are supposed to be as one, and the aides and the employees in the office are against each other. What I want to say is I do hope when this stuff is resolved, I am standing here with a masters degree, I work for the Department of Aging, I have been there four (4) years, I hope that there are employees to go in the building, because I, myself can not afford it. I have gone to school all these years, I have student loans, and I can't afford to have my money cut. It does not matter to me so much about flex, but what I am saying is I hope when you are going through your thought process, that you factor in whether there are going to be people here or if they would have jumped to another county.

**Lady in Audience:** In regards to flex time, it benefits the employees, the clients and the clients' families.

#### **DISCUSSION of WASTE MANAGEMENT CONTRACT:**

Chairman Byrd stated we need to start looking at our options on the Waste Management Contract I had mentioned earlier. The contract renewal comes up in 2012. We need to set down

with Waste Management to see what they have to offer. Since they have the contract, I feel like we should hear from them first.

Commissioner Bullard stated it was good to get prices from all interested agencies.

William S. Clark, County Manager, stated the County and the municipalities were working on a consortium for solid waste collection. I am prepared to present a resolution at the December 05, 2011 Meeting for approval. My understanding is that all the town boards have signed off, but I will check on this.

Commissioner Bullard stated if the towns had signed off and it will save money, I am in favor of that.

Commissioner Russ asked don't you think it would be good for Waste Management to come and let us know what they can do. Mr. Clark replied stating that if they wanted to come and talk about what they can do, that is fine, but I think they should do it in open session.

Chairman Byrd stated that since they have the contract, I think we should allow them to do that, and then we can go out for bid.

**RECESS REGULAR SESSION and ENTER into CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE:**

At 8:01 P.M., Commissioner Norris made a motion to recess Regular Session and enter into Closed Session in accordance with N.C.G.S. § 143-3218.11 (3) Attorney-Client Privilege, second by Commissioner Russ. The motion unanimously passed.

**CLOSED SESSION in ACCORDANCE with N.C.G.S. § 143-318.11 (3) ATTORNEY-CLIENT PRIVILEGE:**

No official action was taken.

**ADJOURN CLOSED SESSION and RESUME REGULAR SESSION:**

At 8:43 P.M., Commissioner Norris made a motion to adjourn Closed Session and resume Regular Session, second by Commissioner Russ. The motion unanimously passed.

**READING and APPROVAL of CLOSED SESSION GENERAL ACCOUNT:**

Chairman Byrd requested that Mike Stephens, County Attorney, orally read the Closed Session General Account. Mr. Stephens orally read the following:

*"The County Attorney discussed litigation involving the Chadbourn Rural Water Association and the Town of Chadbourn. No action was taken."*

Vice Chairman McKenzie made a motion to approve the Closed Session General Account, second by Commissioner Norris. The motion unanimously passed.

**ADJOURNMENT:**

At 8:44 P.M., Commissioner Norris made a motion to adjourn, second by Commissioner Russ. The motion unanimously passed.

**APPROVED:**

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**JUNE B. HALL Clerk to Board**

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**GILES E. BYRD, Chairman**