

**GOLDSBORO CITY COUNCIL  
REGULAR MEETING AGENDA  
MONDAY, MAY 4, 2020**

*(Please turn off, or silence, all cellphones upon entering the Large Conference Room)*

***NC Gov. Cooper's Executive Order 121 restricts mass gatherings to 10 people or less due to COVID-19; therefore, public attendance of the Work Session and Council Meeting is restricted to those who are on the agenda or who would like to speak during the Public Comment Period. If you are speaking at the meeting, please enter the City Hall Annex front entrance and maintain social distance while waiting to enter the Large Conference Room one at a time. The meeting will be streamed live on the City's Facebook and YouTube pages at <https://www.goldsboronc.gov/mayor-of-goldsboro/city-council-minutes/>, and broadcast on the Downtown Center Street speakers.***

**I. WORK SESSION – 5:00 P.M. – CITY HALL ANNEX, 200 N. CENTER ST., ROOM 206**

**ADOPTION OF THE AGENDA**

**OLD BUSINESS**

- a. Summer Youth Employment Initiative (Community Relations)

**NEW BUSINESS**

- b. Water Rate Study (Public Utilities)

**II. CALL TO ORDER – 7:00 P.M. – CITY HALL ANNEX, 200 N. CENTER ST., ROOM 206**

Invocation

Pledge of Allegiance

**III. ROLL CALL**

**IV. APPROVAL OF MINUTES (\*Motion/Second)**

- A. Minutes of the Work Session and Regular Meeting of April 6, 2020

**V. PRESENTATIONS**

- B. Employee Performance Awards (City Manager)

**VI. PUBLIC COMMENT PERIOD (TIME LIMIT OF 3 MINUTES PER SPEAKER)**

**VII. CONSENT AGENDA ITEMS (\*Motion/Second--Roll Call)**

- C. Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 501 Dail Street from JH Moyer Enterprises, LLC (Finance)
- D. Sole Source Vendor Resolution for LEA AID Acquisition Company (Finance)
- E. Contract Award – Wastewater System Improvements Formal Bid No. 2020-002 (Engineering)
- F. Professional Engineering Services for Wastewater System Improvements – Amendment No. 2 (Engineering)
- G. City of Goldsboro Personnel Policy (Human Resources)
- H. S-4-20 Stoney Creek Builders (Three-lot Preliminary Subdivision Plat) (Planning)
- I. SITE-6-20 Emergent Investments, LLC (Medical Office Facility) (Planning)

**VIII. ITEMS REQUIRING INDIVIDUAL ACTION (\*Motion/Second)**

- J. SITE-5-20 JBA Properties, LLC (Contractor's Office and Storage Yard) (Planning)

**IX. CITY MANAGER'S REPORT**

**X. MAYOR AND COUNCILMEMBERS' REPORTS AND RECOMMENDATIONS (\*Motion/Second)**

- K. Peace Officers Memorial Day Proclamation
- L. National Day of Prayer Proclamation
- M. Mental Health Month Proclamation
- N. Drinking Water Week Proclamation
- O. Municipal Clerks Week Proclamation
- P. Coats and Ties Off Proclamation

**XI. CLOSED SESSION**

**XII. ADJOURN**

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# SUMMER YOUTH PROGRAM UPDATE

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Shycole Simpson-Carter, Community Relations Director

May 4, 2020



[www.goldsboronc.gov](http://www.goldsboronc.gov)

# City of Goldsboro Summer Youth Employment Initiative (SYEI) Program

City Council was briefed during the Council Retreat February 26<sup>th</sup> on the previous three summer cycles for the City of Goldsboro Summer Youth Employment Initiative (SYEI) Program. On March 2<sup>nd</sup>, City Council directed staff to officially open the process for recruiting FY20 SYEI applications for youth employment and worksites from March 23<sup>rd</sup> until April 24<sup>th</sup>.

Marketing consisted of articles in the Goldsboro News Argus and Goldsboro Daily News, full page Ad within the City's Newsletter, one month Goldsboro Daily News Tile Ad, social media and email blitz, and an extensive radio advertising campaign on 92.7 Jamz and WFMC.



# City of Goldsboro Summer Youth Employment Initiative (SYEI) Program

At the end of the closing date April 24<sup>th</sup>, the program received 32 applications and 4 businesses or organizations had indicated they would become a worksite this summer. The Department was informed by several businesses or organizations that due to COVID-19 they were concerned with becoming or would not become a worksite this summer.

The Sponsoring Partners are hesitant to put youth and businesses at risk due to the unknowns of COVID-19. It is also our perception that social distancing may be a long-term normal practice that would pose many barriers for facilitating the program this summer. Therefore, it is the Sponsoring Partners' recommendation to cancel FY20 Summer Youth Employment Initiative Program and revisit facilitating a program next summer around January 2021.

# Summer Youth Program Update



MINUTES OF THE MEETING OF THE CITY COUNCIL HELD  
APRIL 6, 2020

**WORK SESSION**

The City Council of the City of Goldsboro, North Carolina, met in a Work Session in the Large Conference Room, City Hall Addition, 200 North Center Street, at 5:00 p.m. on April 6, 2020 with attendance as follows:

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem Bill Broadaway  
Councilmember Antonio Williams  
Councilmember Taj Polack  
Councilmember Brandi Matthews  
Councilmember David Ham  
Councilmember Gene Aycock  
Ron Lawrence, Attorney  
Tim Salmon, City Manager  
Melissa Capps, City Clerk

**Call to Order.** The meeting was called to order by Mayor Allen at 5:00 p.m.

**Adoption of the Agenda.** Mr. Tim Salmon stated I would like to add Families First Coronavirus Response Act (FFCRA) Policy. Councilmember Polack stated I would like to add resources needed for public works and solid waste employees. Councilmember Williams stated I would like to add something for COVID-19 as well.

Upon motion of Councilmember Williams, seconded by Councilmember Polack and unanimously carried, Council adopted the agenda with the proposed additions.

**Public Records Policy and Procedures Discussion.** Attorney Lawrence stated as you may recall, last week I sent you an email on 3/31 with two statutes and the inconsistency between the statutes on whether or not there can be charges for extensive requests. The governor has a policy to charge for extensive requests. Most of the folks with the School of Government or the Governor's Office like an administrative fee for extensive requests to be charged. The Governor's Office suggests four (4) hours of time and after that they would charge. There was a question about whether or not the time I take to review it could be charged. The School of Government folks, their opinion is they do not think so, other lawyers that do the same kind of work I do, that are contract like myself, not an in-house attorney, they feel like it can be, because the way the statute reads it says if it is a charge that otherwise would to be incurred. At this point there is no case law determining it. I laid out three (3) suggestions for you to consider. Obviously the safest one is number one (1) as far as being challenged in court. Until it is challenged in court, whatever policy you put in place you will not have a definitive answer but you can put that policy in place, enforce the policy when you decide on it. The first one was not to charge. The second one is to charge for those requests deemed to be extensive. You can use the governor's guideline that says four (4) hours' worth of time. I think that would be consistent with state agencies and that one does not charge for attorney time. The third option would be to charge for both administrative time and attorney time for extensive requests.

Attorney Lawrence stated so the most challengeable one is obviously the third one. The second one is probably not that challengeable. The first one you can't get challenged if you do not get charged. You have one statute that says separating the information you cannot charge for and another one that says but if it is extensive you can charge. The city manager gave you a proposed policy last time. The only thing that would have to be changed would be the paragraph where the fee would be charged. I believe it states \$33-\$157. The other parts of the policy is consistent with state statutes.

Councilmember Ham stated I think we need to establish a policy. I think we need to talk about which one of those options to adopt. Councilmember Ham asked Mr. Salmon to read the part of the proposed policy that talks about fees.

Mr. Salmon read Special Service Charge: NC Gen. Statute 132 – 6.2 (b) authorizes public agencies to charge a “special service charge” for request involving extensive use of information technology resources or extensive clerical and/or supervisory assistance. If a request will take more than four hours, the city will charge a reasonable fee, \$33- \$157 per hour (in excess of the initial four hours) to search, locate, collect, sort, copy and prepare the records to be produced. A cost estimate will be forwarded to the requester and approval and payment will be obtained prior to responding to the request. If cost exceeds the estimate, the requester will be notified an additional approval and payment will be obtained prior to completion of the request.

Councilmember Williams stated I think we established at the last Council meeting on the 16<sup>th</sup>, that attorneys cannot charge to review anything so you cannot add that to the fee process.

Mayor Allen stated I do not think you should charge for the attorney time either if it’s questionable. Why not just charge the \$33 that we do not believe is questionable. That gives us a starting point.

Mayor Pro Tem Broadway stated I think we should approve the Public Records Policy and Procedure as written. I make a motion to adopt the Public Records Policy and Procedure as presented by the city manager.

Councilmember Williams stated Gen. Statute 132 – 6 is North Carolina’s equivalent of the federal government’s Freedom of Information Act. The Freedom of Information Act was enacted in 1966 and was signed into law by President Lyndon Johnson. Its stated purpose was to implement full government disclosure. John Moss advocated for more government openness after the administration of Pres. Eisenhower. He fired many federal employees when Moss asked to review records associated with the dismissals the administration refused to hand them over. Moss held hearings about government transparency and conducted investigations into cases where agencies were withholding information. According to Moss, the present trend toward government’s secrecy could end up in a dictatorship. The more information that’s made available the greater will be the nation’s security. Because of the Freedom of Information Act request have revealed everything from the FBI’s surveillance of dozen of well-known African-American writers for five decades starting in 1919. The Freedom of Information Act request revealed accounts that transpired right here in Goldsboro. On January 23, 1961 a B-52 bomber carrying a 3.4 mega-ton nuclear bomb that crashed in Goldsboro. Had we not have the Freedom of Information Act we would not have known all the details of that scenario. Why is public records for request important? There could be information that has shown abuse or infringement on civil liberties and rights from the highest level of municipal government. This kind of treatment is sickening and downright un-American. We need to hold our elected officials, our city employees accountable for abuses and wrongdoing no matter if we agree with them politically or not. Why is General Statute 132-6 important, the answer is simple; knowledge; knowledge is power. Any Democratic government must be run for and by the people not by those in elected office or the city manager or employees. Without mechanisms like General Statute 132-6 politicians, employees might be more inclined to abuse their power with the knowledge that their actions could be kept from the general public’s eye. Knowledge is power.

Councilmember Williams reflected on a few things discussed on March 16. Councilmember Williams stated attorney Lawrence discussed 132 – 6(b), and stated some of these things. Public records policy changes, has there been constant records request that put a demand on the City of Goldsboro and if it has been has it been 50, 100, requests per month. That’s the question I have for the city manager because in my opinion it is no epidemic maybe I shouldn’t use that word, it is no sense of urgency when you have one or two individuals that request information that you change the whole policy. My concern is are we doing this because of the request, is it because of who made the request and if it is who made the request and now are we using these charges to retaliate against citizens we may not like or deem as troublemakers. Our tax paying citizens pay our employee salaries and paying additional monies to our city employees will be troubling, it could be viewed as double paying to our citizens. As councilmembers our duty should be first to preserve the rights of our citizens. This council has not been shown that we have this epidemic. At our March 16<sup>th</sup> meeting, it was stated 3 cities have additional fees. We have 100’s of cities in North Carolina. And most of the cities in North Carolina they follow the North Carolina Municipal Clerks guidelines, and in those guidelines, that municipal clerks use, NCGS 132-6 municipal clerks, they follow the standards of the NC Register of Deeds guidelines when



charging fees. The first paper copy is \$5.00 each, and additional paper copy is \$2.00. Is that right Ms. Melissa? Ms. Capps stated I would have to look at that. Councilmember Williams provided a copy.

Councilmember Williams stated what we didn't discuss was why most cities do not charge fees like our city manager is proposing. I consulted with professionals and other city elected officials and they stated they don't it. They don't it because of potential lawsuits. That would allow someone to take the city to court and they would most likely win and we would have to pay damages. I've had people come and request information from me, as far back as 2014, I didn't get elected until 2015. The city went back and gave all the information available and I did not have a problem with that. I did not have a problem with the request, because I did not have anything to hide. We gave the requester five years of information with no problem. There has been information I have requested about different programs, information pertaining to financing, these are things I have asked for months ago, and have yet to get them, why. In changing our public information request policy we must be very careful not to give the perception that we, our city has information to hide. My duty as a councilmember is to preserve the rights of my constituents and citizens throughout Goldsboro. I received an email from a citizen and they are against this policy. City Attorney Ron Lawrence first recommendation is that we do nothing about the policy. What law supersedes NCGS 132-6? NCGS 132-6 was enacted to protect our citizens from corruption and mismanagement of resources. What concerns me there could be information that was sent via email that is inappropriate or personal. All employees should under the city's email policy. At the end of our emails it states "Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time." So if we are going to change our policy here, we do not have the authority to change the policy that our municipal clerks abide by.

Ms. Capps asked may I respond to your fees. This is talking about here just providing copies. Councilmember Williams stated yes, paper copies. Ms. Capps stated we currently charge .25 cents per page for paper copies. Councilmember Williams stated we are in a digital age, so we can email information. Ms. Capps stated and we do that, if someone asks that we do that we do not charge. Ms. Capps stated this is talking about an excessive request, if it is something that we can fulfill pretty quickly, we do not charge. Councilmember Williams stated my suggestion to the city manager is instead of taking all this energy to try to change the policy that some will look at being discriminatory, I suggest we follow-up with employees and let them know they should not be emailing any personal information out.

Councilmember Matthews asked was the requester notified a cost would be involved before you guys started the work. Mr. Salmon stated no. Councilmember Matthews stated so we do not have a policy that charges right. Mr. Salmon stated right. Councilmember Matthews stated was that person notified that there could be a potential cost. Mr. Salmon stated yes, we would not charge for that history, if you all decide to enact this policy, going forward is what we would apply, we would not back date any costs; that would be my recommendation.

Councilmember Polack stated I also have an email I received from Ms. Alicia Pierce today. I think we also need to include the exemptions and denials of ascertaining a public record spelled out like this: communications about claims against or on behalf of the government body; communications about claims against or on behalf of the governmental entity the government body represents; communications about the prosecution, defense, settlement or litigation of the judicial actions or administrative proceeding or other proceedings to the which the public body is a party; communications about the prosecution, defense, settlement or litigation of the judicial action or administrative proceeding or other proceedings which directly affect the government body or by which might directly affect the government body. These are denials or exemptions recommended by the UNC School of Government. I think if we interject that into the policy people will know what they cannot get.

Mr. Salmon stated it is in the draft I sent forward.

Council continued discussing the draft policy. Councilmember Polack stated I have a question for the city attorney. You gave three options, something about the governor's recommendation, which one was that?

Attorney Lawrence stated the Governor's office has a policy which covers all state agencies, and they charge a fee of \$18 per hour for administrative time, anything that requires over four hours is when that fee kicks in; that is what they consider to be an extensive request.

Councilmember Aycock asked do they give any costs for printing copies.

Attorney Lawrence stated you can charge for the printing of copies. Most of the time, Melissa responded via email so she has not charged.

Councilmember Williams stated my recommendation is we keep it as is, the city attorney's first choice.

Councilmember Ham seconded Mayor Pro Tem Broadaway's motion to adopt the Public Records Policy and Procedure as presented by the city manager. Mayor Pro Tem Broadaway and Councilmember Ham voted in favor of the motion. Mayor Allen, Councilmembers Polack, Matthews and Aycock voted against the motion. The motion failed 2:5.

Councilmember Aycock made a motion to adopt option 2 which excludes attorney fees. Mayor Allen suggested to set a rate. Mr. Salmon shared \$33 is the average cost for the IT person searching for these emails and for Melissa's time.

Councilmember Williams stated \$33 will be double charging our citizens, IT is already getting a salary just like our clerk.

Councilmember Matthews asked when we talk about excessive, if it goes over four hours, is it Melissa saying I'm going to spend as much time necessary to get this done or are you going through your normal work day and when you get a free gap, you are going to work on the request.

Ms. Capps stated I do a little of both, the general statute says the request should be fulfilled within a reasonable time. If you have 5,000 emails you do a little bit of both so you do not get behind on your regular duties. We try to review x amount and get those out by the end of the week and do that until the request is fulfilled.

Councilmember Polack seconded Councilmember Aycock's motion to adopt option 2 which excludes attorney fees and charges \$33 per hour for requests that exceed 4 hours. Mayor Allen, Councilmembers Polack, Ham and Aycock voted in favor of the motion. Mayor Pro Tem Broadaway, Councilmembers Williams and Matthews voted against the motion. The motion passed 4:3.

Ms. Pamela Leake, Senior Human Resources Consultant presented the following information regarding the Families First Coronavirus Response Act (FFCRA) Policy.

**Families First Coronavirus Response Act (FFCRA) Policy. Resolution Adopted.**  
The Families First Coronavirus Response Act (FFCRA or Families First Act) requires certain employers to provide their employees with paid sick leave and expanded family and medical leave for specified reasons related to COVID-19. These provisions will apply from April 1, 2020 through December 31, 2020. This Act expands upon the Family and Medical Leave Act (FMLA).

- a. Qualifying reasons for Emergency Paid Sick Leave and Emergency Family and Medical Leave

An employee is entitled to take leave related to COVID-19 if the employee is unable to work, including unable to telework, because the employee:

1. is subject to a federal, state or local quarantine or isolation order related to COVID-19;
  2. has been advised by a healthcare provider to self-quarantine related to COVID-19;
  3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
  4. is caring for an individual subject to a federal, state or local quarantine or isolation order related to COVID-19 or who has been advised by a healthcare provider to self-quarantine related to COVID-19;
  5. is caring for his or her son or daughter because the child's school or childcare facility has been closed or the childcare provider is no longer available because of a COVID-19 related reason; or
  6. is experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.
- b. Generally, employers covered under the Act must provide employees: Up to two weeks (80 hours, or a part-time employee's two-week equivalent) of paid sick leave based on the higher of their regular rate of pay, or the applicable state or Federal minimum wage, paid at:
- 100% for qualifying reasons #1-3 above, up to \$511 daily and \$5,110 total;
  - 2/3 for qualifying reasons #4 and 6 above, up to \$200 daily and \$2,000 total; and
  - Up to 12 weeks of paid sick leave and expanded family and medical leave paid at 2/3 for qualifying reason #5 above for up to \$200 daily and \$12,000 total.
- c. A part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.
- a. Exclusions – An employer may exclude emergency responders from paid sick leave or expanded family and medical leave. For the purposes of employees who may be excluded from paid sick leave or expanded family and medical leave by their employer under the FFCRA, an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility.
- b. The list of emergency responders includes Public Works and Public Utilities personnel.

Staff recommended City Council adopt a Resolution adopting the proposed policy as a result of the requirements contained in Families First Coronavirus Response Act (FFCRA) effective April 1, 2020 with the following conditions:

- Emergency responders would be compensated 100% for qualifying reasons #1-3 above, up to \$511 daily and \$5,110 total;
- Emergency responders would be compensated 2/3 for qualifying reason #6 above, up to \$200 daily and \$2,000 total;
- Emergency responders are excluded from coverage for emergency paid sick leave for reasons 4 and 5 and Emergency Family and Medical Leave Act.

Upon motion of Councilmember Aycock, seconded by Councilmember Polack and unanimously carried adopted the following entitled Resolution adopting the proposed policy as a result of the requirements contained in Families First Coronavirus Response Act (FFCRA) effective April 1, 2020 with the following conditions:

- Emergency responders would be compensated 100% for qualifying reasons #1-3 above, up to \$511 daily and \$5,110 total;
- Emergency responders would be compensated 2/3 for qualifying reason #6 above, up to \$200 daily and \$2,000 total;
- Emergency responders are excluded from coverage for emergency paid sick leave for reasons 4 and 5 and Emergency Family and Medical Leave Act.

RESOLUTION NO. 2020-22 “RESOLUTION ADOPTING THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA) POLICY”

**COVID-19.** Councilmember Williams stated Mayor and fellow Councilmembers and Councilwoman, I just want to put something in place for our citizens here, an economic stimulus plan. COVID-19 has affected all within our country and our city. There will be much hardships and each and every one of us has an obligation to help our city. We took an oath, we have locally owned businesses in our city that rely on daily operations and unfortunately because of COVID-19 it has affected them. We don’t have a city without small businesses. This is a crisis. This economic impact can cripple our city and these are our partners and as such we should ask how can we help. The city’s budget could take a hit if local businesses shut down. I think collectively we could work together and plan how we can best help our citizens throughout Goldsboro. With the guidance of our Mayor, and our City Manager I am confident we can put our heads together and create solutions. I propose we create a stimulus package that will alleviate hardships for our seniors, our homeless population and most seniors live month to month. We can help by partnering with non-profits. Our small businesses face economic devastation without options. Our first responders have equipment needs that are much different than before. As we have heard, Congress has started a small business fund, that won’t be enough. Small businesses have little to no cash reserves. The Economic Stimulus Plan that I hope you can consider or add to includes a small business and non-profit stabilization forgivable fund in the amount of \$500,000; Zero interest forgivable loan program in the amount of \$250,000; additional \$250,000 for non-profits who feed and house the homeless and feed our seniors and supply services such as rental assistance. In the meantime, our hotels are hurting really bad, if we could waive the hospitality fees until July or August of 2020. Our city’s first responders...Goldsboro Fire Department \$125,000 for emergency management; Goldsboro Police Department \$125,000 for recruitment and retentions; Wayne County 911 \$125,000; Information Technology Department \$50,000 for equipment for a total of \$1.42 million.

Council discussed. Councilmember Mathews stated I agree we need to do something for our people. Mayor Allen stated we need to figure out where the money is coming from, we have to be sure it is legal, and we have to figure out the criteria to get it. Discussion continued and moved into resources for public works and sanitation employees.

**Resources for Public Works and Sanitation Employees.** Councilmember Polack stated I think we have a responsibility to our city employees. Safety is first. These guys are out here on the front lines, they have to take a class on blood borne pathogens every year. They do not have proper PPE. They wear cotton gloves.

Mr. Salmon shared masks and gloves are a priority for people who come in contact with the virus each day like the healthcare workers. It has come down from the state level who has priority for this kind of gear.

Mayor Allen stated we want to be sure we are providing what they need and we want them to communicate with us.

Councilmember Polack stated from what Ms. Pamela Leake just presented, it includes public works and public utilities employees, so they should all be privy to the same resources. Mr. Salmon stated it really just talks about who is eligible for that leave.

Councilmember Aycock stated at minimum we should make the gloves available and provide the N95 masks if they want to use it.

Mr. Rick Fletcher, Public Works Director shared they have made changes to operations. I pulled out masks last week and made available. He provided an update on precautions and changes made to operations.

Mayor Allen asked if we have hand sanitizers available. Mr. Fletcher stated yes sir.

Councilmember Matthews stated the emails talked about three or four riding together in vehicles, violating social distancing, and causing greater exposure. We need to look at and be sure these things are not happening.

Councilmember Polack stated some of the guys are afraid to speak in fear of retaliation. Mr. Fletcher stated I hope that is just a perception, we do everything we can to dispel that.

Councilmember Matthews stated these emails went to each of us. I responded to them, I think it is our responsibility to do that. Mr. Salmon asked did you receive a response. Councilmember Matthews stated at least one, I will forward to you guys.

Councilmember Polack shared a text he received over the weekend and some of the mandates that are being requested.

**Consent Agenda Review.** Each item on the Consent Agenda was reviewed. Additional discussion included:

**Item D. SITE-4-20 – Wall Recycling, LLC (Fencing Modification).** Council shared concerns regarding appearance, dust created from the business and site distance if the fencing modification was approved.

Upon motion of Councilmember Williams, seconded by Councilmember Polack and unanimously carried, Council removed Item D. SITE-4-20 – Wall Recycling, LLC (Fencing Modification) from the agenda to allow time for staff to discuss Council's concerns.

**Item F. Amendment to the Water Sales Agreement between the City of Goldsboro and Wayne Sanitary.** Councilmember Matthews stated I know me and Councilmember Polack came in when it was being talked about in December, is this the best deal for the city. Mr. Wagner stated it is the best thing for one of our largest regional employers and at this time we are going through a rate study so I agree up until we get the results of the rate study.

**Closed Session Held.** Upon motion of Councilmember Aycock, seconded by Mayor Pro Tem Broadway and unanimously carried, Council convened into Closed Session to discuss a litigation matter.

Council came out of Closed Session.

There being no further business, the meeting recessed until the 7:00 p.m. meeting.

### **CITY COUNCIL MEETING**

The City Council of the City of Goldsboro, North Carolina, met in regular session in Large Conference Room, City Hall Addition, 200 North Center Street, at 7:00 p.m. on April 6, 2020 with attendance as follows:

Present: Mayor Chuck Allen, Presiding  
Mayor Pro Tem Bill Broadway  
Councilmember Antonio Williams  
Councilmember Taj Polack  
Councilmember Brandi Matthews  
Councilmember David Ham  
Councilmember Gene Aycock

The meeting was called to order by Mayor Allen at 7:00 p.m.

Mayor Pro Tem Bill Broadway provided the invocation. The Pledge of Allegiance followed.

**Approval of Minutes.** Upon motion of Councilmember Aycock, seconded by Councilmember Ham and unanimously carried, Council approved the Minutes of the City Council Retreat on February 26-27, 2020 and the Minutes of the Work Session and Regular Meeting of March 2, 2020 as submitted.

**Public Comment Period.** Mayor Allen opened the public comment period. The following person spoke:

Bishop Hood stated he is the General Manager at JB Rhodes Funeral Home in Kinston and read a statement of behalf of Mr. J.B. Rhodes.

No one else spoke and the public comment period was closed.

**Consent Agenda – Approved as Submitted.** City Manager, Timothy Salmon, presented the Consent Agenda. All items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote. If a Councilmember so requested, any item(s) could be removed from the Consent Agenda and discussed and considered separately. In that event, the remaining item(s) on the Consent Agenda would be acted on with one motion and roll call vote. Mr. Salmon reminded Council that Item D. SITE-4-20 – Wall Recycling, LLC (Fencing Modification) was removed from the Consent Agenda and deferred to a later date. Councilmember Ham moved the items on the Consent Agenda, Items B, C, E, F, G and H be approved as recommended by the City Manager and staff. The motion was seconded by Councilmember Polack and a roll call vote resulted in all members voting in favor of the motion. The items on the Consent Agenda were as follows:

**CU-2-20 Rhodes Crematorium – The property is located on the northwest corner of Wayne Memorial Drive and Eighth Street. Approved.** The applicant requests a Conditional Use Permit to allow the operation of a crematorium. The applicant operates an existing funeral home adjacent to the subject property and located at 1701 Wayne Memorial Drive and formally known as Rhodes Funeral Home and Cremations.

In February of 2011, City Council originally approved site and landscape plans for Rhodes Funeral Home to operate a funeral home located at 1701 Wayne Memorial Drive.

On March 2, 2015, City Council approved site and landscape plans for the applicant to add approximately 2,700 sq. ft. to the existing funeral home for a total of 6,300 sq. ft.

On December 4, 2018, a Certificate of Occupancy was issued for the construction of a 2,500 accessory building located behind the funeral home and used to store automobiles for funeral services.

Now, the applicant proposes to operate a crematorium in conjunction with funeral services. Crematoriums are a permitted use in the General Business (GB) zoning district only after the obtainment of a Conditional Use Permit approved by City Council.

In addition, crematoriums must comply with the following regulations and pursuant to North Carolina General Statutes, 90-210.43:

1. The crematory must be accessory to a funeral establishment.
2. The crematory shall not emit any undue smoke, dust, heat or odor.
3. Loading and unloading areas shall be screened from adjacent properties and the public right of way. The subject property is directly south and across the street from Market Square Shopping Center.

Frontage: Crematory: 75.04 ft. (Ninth Street)  
Frontage: Funeral Home: 95.70 ft. (Wayne Memorial Dr.)

Frontage: Funeral Home: 254.27 ft. (Eighth Street)  
Area: Crematory: 15,498 or 0.35 acres (Ninth Street)

Total area: Funeral Home and Crematory: 61,129 s.f. or 1.40 acres  
Zoning: General Business

The submitted site plan indicates the construction of a 4,500 sq. ft. facility for the operation of a crematorium. Currently, an existing 950 sq. ft. single-family dwelling occupies the property. The owner intends to demolish or remove the home from the property in order to construct the proposed crematory.

According to the City's Unified Development Code, no more than 50% of the proposed facility shall be of metal construction. Staff is working with the applicant to ensure that the exterior building materials are compliant with City standards.

The applicant is currently working with a design professional to determine an interior layout of the facility which will include a family waiting area, an office, restrooms, storage and an interior garage with access through two-bay garage doors at the rear of the facility.

Hours of Operation: Monday – Friday  
9:00 a. m. to 5:00 p. m.  
No. of Employees: 1

The developer has proposed one 26 ft. wide driveway cut for the site along Ninth Street providing access to two parking lots at the front and rear of the facility. Another 20 ft. wide access drive is proposed at the rear of the site for traffic circulation from the existing funeral home to the proposed crematory. A driveway permit will be required from City Engineering.

Parking for the site requires 1 space per employee, plus 1 visitor space. The site plan shows a total of 8 parking spaces to include one handicap accessible space.

The applicant shows interior sidewalks leading from the parking lot to the building entrances. Exterior sidewalks are shown on the submitted site plan.

The site plan indicates 2 Autumn Fantasy Maples to serve as street trees along Ninth Street. A Type A, 10 ft. wide landscape buffer is shown along the western and southern property lines consisting of Flowering Cherries, Yaupon Hollies and Variegated Privets. An existing Type A buffer exists along the eastern property line and currently satisfies the City's landscape ordinance.

The property is not located within a Special Flood Hazard area. City water and sewer are available to serve the property.

Storm water calculations and drainage plans have not been submitted. However, the developer will be required to submit plans approved by City Engineering prior to construction permits being issued.

An existing 2-bay commercial dumpster coral is located adjacent to the property along the southern property line which serves the funeral home and will serve the proposed crematory. The dumpster is screened from off-site views in accordance with City standards.

Interconnectivity has not been identified on the site plan. The applicant believes that interconnectivity would be impractical due to existing site conditions of adjacent properties. The applicant is requesting a modification of the interconnectivity requirement.

At the public hearing held on March 16, 2020, one person came forward saying they were neither for nor against the request. They spoke about concerns regarding smoke, fumes, and dust they requested the applicant adhere to the State requirements regarding the control measures for the exhaust from the crematorium. No one came forward to speak in against the request.

The Planning Commission, at their meeting held on March 30, 2020, recommended approval of the Conditional Use Permit to allow the operation of a crematorium in conjunction with funeral services with the recommended modifications.

It was recommended Council accept the recommendation of the Planning Commission and:

1. Adopt an Order approving the Conditional Use Permit to allow the a operation of a crematorium; and
2. Approved the Conditional Use permit with the following modifications;
  - (a) Modification of the interconnectivity requirement. Consent Agenda Approval. Ham/Polack (7 Ayes)

**Z-2-20 Simmons Business Park- West side of S. George Street between Cola Drive and Wayne Avenue (I-2 to GBCD). Ordinance Adopted.** The site is the former Pepsi-Cola Bottling Co. property.

Frontage: 380. 51ft.  
Depth: 1163 ft.  
Area: 10.2 acres  
Zoning: I-2 General Industry

On April 4, 2017, City Council approved site and landscape plans for Green Tech (Simmons Technical Services) to operate a multi-tenant facility to introduce and promote “green technology” or “environmentally clean” technology to the citizens and businesses of Goldsboro and Wayne County through education, training, employment and entrepreneurship.

Since occupying the facility, the owner has had several inquiries regarding potential uses that are not permitted within the General Industry (I-2) zoning district. However, these same uses are permitted within the General Business (GB) zoning district. Examples include automobile washing establishments (automatic and hand-wash), dry-cleaning (personal), laundries (coin-operated) and clinical, medical and therapeutic offices.

In an effort to provide additional opportunity and space consistent with the applicant’s original request to use the property for “green” or “environmentally clean” technology, education, training, employment and entrepreneurship, the applicant is requesting a zoning change from General Industry (I-2) to General Business Conditional District (GBCD) for the operation of a multi-tenant business park.

Surrounding Zoning:

North: General Industry (I-2);  
South: General Industry (I-2);  
East: General Industry (I-2); and  
West: General Industry (I-2)

As previously stated, the applicant is requesting a zoning change from General Industry (I-2) to General Business Conditional District (GBCD), which would limit the property to a multi-tenant business park.

Separate site plan approval is required at the time of rezoning. The applicant has submitted a site plan that indicates the use of the property as a proposed business park and identified as “C Center of Wayne Co. Inc. – Christ in Care, Courage and Character”

The existing building on site contains three areas as follows:

37,350 sq. ft. Designated for Greenhouse  
12,940 sq. ft. Designated for Classrooms and Offices  
9,200 sq. ft. Designated for Warehouse

If the rezoning is approved, the applicant intends the modify the classroom, office and greenhouse spaces to accommodate uses which are permitted within the General Business zoning district and compliant with the North Carolina State Building Code. Examples include



automobile washing establishments (automatic and hand-wash), dry-cleaning (personal), laundries (coin-operated) and clinical, medical and therapeutic offices.

At this time, no other changes to parking or landscaping are required for the site. No outside storage is proposed. Any outdoor storage proposed in the future must receive City Council approval.

The City's Comprehensive Land-Use Plan recommends industrial development for the property. However, the Plan also states that the City may consider/support the rezoning of underutilized industrial properties to other zoning categories which may be consistent with the Plan's goals of business and industrial development.

The property is located within a Special Flood-Hazard Area known as the 100-year floodplain. City water and sewer are available to serve the property.

At the public hearing held on March 16, 2020, no one came forward to speak in favor or against the request.

The Planning Commission, at their meeting held on March 30, 2020, recommended approval of the amended change of zone request from General Industry (I-2) to General Business Conditional District (GBCD) to allow the property used as a multi-tenant business park.

It is recommended Council accept the recommendation of the Planning Commission and

1. Finding the request consistent with the City's adopted Comprehensive Land Use Plan and;
2. Adopt an Ordinance changing the zoning for the property from General Industry (I-2) to General Business Conditional District (GBCD) for the operation of a multi-tenant business park and;
3. No outside storage is proposed. Any outdoor storage proposed in the future must receive City Council approval. Consent Agenda Approval. Ham/Polack (7 Ayes)

ORDINANCE NO. 2020-8 "AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GOLDSBORO, NORTH CAROLINA CODE OF ORDINANCES"

**Street Dedication – Harry Ivey Drive. Approved.** The proposed street dedication is located on the north side of McLain Street, between N. Oak Forest Road and Country View Drive, and directly behind Deacon Jones Ford, Honda, Nissan and Kia dealerships.

Right-of-way Width: 60 ft.  
Length: 1,063.71 ft.  
Proposed Name: Harry Ivey Drive  
Owner: Ivey/Swain II LLC

On February 2, 2015, City Council approved a four-lot Preliminary Subdivision Plat for Harry & Mollie LLC and Ivey/Swain, II LLC, which included a 60-ft. wide ingress, egress and regress easement at the rear of the subject property.

The property owner has submitted a plat, which would dedicate the existing 60-ft. wide ingress, egress and regress easement as a public street. The local street has a 60' right-of-way with a 37 ft. back to back of curb, 24" concrete curb and gutter and 5' concrete sidewalk on the south side of the street. There is also an existing 8 inch water line located along the south side of the drive and would be included in the proposed new 60' right-of way.

City Engineering staff has certified that all streets, utilities, and other required improvements have been installed in an acceptable manner and according to City of Goldsboro specifications and standards.

It was recommended Council accept the recommendation of staff and approve the street dedication for Harry Ivey Drive. Consent Agenda Approval. (7 Ayes)

**Amendment to the Water Sales Agreement Between the City of Goldsboro and Southeastern Wayne Sanitary District. Resolution Adopted.** The Goldsboro City Council approved the Water Purchase Agreement (WPA) with Southeastern Wayne Sanitary District (SEWSD) on September 8, 2009.

The WPA allows SEWSD to purchase a supplemental supply of potable water from the City and establishes an emergency water mutual aid agreement between SEWSD and the City capable of providing water to the City in the event of an emergency.

Section II Paragraph F of the WPA states, “SEWSD agrees not to sell water to any of the City’s water customers unless it has been mutually agreed upon by the City.”

SEWSD is selling water through a 2” water line to support the domestic needs of Case Farms, a customer of the City. Historically, they have sold an average of 31,755,000 gallons of potable water per year.

SEWSD has agreed to pay the City for water sales in the amount of \$2.35 per thousand gallons or at the lowest rate in effect at the time of billing for each month of billing, whichever rate is greater, for the quantity of water sold over and above 31,755,000 gallons per year to Wayne County tax parcel PIN 2597851949.

Case Farms has also communicated for the demand of an additional 100,000 gallons per day of potable water served through a 4” meter located on Wayne County tax parcel PIN 2597643114 served by SEWSD.

SEWSD shall pay the City an additional amount of \$1.00 per thousand gallons over and above the City’s normal billing charges in effect at the time of billing for water sales to Wayne County tax parcel PIN 2597643114.

It is recommended that the City Council approve the attached Resolution authorizing the Mayor and City Clerk to execute the Amended Agreement between the City of Goldsboro and Southeastern Wayne Sanitary District. Consent Agenda Approval. Ham/Polack (7 Ayes)

**RESOLUTION NO. 2020-23 “RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO WATER SALES AGREEMENT DATED SEPTEMBER 8, 2009 BETWEEN THE CITY OF GOLDSBORO AND SOUTHEASTERN WAYNE SANITARY DISTRICT”**

**Advisory Board and Commission Appointments. Resolution Adopted.** There are currently vacancies on the Goldsboro Historic District Commission, Goldsboro Firefighters Relief Fund Board of Directors and the Goldsboro Municipal Golf Course Committee. Citizen involvement is vital to the performance of City government. It is necessary that additional appointments be made in an effort to fill these vacancies.

Applications were solicited from the public at large.

The City Council met during the Work Session on March 16, 2020, to review vacancies and applications received to fill the current vacancies. With these appointments, one vacancy on the Goldsboro Municipal Golf Course Committee remains.

The following individuals are recommended for appointment. The terms of the appointees shall expire on the dates indicated:

Historic District Commission

Filling An Unexpired Term

Donna Stevenson	Term Expires	12-31-21
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Goldsboro Firefighters Relief Fund Board of Directors

First Term Appointee

Crystal Hardin	Term Expires	12-31-22
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Staff recommends Council adopt the following entitled Resolution appointing members to the Goldsboro Historic District Commission, and the Goldsboro Firefighters Relief Fund Board of Directors. Consent Agenda Approval. Ham/Polack (7 Ayes)

RESOLUTION NO. 2020- 24 “RESOLUTION APPOINTING MEMBERS TO ADVISORY BOARDS AND COMMISSIONS”

**Resolution In Memory of John M. Bell. Resolution Adopted.** John M. Bell was born in Sampson County and was a resident of the City of Goldsboro until his death on March 2, 2020. Mr. Bell attended Wayne County Schools and graduated from Dillard High School in Goldsboro, North Carolina. Mr. Bell attended Shaw University in Raleigh, North Carolina and earned a BA Degree in Business Management/Economics/Public Administration receiving the honor of Cum Laude. Mr. Bell served his country in the United States Air Force for twenty years and retired as a Master Sergeant. Mr. Bell also worked with the State of North Carolina’s Intensive Probation Office. He was the first DWI Parole Treatment Facility Manager in the State of North Carolina, Assistant Branch Manager Raleigh/Durham District Division of Adult Probation Parole, and Judicial District Manager (District 8) Division of Adult Probation/Parole. Mr. Bell faithfully served the citizens of Wayne County as a County Commission for twenty years. Mr. Bell served on various committees to include the Eastpointe Mental Health Board of Directors, Council on Aging Board of Directors, Hispanic/Latino Committee, Solid Waste Committee, Goldsboro/Wayne County Utility Committee, Wayne County Day Reporting Center Board and the Wayne County Juvenile Justice Board. Mr. Bell also received The Order of the Long Leaf Pine from Governor James B. Hunt, which is the highest honor given by the State of North Carolina. We express to the family of Mr. John M. Bell our heartfelt belief that the memory of his good works and character will be and remain an inspiration to many and a blessing to all. Consent Agenda Approval. Ham/Polack (7 Ayes)

RESOLUTION NO. 2020-17 “RESOLUTION IN MEMORY OF JOHN M. BELL”

**End of Consent Agenda.**

Mr. Marty Anderson, City Engineer presented the following information:

**Change Orders No. 15, 16, 21, and 22 - Phase IV Sewer Collection Rehabilitation - Formal Bid No. 2018-004. Resolution Adopted.** The Phase IV Sewer Rehab Project provides for installation of approximately 30,900 linear feet of cast-in-place-pipe (CIPP) rehabilitation of existing sanitary mains, including various root treatments, obstruction removals, cutting of intruding taps and asphalt or concrete surface repairs directly associated with the completion and restoration work detailed in the contract specifications. City Council approved the original contract for approximately \$9.3M.

Through various field changes with cost savings of approximately \$1.5M the contractor was able to add additional work, not in the original contract, but within the original project area. Due to this additional rehab work, T. A. Loving Company provided costs totaling \$505,298.92. There remains approximately (\$900,000) of cost savings to potentially be applied to more additional work.

Construction change orders in excess of \$10,000 require approval of the City Council prior to City Manager approval. The subject change orders detail additional items/work for the Phase IV Sewer Rehab project as follows:

Change Order No. 15	=	\$ 19,649.29
One 36” interference box for Audubon Avenue plus 2.50% bond and insurance		
Change Order No. 16	=	\$ 95,527.63
Four 48” interference boxes for Mulberry Street @ \$23,881.71 each plus 2.50% bond and insurance		
Change Order No. 21	=	\$ 24,600.00
8” CIPP point repairs at various locations		

@ \$3,000 each plus 2.50% bond and insurance

Change Order No. 22	=	\$ <u>365,522.00</u>
Field cost for time extensions of		
9 ½ months (See Attached		
Detailed Worksheets)		

<b>Total Change Orders</b>	<b>=</b>	<b>\$ 505,298.92</b>
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This additional work will require the contract completion time to be extended by 12 days for Change Orders No. 15, 16, 21, and 22. Previous changes orders, additional quantities, and work extended the contract time by a total of 9 ½ months. The amended contract completion date for the remaining rehabilitation work is April 14, 2020.

Staff recommends issuing change orders to the current contract with T. A. Loving for the Phase IV sewer collection rehabilitation project. We have reviewed this change order with the Finance Director and determined that funds are available from the Clean Water Revolving Fund Loan.

Mayor Allen asked if this work has been done. Mr. Anderson stated it has not been done. Mayor Allen asked for clarification on the timeline. Mr. Anderson stated previous change orders increased the project time by 9 ½ months; previous change orders did not include line item for management, field office, dumpster rental, etc. A worksheet summary was provided. Mr. Anderson stated they are trying to clean things up before the project is completed. Mayor Allen stated I think we need to better communicate in the future.

Councilmember Ham stated I still have not seen these streets cleaned up. Mayor Allen also shared concerns regarding patches made on Chestnut Street. Mayor Allen stated you need to ride these streets. Other streets discussed included Daisy Street and Jackson Street.

Mr. Anderson stated to call his office at 919-580-4377 to report specific streets.

Councilmember Ham stated the responsibility should be on the contractor. It is a big deal. I've been talking about this since October. I've written two letters to the City Manager. I ride down these streets every day, I see nothing is done, there is no excuse for that. We give them \$500,000, \$1 million, show me that you will give us something back responding to what we are asking them to do.

Councilmember Polack asked if some of these roads are held up due to future excavation, like over by the post office that is patched up like Frankenstein. Mr. Anderson stated that is one of the streets I plan to put on street paving for 20-21; I've been wanting to get for two years this project has held it up.

Councilmember Ham asked about the patch on Vine Street.

Upon motion of Councilmember Williams, seconded by Councilmember Aycock and unanimously carried, Council adopted the following entitled resolution authorizing the City Manager to execute change orders for \$505,298.92 with T. A. Loving Company.

RESOLUTION NO. 2020-25 "RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS NO. 15, 16, 21, AND 22 WITH T. A. LOVING COMPANY FOR PHASE IV SEWER COLLECTION REHABILITATION PROJECT FORMAL BID #2018-004"

**Contract Award – 2020 Street Paving Improvements Project Formal Bid No. 2020-001. Resolution Adopted.** On Tuesday, February 25, 2020, eight (8) sealed bids were received for the 2020 Street Paving Improvements Project.

The proposed work consists of approximately 5,000 square yards of pavement with 940 linear feet of storm water lines, 400 linear feet of water line, and 1,500 linear feet of concrete curb and gutter. This project includes Oak Hill Drive from North Berkeley Boulevard to Green Drive, East

Chestnut Street from South Slocumb Street to South Leslie Street, Hawthorne Street from Oleander Avenue to Andrews Avenue, and Mimosa Street from Claiborne Street to Randolph Street.

Weaver’s Asphalt & Maintenance Company submitted the low bid for this project for a total cost of \$641,711. The bids received for this project are tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Weaver’s Asphalt & Maintenance Co. Rocky Mount, NC	\$ 641,711.00
BridgePoint Civil, LLC Goldsboro, NC	\$ 708,585.25
Hines Sitework, Inc. Goldsboro, NC	\$ 711,843.00
Barnhill Contracting Company Kinston, NC	\$ 811,049.28
Carolina Earth Movers, Inc. Greenville, NC	\$ 822,825.00
S. T. Wooten Corp. Wilson, NC	\$ 897,275.63
Fred Smith Company Raleigh, NC	\$ 941,543.00

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Lanier Construction Co., Inc.	\$ 972,995.00

The bids for this project have been reviewed by the Engineering Department, checked for accuracy, and found to be in order. We have reviewed the financing of this project with the Finance Director and determined that funds are available in Street Bonds.

The bid proposal for City projects require contractors to submit references and describe work of a similar nature to street paving improvements. Staff checked the three references provided by Weaver’s Asphalt and received a good report from two companies. The third reference could not be reached.

Upon motion of Mayor Pro Tem Broadaway, seconded by Councilmember Aycock and unanimously carried, Council adopted the following entitled resolution authorizing the Mayor and City Clerk to execute a contract for \$641,711 with Weaver’s Asphalt and Maintenance Company for the 2020 Street Paving Improvements Project.

RESOLUTION NO. 2020–26 “RESOLUTION AWARDING AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE 2020 STREET PAVING IMPROVEMENTS PROJECT FORMAL BID NO. 2020-001”

**Public Comment Period Policy Amendment. Approved.** North Carolina General Statute 153A-52.1 implemented a requirement that Council must provide at least one period for public comment per month at a regular meeting of the board. City Council adopted a Public Comment Period Policy effective September 1, 2005. At the Council meeting on August 1, 2011, Council amended the Public Comment Policy to move the public comment period to follow approval of Council meeting minutes effective August 15, 2011. Currently, the Public Comment period is held at each meeting and Public Hearings are normally held the last meeting of the month.

On March 10, 2020 NC Governor Executive Order 116 declared a “State of Emergency” due to Coronavirus 2019 (COVID-19). On March 27, 2020 NC Governor Executive Order 121 mandated “Stay At Home” policies to mitigate community spread of COVID-19. Section 2, paragraph 6 defines “Essential Governmental Operations” to provide or support the health, safety and welfare of the public. Each government body shall determine its Essential Governmental Operations and identify employees and/or contractors necessary to the performance of those functions.

In keeping with the intent of the NC Governor “Stay At Home” Executive Order and NCGS 153A-52.1, staff recommends Council amend the current Public Comment Period Policy to be held the first meeting of the month to follow approval of Council meeting minutes effective April 20, 2020.

Councilmember Matthews stated I do know before COVID-19 came about, there were some councilmembers who wanted to limit our public comment period to once a month. I truly hope that if the board approves to do this, I hope it will be brought once we get past this COVID-19.

Councilmember Aycock made a motion to amend the current Public Comment Period Policy to be held at the first meeting of the month to follow approval of Council meeting minutes.

Councilmember Williams stated my concern is there may be something at the first of the month that is an issue and hasn’t been resolved, that kind of suppresses someone’s voice if it has not been addressed. I think everyone understands you can run up here because of this pandemic, I do not believe this is something we need to enact. I think that people already know it naturally.

Councilmember Ham seconded Councilmember Aycock’s motion. Councilmember Polack asked for clarification, for the time being. Mayor Allen stated right. Mayor Allen, Mayor Pro Tem Broadaway, Councilmembers Polack, Ham and Aycock voted in favor of the motion. Councilmembers Williams and Matthews voted against the motion. The motion passed 5:2.

**City Manager’s Report.** Mr. Tim Salmon provided an update on COVID-19, you can find the latest information on the City’s website [www.Goldsboronc.gov](http://www.Goldsboronc.gov). We have cancelled events at least until May 15<sup>th</sup>. Parks and Recreation facilities are closed until further notice with the exception of tennis courts, pickleball and golf, parks and trails where social distancing can be done. We have limited office visits to appointment only, conducted virtual meetings, phones calls and applications on-line. Our Police Department, Fire Department, Public Works, Public Utilities are at work, doing their jobs. I ask that our residents and visitors do your part by staying home unless conducting essential work and exercise best social distance practices. The latest information is on COVID-19 is available on the county’s website. You can dial NC 211 to answer any COVID-19 questions. Wayne County has a Public Information Phone Line to answer questions at 919 705 1800; M-F, 8am – 5pm; Sa-Su, 10am – 2 pm. The CDC now recommends people with mild symptoms stay home and call your doctor. If you do not have a primary doctor you can visit [www.unchealthcare.org](http://www.unchealthcare.org). If it’s an emergency you can call 911 at any time.

**Mayor and Councilmembers’ Reports and Recommendations.** Councilmember Polack read the following Resolution:

**Resolution Expressing Appreciation for Services Rendered by Christopher Sauls as an Employee of the City of Goldsboro for more than 21 Years. Resolution Adopted.** Christopher Sauls retired on April 1, 2020 as a Fire Captain with the Goldsboro Fire Department of the City of Goldsboro with more than 21 years of service. Chris began his career on July 22, 1998 as a Firefighter with the Goldsboro Fire Department. On February 2, 2004, Chris was promoted to Fire Engineer with the Goldsboro Fire Department. On September 3, 2014, Chris was promoted to Fire Captain with the Goldsboro Fire Department where he has served until his retirement. Chris has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro. The Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, City employees and the citizens of the City of Goldsboro, of expressing to Chris Sauls their deep appreciation and gratitude for the service rendered by him to the City over the

years. We express to Chris our very best wishes for success, happiness, prosperity and good health in his future endeavors.

Upon motion of Councilmember Polack, seconded by Mayor Pro Tem Broadaway and unanimously carried, Council adopted the following entitled Resolution.

RESOLUTION NO. 2020-21 “RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY CHRISTOPHER SAULS AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 21 YEARS”

Councilmember Matthews read the following entitled Proclamation:

**Proclamation - Child Abuse Prevention Month.** Mayor Allen proclaimed April as Child Abuse Prevention Month and called upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Councilmember Mayor Pro Tem Broadaway read the following Proclamation:

**Proclamation - Week of the Young Child.** Mayor Allen proclaimed April 11-17, 2020, as “WEEK OF THE YOUNG CHILD,” and commend its observance to all citizens of the City of Goldsboro.

Councilmember Williams read the following Proclamation:

**Proclamation - Re-Entry Week.** Mayor Allen proclaimed the second week of April 2020 as Re-Entry Week in the City of Goldsboro and encourage all citizens to recognize the efforts of those who work to improve the rehabilitation and reintegration of formerly incarcerated individuals.

Councilmember Williams stated I just want everyone to stay safe, remember social distancing and remember we have seniors who live in downtown Goldsboro at the Waynesborough House. If there is someone who is willing to bring some help items they need, please do that. Let’s not forget about our seniors.

Mayor Pro Tem Broadaway stated I would like to thank again all of our employees on the city especially our police force, EMS, fireman and our healthcare professionals. Everyone stay home, let’s protect everybody.

Councilmember Polack stated I would like to ask everyone pray for a spirit of calmness in the mist of panic and fear. I also want to encourage all of us to build strong relationships at home with our families and not pass responsibility of care to others. Lastly, I would like to acknowledge a business owner in my district who has contributed over 2,000 masks by way of UNC Hospital, his name is Tyler Kim and owns Kim’s Beauty Supply.

Councilmember Matthews stated I want to encourage everyone to continue to follow the safety precautions that have been put into place so that we can get to the end of this very quickly. I personally want to thank the workers at gas stations, groceries stores and other stores that remain open. They too are our front workers and are coming into contact with the virus. Good night and stay safe.

Councilmember Ham stated I agree and support the comments made by previous Councilmembers but I also want to mention Ms. Sherry Archibald with United Way who periodically sends out an email periodically that shows what good deeds are being done by various organizations in Goldsboro and addresses other needs that are needed to be met. I am really impressed with the compassion our businesses and individuals have and I see organizations like the Chamber of Commerce, wages, Goldsboro Housing Authority, our own fire department and other businesses that are not open for business but are contributing and ways of prepared meals donations etc. Our charity organizations and churches are doing the same. Lastly but not least, we have a lot of individuals that are taking food to the food pantries or

individuals. We are to be very proud of the people in the city and County who are aware of the needs of others and are assisting.

Councilmember Aycock stated whenever I set up a checking account online or credit card account and if you try to access your account don't know your password or username, they always ask you questions like what is your favorite pet or mother's maiden name. One of them that they ask is who is your favorite hero when you were child. I had many as a child that have many more now, public health workers, fire, police, public works, sanitation, city staff, delivery drivers, mail personnel, grocery store workers, pharmacies, fast food workers, restaurant still open for takeout delivery, funeral homes and all other essential services. They are my heroes.

There being no further business, the meeting adjourned at 7:43 p.m.

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Chuck Allen  
Mayor

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Melissa Capps, MMC/NCCMC  
City Clerk



CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
May 4, 2020 COUNCIL MEETING

**SUBJECT:** Accept or Reject Initial Bid and Authorize Finance to Advertise for Upset Bids for 501 Dail Street from JH Moye Enterprises, LLC

**BACKGROUND:** Staff has received an offer to purchase a city/county-owned property. Board must either accept or reject the offer, and if accepted authorize advertisement for upset bids (G.S. 160A-266 and 160A-269).

**DISCUSSION:** The following offers have been received:

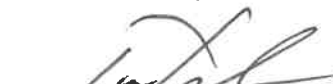
501 Dail St.  
Offeror: JH Moye Enterprises, LLC  
Offer: \$2,315.00  
Bid Deposit: \$115.75  
Parcel #: 0051900 Pin #: 3509331059  
Tax Value: \$4,630.00 Zoning: R-6

**RECOMMENDATION:** It is recommended that the City Council, by motion:

1. Accept or reject offer on 501 Dail St.
2. If accepted, adopt attached resolution authorizing Finance to advertise for upset bids.

Date: 4/28/2020

Catherine F. Gwynn, Finance Director

Date: 4/28/20  
Tim Salmon, City Manager

**RESOLUTION NO. 2020- \_\_\_\_\_**

**RESOLUTION AUTHORIZING UPSET BID PROCESS**

WHEREAS, the City of Goldsboro and County of Wayne jointly own certain real property at **501 Dail Street (Pin #3509331059)**; and

WHEREAS, North Carolina General Statute § 160A-269 permits the city to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an offer to purchase the property described above, in the amount of **\$2,315.00 (Two Thousand Three Hundred Fifteen Dollars and no/100)** submitted by **JH Move Enterprises, LLC (Offeror)**; and

WHEREAS, Offeror has paid the required five percent (5%) deposit on his/her offer in the amount of **\$115.75 (One Hundred Fifteen Dollars and 75/100)**;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Goldsboro, North Carolina, that:

- 1) The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute § 160A-269.
- 2) The Finance Director shall cause a notice of the proposed sale to be published in a newspaper of general circulation within its jurisdiction. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
- 3) Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer to the office of the Finance Director at 200 N. Center Street, Goldsboro, NC 27530 during normal business hours within 10 days after the notice of sale is published. At the conclusion of the 10-day period, the Finance Director shall open the bids, if any, and the highest such bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.
- 4) If a qualifying higher bid is received, the Finance Director shall cause a new notice of upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the City Council.
- 5) A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
- 6) A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The city will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The city will return the deposit of the final high bidder at closing.
- 7) The terms of the final sale are:
  - a) City Council must approve the final high offer before the sale is closed, which it will do within 30 days after the final upset bid period has passed.
  - b) The Wayne County Board of Commissioners must approve the final sale by concurrence after final approval by City Council.
  - c) Buyer must pay with cash at the time of closing.
  - d) Buyer must pay closing costs.
- 8) The City reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.

- 9) If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. City staff is authorized to seek concurrence from the Wayne County Board of Commissioners and upon such approval, the appropriate city officials are authorized to execute the instruments necessary to convey the property to Offeror.

This resolution shall be in full force and effect from and after this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk



*J.H. Moye Enterprises, LLC*

*P.O. Box 1358, Goldsboro, NC 27533*

***Letter of Intent to Purchase***

**Date:** April 13, 2020

**Subject:** Letter of intent to purchase Land

Dear Sir/Madam,

I am writing you this letter to offer to purchase your available lot, located on the corner of Dial and Norman Street, Goldsboro, NC. I am submitting a bid of \$2315.00 with a 5% deposit in the amount of \$115.75 via check.

On this matter, I am asking you to accept my bid/offer. I look forward to hearing from you.

Sincerely yours,

James A. Smith, Jr.

4/14/2020  
Received by Thomas Murphy  
Property location: 501 Dial St.

JH MOYE ENTERPRISES, LLC

PO BOX 1358  
GOLDSBORO, NC 27533

66-7075/2531

1013

DATE

4-13-2020

PAY TO THE  
ORDER OF



City of Goldsboro  
One Hundred and Fifty

\$ 115.75

75/100  
DOLLARS

Heat  
Reactive  
Ink



Goldsboro, NC

MEMO

Deposit

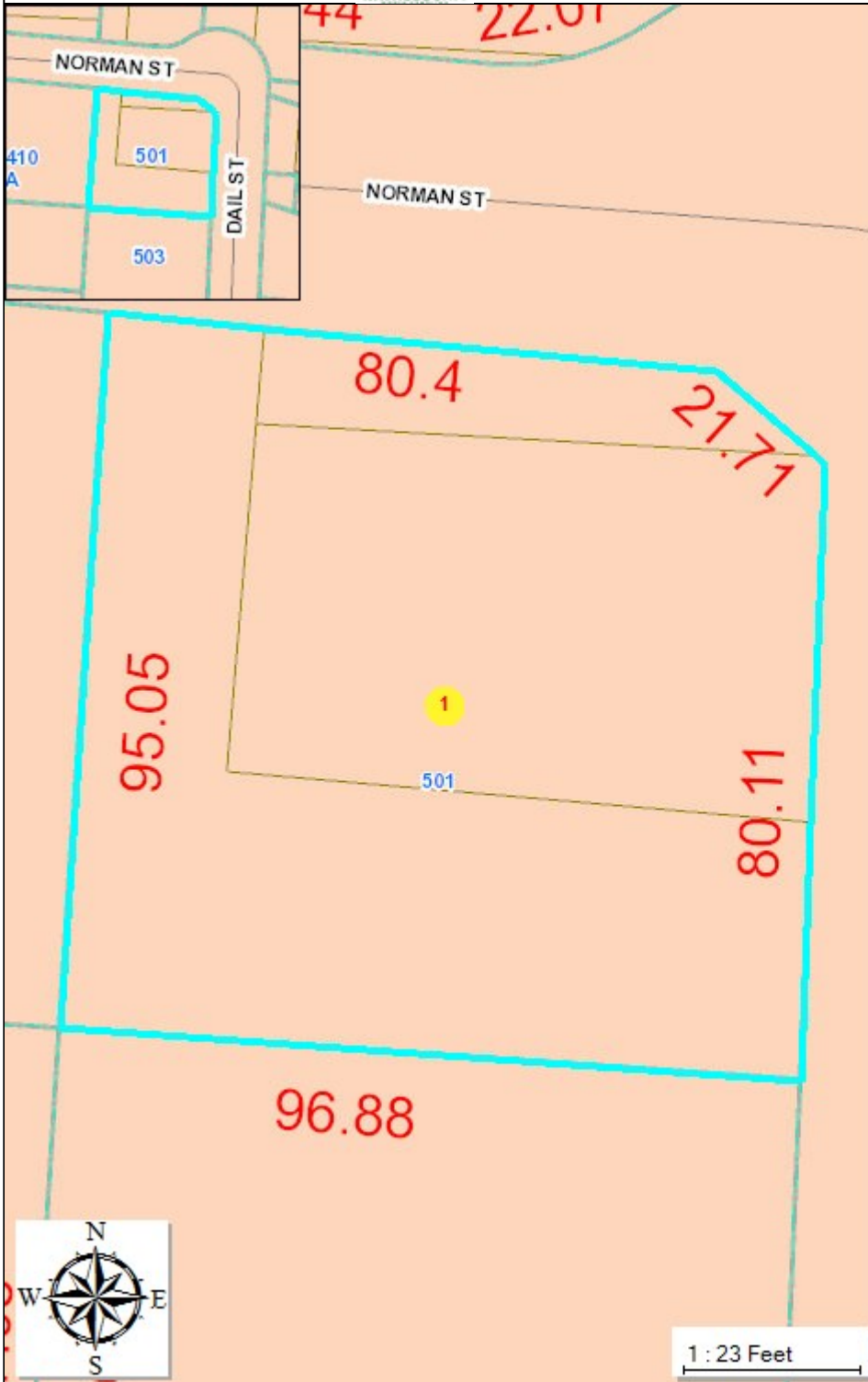
*[Signature]*

[Redacted]

[Redacted]

1013

LOOK FOR REDUCED DEFENDING FEATURES INCLUDING THE SECURITY CHANGES AND MARKS ON THE BACK OF THE CHECK



- Streets
  - Local Roads
  - Interstate
  - US Routes
  - NC Routes
- Railroads
- SJAFB Runway
- Public Airports
- Address Points
- Parcels
- Previous Lot Lines
- Lot-Line
- Parcel-Hook
- City and Town
- Extra Territorial Jurisdiction
- County Borders
- SJAFB Boundary
- Surrounding Centerlines
  - NC Secondary
  - Interstate
  - US Route
  - NC Route
- Surrounding Counties
- Regulated Ditches and Streams
- Rivers and Lakes

<b><u>OBJECTID</u></b>	<b><u>PIN</u></b>	<b><u>Owner Name</u></b>
7469	3509331059	WAYNE COUNTY &
<b><u>Co-Owner Name</u></b>	<b><u>Owner Address 1</u></b>	<b><u>Owner Address 2</u></b>
CITY OF GOLDSBORO	PO BOX 227	
<b><u>Owner Address 3</u></b>	<b><u>Owner City</u></b>	<b><u>Owner State</u></b>
	GOLDSBORO	NC
<b><u>Owner Zip</u></b>	<b><u>Unit or Apt</u></b>	<b><u>Deed Date</u></b>
27533-0227		9/20/2010 12:00:00 AM
<b><u>REID</u></b>	<b><u>Deed Book</u></b>	<b><u>Deed Page</u></b>
0051900	2807	17
<b><u>Sale Month</u></b>	<b><u>Sale Year</u></b>	<b><u>Sale Price</u></b>
9	2010	0
<b><u>Previous Deed Book</u></b>	<b><u>Previous Deed Page</u></b>	<b><u>Previous Sale Month</u></b>
01278	0108	10
<b><u>Previous Sales Year</u></b>	<b><u>Previous Sale Price</u></b>	<b><u>Property Use</u></b>
1990	500	01 - SINGLE FAMILY RESIDENTIAL
<b><u>Record Source</u></b>	<b><u>Property Address</u></b>	<b><u>Legal Description</u></b>
Owner	501 DAIL ST	LT 14 E END REDEV
<b><u>Acres</u></b>	<b><u>Neighborhood</u></b>	<b><u>Account Number</u></b>
0.21	01403	79266550
<b><u>Township Code</u></b>	<b><u>Building Value</u></b>	<b><u>Outbuilding Value</u></b>
12	0	0
<b><u>Land Value</u></b>	<b><u>Total Market Value</u></b>	<b><u>Total Assessed Value</u></b>
4630	4630	4630
<b><u>Vacant Or Improved</u></b>	<b><u>Vacant or Improved 2</u></b>	
V	I	

Users of the GIS information/data contained in this web mapping application are hereby notified that the information was compiled from recorded deeds, plats and other public records and data. Users are notified that the aforementioned public primary information sources should be consulted for verification of the data contained in this information. The County of Wayne and the mapping companies or other entities assume no legal responsibility for the information contained herein. By accepting this disclaimer you agree and understand the disclaimer.

## Wayne County - Basic Search



**WAYNECOUNTY**  
NORTH CAROLINA  
Wayne County Web Site

## Basic Search ?

[View Property Record for this Parcel](#) [View Map for this Parcel](#)

Parcel #: 3509331059

Account #: 79266550

<b>Owner Information</b>	<b>Tax Codes</b>
WAYNE COUNTY && CITY OF GOLDSBORO PO BOX 227 GOLDSBORO, NC 27533	C ADVL TAX - COUNTYWIDE ADVALOREM TAX C101ADVL TAX - CITY - GOLDSBORO
<b>Property Information</b>	<b>Township</b>
Land (Units/Type): 0.210 AC Address: 501 DAIL ST	12
<b>Deed Information</b>	<b>Local Zoning</b>
Date: 10/1990 Book: 01278 Page: 0108 Plat Book: Page:	R-6
<b>Legal Description</b>	<b>Alternate Parcel Number</b>
LT 14 E END REDEV	12000012001014
<b>Property Values</b>	
Building:	0
OBXF:	0
Land:	4,630
Market:	4,630
Assessed:	4,630
Deferred:	0

## Sales Information

No.	Book	Page	Month	Year	Instrument	Qual/UnQual	Improved	Price
1	01159	0878	10	1986	WD	Unqualified	Improved	0
2	01201	0569	05	1988	WD	Unqualified	Improved	0
3	01278	0108	10	1990	WD	Unqualified	Improved	500
4	02807	0017	09	2010	WD	Unqualified	Vacant	0

[View Property Record for this Parcel](#) [View Map for this Parcel](#)

[<< Return to Basic Search](#)

All information on this site is prepared for the inventory of real property found within Wayne County. All data is compiled from recorded deeds, plats, and other public records and data. Users of this data are hereby notified that the aforementioned public information sources should be consulted for verification of the information. All information contained herein was created for the Wayne County's internal use. Wayne County, its employees and agents make no warranty as to the correctness or accuracy of the information set forth on this site whether express or implied, in fact or in law, including without limitation the implied warranties of merchantability and fitness for a particular use. If you have any questions about the data displayed on this website please contact the Wayne County Tax Department at 919-731-1461 option #2.

1.4.1



CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
MAY 4, 2020 COUNCIL MEETING

**SUBJECT:** Sole Source Vendor Resolution for LEA AID Acquisition Company

**BACKGROUND:** Council approved the acceptance of an award from the Governor's Crime Commission for funding to assist with Goldsboro Police Department's Gang Program in January, 2019 for the 2017 grant year. The 2017 grant was not awarded by the State until 2019 due to various issues at the federal level (i.e. sequestration).

**DISCUSSION:** Staff proposes to purchase Live Link Video System through LEA AID Acquisition Company with the funds allocated in the special revenue fund, DOJ/JAG Grants (P3102). The total amount of the grant award is \$21,365.64 with no local match. (Ord #2019-56 9/23/2019)

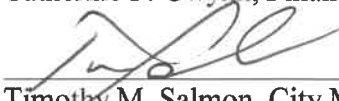
The product is patented and due to its unique design and function, there are no other vendors that provide a similar product. Since staff proposes to sole source the item, General Statute requires the Board to approve the purchase by resolution.

**RECOMMENDATION:** It is recommended that the attached Resolution for the Purchase of the Live Link Video System be approved for \$13,500.00.

Date: 4/28/2020

  
Catherine F. Gwynn, Finance Director

Date: 4/28/20

  
Timothy M. Salmon, City Manager

RESOLUTION NO. 2020-

RESOLUTION FOR THE PURCHASE OF LIVE LINK VIDEO SYSTEM

WHEREAS, the City of Goldsboro provides for the safety and security of its citizens, businesses and visitors; and

WHEREAS, the City has applied for and been awarded a grant with the Governor's Crime Commission for the 2017 Gang Equipment Grant funded by the 2017 Byrne Justice Assistance Grant; and

WHEREAS, staff has researched the type of equipment and this equipment will play an important role in the prevention, intervention and suppression of ongoing gang activities within the City of Goldsboro; and

WHEREAS, N.C.G.S. 143-129(e) lists the authorized exceptions to the formal bid procedures, and N.C.G.S. 143-129(e)(g) allows for purchases of apparatus, supplies, materials, or equipment to be purchasing using sole-source exception when: (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) standardization or compatibility is the overriding consideration; and

WHEREAS, LEA AID Acquisition Company is the sole patented provider of the Live Link Camera system; and

WHEREAS, it is in the City's best interest to purchase the Live Link Video System through LEA AID Acquisition Company in an amount not to exceed \$13,500.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina that:

1. Performance or price competition for this product is not available, and LEA AID Acquisition Company is declared a sole source vendor for the Live Link Video System.
2. The City Manager or Finance Director is hereby authorized and directed to execute a contract with LEA AID Acquisition, in an amount not to exceed \$13,500 to provide Live Link Video System.

This Resolution shall be in full force and effect from and after this 4<sup>th</sup> day of May, 2020.

---

Mayor

Attested by:

---

City Clerk



March 11, 2019

Goldsboro NC Police Department  
Walt Howard  
204 S. Center St.  
Goldsboro, NC 27530

Dear Walt,

LEA-AID, Inc. is headquartered in Raleigh, North Carolina and we manufacture our own pole cameras, transmitters, repeaters, receivers, video systems and devices. As we are the manufacturer, LEA-AID covert surveillance equipment is only available through our own offices and specifically products listed below are made according to SEC specifications and considered a **Sole Source Provider** as follow:

Live Link Video System 90330

As the global leader in USA made electronic surveillance equipment, we want to ensure you the maximum in customer support, service and training in the industry.

Best Regards,

Johnny Lyon  
LEA-AID, Inc.  
120 Penmarc Drive  
Suite 113  
Raleigh, NC 27603  
919-265-7854 cell  
800-354-9669  
919-872-6431 fax  
[jlyon@leacorp.com](mailto:jlyon@leacorp.com)  
[www.leacorp.com](http://www.leacorp.com)

## LEA AID Acquisition Company

## Quote

PO Box 26688  
Raleigh, NC 27611  
Phone (800) 354-9669 Fax (844) 201-2109  
Tax ID: 45-5158798  
GSA Contract No: 47QSWA18D0096

DATE April 8, 2020

Prepared by Johnny Lyon

**Bill To:** Goldsboro NC Police Department  
**Name** Dewayne Dean  
**Address** 204 S. Center St.  
**City** Goldsboro, NC 27530  
**Ph** 919-580-4254  
**Fax**  
**e-mail** DDean@goldsboronc.gov

Catalog #	Qty.	Description	Price	AMOUNT
IS-VSIR3600	90330 1 ea.	Live Link Portable Camera System in a small pelican case for multiple cameras.		\$8,595.00
	2 ea.	36X PTZ Cameras with IR for Day or Night	\$1,795.00	\$3,590.00
	2 ea.	15-foot wiring harness	\$100.00	\$200.00
	1 ea.	DC Cigarette lighter adapter		\$40.00

Required a Standard size active SIM card.

SHIPPING \$ 60.00  
TOTAL \$12,485.00

**Comments or special instructions:**

**Terms:** Net 15 Days

**Delivery:** 60 Days A.R.O.

**F.O.B.** Raleigh, NC

Make Purchase Orders out to LEA-AID, PO Box 26688, Raleigh, NC 27611

Johnny Lyon 919-265-7854 jlyon@leacorp.com

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
MAY 4, 2020 COUNCIL MEETING**

**SUBJECT:** Contract Award – Wastewater System Improvements  
Formal Bid No. 2020-002

**BACKGROUND:** On Tuesday, April 21, 2020, seven (7) sealed bids were received for Wastewater System Improvements.

The proposed project consists of the following major items:

- Rehabilitation of 1,920 LF of 8-inch gravity sewer line with CIPP
- Rehabilitation of 520 LF of 12-inch gravity sewer line with CIPP
- Rehabilitation of 775 LF of 36-inch gravity sewer line with CIPP
- Replacement of 14 service laterals
- Epoxy lining of 4 manholes
- Replacement of 12 manholes
- Miscellaneous appurtenances, construction entrances and erosion control methods

**DISCUSSION:** Am-Liner East, Inc. submitted the low bid for this project for a total cost of \$502,287. The bids received for this project are tabulated as follows:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Am-Liner East, Inc. Berryville, VA	\$ 502,287
Prism Contractors & Engineers, Inc. Williamsburg, VA	\$ 531,435
Central Builders, Inc. Rocky Mount, NC	\$ 578,750
Step Construction, Inc. LaGrange, NC	\$ 594,815
Granite Inliner, LLC Gastonia, NC	\$ 655,470
T. A. Loving Co. Goldsboro, NC	\$ 695,495

Name of Bidder  
Herring-Rivenbark, Inc.  
Kinston, NC

Amount of Bid  
\$ 726,020

**DISCUSSION:**

The bids for this project have been reviewed by The Wooten Company, checked for accuracy, and found to be in order. We have reviewed the financing of this project with the Finance Director and determined that funds are available from SRP loan reimbursement.

**RECOMMENDATION:**

Recommend the City Council, by motion, adopt the attached resolution authorizing the Mayor and City Clerk to execute a contract for \$502,287 with Am-Liner East, Inc., contingent upon Division of Water Infrastructure approval, for the Wastewater System Improvements Project.

Date:

29 Apr 20



Guy M. Anderson, P. E., City Engineer

Date:

29 Apr 20



Timothy M. Salmon, City Manager

RESOLUTION NO. 2020 –

RESOLUTION AWARDING AND AUTHORIZING THE EXECUTION OF A  
CONTRACT FOR THE WASTEWATER SYSTEM IMPROVEMENTS PROJECT  
FORMAL BID NO. 2020-002

WHEREAS, the City Council of the City of Goldsboro has heretofore found it in the public interest to initiate a project for Wastewater System Improvements; and

WHEREAS, the total low bid for Wastewater System Improvements was submitted by Am-Liner East, Inc. of Berryville, VA in the amount of \$502,287; and

WHEREAS, the City Council deems it in the best interest of the City of Goldsboro to accept the low bid and award the contract to Am-Liner East, Inc. in the amount of \$502,287 for Wastewater System Improvements;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The Mayor and City Clerk are hereby authorized and directed to execute a contract with Am-Liner East, Inc. in the amount of \$502,287, contingent upon Division of Water Infrastructure approval, for Wastewater System Improvements.

2. This resolution shall be in full force and effect from and after this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk

CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
MAY 4, 2020 COUNCIL MEETING

**SUBJECT:** Professional Engineering Services for Wastewater System Improvements – Amendment No. 2

**BACKGROUND:** The City of Goldsboro was awarded a \$1,235,100 CWSRP loan from the NC Division of Water Infrastructure in March 2018 to undertake wastewater system improvements in the City.

The City entered into a \$20,000 engineering agreement with The Wooten Company on April 16, 2018 for the SRP Wastewater System Preliminary Engineering Report and Environmental Information Report for wastewater system improvements.

Amendment No. 1 approved by City Council on October 18, 2018 included Field Survey, Engineering Design, Permitting, and Bidding services for \$62,500.

**DISCUSSION:** Additional services authorized by Amendment No. 2 will include SRP Loan Administration and Construction Administration for the FB2020-002 Wastewater System Improvements Project.

**Summary of Fees**

SRP Loan Administration	\$ 2,500
Construction Administration	<u>46,680</u>

**Total Amendment No. 2 for Wastewater \$ 49,180**

We have reviewed the financing of this project with the Finance Director and determined that funds are available from SRP loan reimbursement.

**RECOMMENDATION:** Recommend the City Council, by motion, adopt the attached resolution authorizing the Mayor to execute Amendment No. 2 for \$49,180 with The Wooten Company pertaining to engineering services for wastewater system improvements.

Date: 29 Apr 20

  
\_\_\_\_\_  
Guy M. Anderson, P. E., City Engineer

Date: 29 Apr 20

  
\_\_\_\_\_  
Timothy M. Salmon, City Manager



RESOLUTION NO. 2020-

RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO  
PROFESSIONAL ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY  
AND THE WOOTEN COMPANY FOR WASTEWATER SYSTEM IMPROVEMENTS

WHEREAS, the City Council of the City of Goldsboro has determined that it is necessary and in the best public interest to undertake wastewater system improvements; and

WHEREAS, the City Council of the City of Goldsboro desires to authorize Amendment No. 2 to Professional Engineering Services required for wastewater system improvements based on the scope of services submitted by The Wooten Company;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goldsboro, North Carolina, that:

1. The Mayor is hereby authorized and directed to execute Amendment No. 2 to Professional Engineering Services Agreement for an amount not to exceed \$49,180 with The Wooten Company for professional engineering services required for wastewater system improvements.

2. This resolution shall be in full force and effect from and after this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Mayor

Attested by:

\_\_\_\_\_  
City Clerk

**CITY OF GOLDSBORO**  
**AGENDA MEMORANDUM**  
**MAY 4, 2020**

**SUBJECT:** City of Goldsboro Personnel Policy

**BACKGROUND:** The most recent revision of the entire Personnel Policy was completed in June 2007. Several sections of the City Personnel policy were revised by staff and approved by Council June 15, 2015. In August 2019, the city contracted with the Piedmont Traid Council of Government for policy content review, benchmarking and recommended revisions.

**DISCUSSION:** In December 2019, recommended policy revisions were distributed to city staff and city council for their opportunity to comment, make suggestions and/or provided feedback.

The recommended policy revisions were presented to City Council on February 27 at their annual Council retreat and additional changes were requested.

The affected Articles and Sections are attached for your review. The revision will be made to the Personnel Policy upon approval of the attached document.

**1RECOMMENDATION:** It is recommended that the City Council, by motion adopt the attached resolution approving the City of Goldsboro's Personnel Policy effective May 5, 2020.

Date: 4-29-20

  
Bernadette Dove, Human Resources Director

Date: 4/28/20

  
Tim Salmon, City Manager

**RESOLUTION 2020-**

**RESOLUTION ADOPTING PERSONNEL POLICY MANUAL  
FOR THE CITY OF GOLDSBORO**

**WHEREAS,** The Mayor and City Council approved a revised Personnel Policy submitted by the Mercer Group in June 2007; and

**WHEREAS,** The City of Goldsboro's Personnel Policy Manual needs to comply with federal, state and local standards for municipal government agencies to serve as a guide to city administrators when handling personnel issues; and

**WHEREAS,** In August 2019, the City contracted with the Piedmont Triad Council of Government for policy content review, benchmarking and recommended revisions;

**WHEREAS,** In December 2019, recommended policy revisions were distributed to staff and City Council for their opportunity to comment, make suggestions and/or provide feedback; and

**WHEREAS,** The recommended policy revisions were presented to City Council on February 27, 2020 at their annual Council Retreat and additional changes were requested.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and City Council of the City of Goldsboro, North Carolina that:

1. Said Personnel Policy is hereby adopted and approved.
2. This resolution shall be implemented and in effect from said date of May 5, 2020.

---

Chuck Allen, Mayor

Attest:

---

City Clerk



# **CITY OF GOLDSBORO**

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## **ARTICLE I. GENERAL PROVISIONS**

### **Section 1. Purpose of the Policy**

It is the purpose of this policy and the rules and regulations set forth to establish a fair and uniform system of personnel administration for all employees of the City under the supervision of the City Manager. This policy is established under authority of Chapter 160A, Article 7, of the General Statutes of North Carolina.

### **Section 2. At Will Employment**

The employment relationship between the City of Goldsboro and the employee is terminable at the will of either at any time and with or without cause and with or without notice. No employee, officer, agent or representative of the City has any authority to enter into any agreement or representation, verbally or in writing, which alters, amends, or contradicts this provision or the provisions in these policies. Any exception to this policy of at-will employment must be expressly authorized in writing, approved by the Council and executed by the officers designated by the Council.

None of the benefits or policies set forth in these policies are intended, because of their publication, to confer any rights or privileges upon employees or to entitle them to be or remain employed by the City. The contents of this document are presented as a matter of information only. Although the City believes wholeheartedly in the plans, policies, and procedures described herein, they are not conditions of employment.

These personnel policies are not a binding contract, but merely a set of guidelines for the implementation of personnel policies. The City explicitly reserves the right to modify any of the provisions of these policies at any time and without any notice to employees.

### **Section 3. Merit Principle**

All appointments and promotions shall be made solely on the basis of merit. No applicant for employment or employee shall be deprived of employment opportunities or otherwise adversely affected because of such individual's race, color, religion, sex, national origin, genetics, sexual orientation, political affiliation, non-disqualifying disability, marital status, veteran status or age.

### **Section 4. Responsibilities of the City Council**

The City Council shall be responsible for, or may delegate to the City Manager, the authority to establish and approve personnel policies, the position classification and pay

plan, and may change the policies and benefits as necessary. They also shall make and confirm appointments when so specified by the General Statutes. Any changes made or recommended by the City Manager requiring the obligation of City funding shall first be approved by the City Council.

## **Section 5. Responsibilities of the City Manager**

The City Manager shall be responsible to the City Council for the administration and technical direction of the personnel program. The City Manager shall appoint, suspend, and remove all City employees except those elected by the people or whose appointment is otherwise provided for by law. The City Manager shall make appointments, dismissals and suspensions in accordance with the City Charter and other policies and procedures spelled out in other Articles in this Policy.

The City Manager shall:

- 1) Make rules and revisions to the personnel system and advise the City Council;
- 2) Make changes as necessary to maintain an up to date and accurate position classification plan;
- 3) Perform such other duties as may be assigned by the City Council not inconsistent with this Policy;
- 4) Appoint an employee to the role of Human Resources Director; in the absence of a Human Resources Director, the City Manager shall appoint an interim or fulfill the role;
- 5) Submit any changes requiring the obligation of City funding to the City Council for approval.

## **Section 6. Responsibilities of the Human Resources Director**

The responsibilities of the Human Resources Director are to make recommendations to the City Manager on the following:

- 1) Recommend rules and revisions to the personnel system;
- 2) Recommend changes as necessary to maintain an up to date and accurate position classification plan;
- 3) Recommend necessary revisions to the pay plan;

- 4) Determine which employees shall be subject to the overtime provisions of FLSA;
- 5) Maintain a roster of all persons in the municipal service
- 6) Establish and maintain a list of authorized positions in the municipal service at the beginning of each budget year which identifies each authorized position, class title of position, salary range, any changes in class title and status, position number and other such data as may be desirable or useful;
- 7) Develop and administer such recruiting programs as may be necessary to obtain an adequate supply of competent applicants to meet the needs of the City;
- 8) Develop and coordinate training and educational programs for City employees;
- 9) Investigate periodically the operation and effect of the personnel provisions of this policy; and,
- 10) Perform such other duties as may be assigned by the City Manager not inconsistent with this Policy.

## **Section 7. Application of Policies, Plan, Rules and Regulations**

The personnel policy and all rules and regulations adopted pursuant thereto shall apply to all City employees. The City Manager, City Attorney, members of City Council and advisory boards and commissions will be exempted except in sections where specifically included. An employee violating any of the provisions of this policy shall be subject to appropriate disciplinary action, as well as prosecution under any civil or criminal laws which have been violated.

## **Section 8. Departmental Rules and Regulations**

Because of the particular personnel and operational requirements of the various departments of the City, each department is authorized to establish supplemental written rules and regulations applicable only to the personnel of that department. All such rules and regulations shall be subject to the approval of the City Manager, and shall not in any way conflict with the provisions of this Policy, but shall be considered as a supplement to this Policy. Any such departmental policies approved by the City Manager shall have a copy placed on file with the Human Resources Department and shall be available to all departmental employees.

## Section 9. Definitions

For the purposes of this policy, the following words and phrases shall have the meanings respectively ascribed to them by this section:

**Compensatory Time (Comp Time).** Fair Labor Standards Act (FLSA) approved method of compensating employees with time off rather than payment for overtime hours worked in the employees designated work week or work period.

**Continuous Service.** Years of regular service with the City of Goldsboro without a termination and rehire of employment. This does not include Family and Medical leaves of absence or eligible Military Leave under the Uniformed Services Employment and Reemployment Rights Act (USERRA).

**Demotion.** Demotion is a move from one position class to another position class which is assigned to a lower salary grade.

**Dismissal.** Dismissal is a disciplinary action taken by the City whereby the offending employee is relieved of all duties and responsibilities and is discharged from employment with the City.

**Essential Staff.** Employees designated or scheduled by the City Manager, department head or designee to work during adverse weather or emergency conditions.

**Full-time Employee.** An employee who is in a position that is authorized for an average work week of 32 or more hours and budgeted for at least 12 months.

**Grievance.** A claim or complaint based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment expectations.

**Immediate Family.** Immediate family for purposes of these policies means employee's spouse, guardian, children, brother, sister, parent(s), in-laws of the employee, grandparents, grandchildren, step-parents, step-children, and anyone living as a part of the household of the employee.

**Military Training Leave.** The annual two-week military training absence from work for members of the National Guard or Reserves. Regular status employees shall receive the difference between military pay and their regularly scheduled work-week pay during that time.

**Non FLSA Compensatory time.** - Compensatory time not approved by Fair Labor Standards Act (FLSA) with time off rather than payment for hours worked in the employees designated work week or work period. This time will be used for essential staff when they are required to work and city hall is closed.

**Part-time Employee.** An employee who is in a position that is authorized for an average work week of less than 20 hours, not to exceed 1000 hours per year, unless covered by other insurance.

**Permanent Part-time Employee.** An employee who is in a position that is budgeted for 12 months and authorized for an average of 20 hours per week (1,000 hours per year) and required to contribute to the Local Government Employment Retirement System.

**Probationary Employee.** An employee appointed to a full or part-time position who has not yet successfully completed the designated probationary period.

**Probationary Period.** The initial six months of employment or promotion representing the period of observable work performance to determine the suitability and ability of the employee to satisfactorily perform the duties and responsibilities of the position. The Probationary Period may be extended up to an additional six (6) months but shall not exceed eighteen (18) months. Employees must satisfactorily complete probation before they are eligible for promotional opportunities.

**Promotion.** Promotion is a move from one position class to another position class that is assigned to a higher salary grade.

**Reclassification.** When, due to substantial and permanent changes, the majority of job duties, complexities and/or knowledge and skills required in a position are determined to be at a higher (or lower) classification level than the current level of the position, the position may be eligible for reclassification review. Changes in the nature, variety and complexity of job duties, the supervision received or supervision exercised, or the responsibility for staff and/or resources, may justify a reclassification review. Changes in the volume of work assigned, or an employee's performance, are not considered justification for a reclassification.

**Reduction in Force.** A separation from employment resulting from an organizational change, lack of work, lack of funds or other reasons that reflect no discredit upon the affected employee(s).

**Regular Employee.** An employee appointed to a full or part-time position who has successfully completed the designated probationary period.

**Regular Position.** A position authorized for the budget year for a full twelve months and budgeted for 32 or more hours per week. All City positions are subject to budget review and approval each year by the City Council and all employees' work and conduct must meet City standards.

**Reinstatement.** An action taken by the City whereby a former employee, who had been laid off or otherwise left the service in good standing, is re-employed within one year of the date of separation upon approval of the City Manager or their designee.

**Suspension.** Suspension is an action taken by the City whereby the employee's pay is discontinued while they are temporarily relieved of all duties and responsibilities.

**Temporary Employee.** An employee appointed to a position for a limited term not to exceed six months.

**Trainee.** An employee status when an applicant is hired (or employee promoted) who does not meet all of the requirements for the position. During the duration of a trainee appointment, the employee is on probationary status.

**Transfer.** Transfer occurs when an employee is moved from one position class to another position class in the same pay grade. If an employee moves to a different classification, (s)he will be placed on probation for a minimum of six months.

### **Appointment Types and Benefit Status**

<b>Appointment Type</b>	<b>Full-Time (32 or more hours) FTE</b>	<b>Part-time Permanent (30-32 hours) PPT</b>	<b>Part-time Permanent (20-29 hours) ≥1000 hours per year PPT</b>	<b>Part-time (Avg. 20 hours) &lt;1000 hours per year</b>	<b>Temporary (up to 40 hours a week, term not to exceed six months)</b>
Benefits	Leave – Yes  Holidays – Yes  Health Insurance – Yes  Local Government Service Credit – Yes  Retirement – Yes	Leave – Prorated  Holidays – Prorated  Health Insurance – Yes  Local Government Service Credit – Yes  Retirement – Yes	Leave – Prorated  Holidays – Prorated  Local Government Service Credit – Yes  Retirement – Yes Health Insurance – At cost to employee	Leave – No  Holidays – No  Local Government Service Credit – No  Retirement – No  Health Insurance – No	Leave – No  Holidays – No  Local Government Service Credit – No  Retirement – No  Health Insurance – No

## **ARTICLE II. POSITION CLASSIFICATION PLAN**

### **Section 1. Purpose.**

The position classification plan provides a complete inventory of all authorized regular positions in the City service and an accurate description and specification for each class of employment. The plan standardizes job titles, each of which is indicative of a definite range of duties and responsibilities.

### **Section 2. Composition of the Position Classification Plan**

The classification plan shall consist of:

- 1) A grouping of positions in classes which are approximately equal in difficulty and responsibility which call for the same general qualifications and which can be equitably compensated within the same range of pay under similar working conditions;
- 2) Class titles descriptive of the work of the class;
- 3) Written specifications for each class of positions; and,
- 4) An allocation list showing the class title of each position in the classified service.

### **Section 3. Use of the Position Classification Plan**

The classification plan is to be used:

- 1) As a guide in recruiting and examining applicants for employment;
- 2) In determining lines of promotion and in developing employee training programs;
- 3) In determining salary to be paid for various types of work;
- 4) In determining personnel service items in departmental budgets; and
- 5) In providing uniform job terminology.

#### **Section 4. Administration of the Position Classification Plan**

The City Manager, assisted by the Human Resources Director, shall allocate each position covered by the classification plan to its appropriate class and shall be responsible for the administration of the position classification plan. The City Manager shall periodically review portions of the classification plan and make appropriate revisions to ensure that classifications accurately reflect current job duties and responsibilities. The City Manager shall also periodically review the entire classification plan and, when needed, recommend major changes to the City Council.

#### **Section 5. Authorization of New Positions and the Position Classification Plan**

Positions shall be established upon recommendation of the City Manager and approval of the City Council. The Department Director shall submit the request, along with the recommended title, pay grade assignment and job description to the Human Resources Director and Finance Director. The Human Resources staff shall be responsible for reviewing the request and submitting a final job description and pay grade assignment. The Human Resources Director and Department Director shall then recommend the appropriate classification title and pay grade assignment to the City Manager for Council approval. The position classification plan, along with any new positions or classifications, shall be retained in the Human Resources Department and copies made available to all City employees for review upon request.

#### **Section 6. Request for Reclassification**

Any employee who considers the position in which he/she is classified to be improper shall submit a request in writing for reclassification to such employee's immediate supervisor, who shall immediately transmit the request through the department head to the Human Resources Director. Upon receipt of such request, the Human Resources Director shall study the request, determine the merit of the reclassification, and recommend any necessary revisions to the classification and pay plan to the City Manager. The City Manager will respond to this request with a plan of action within ten working days.

Department heads are responsible for identifying changes in job duties that may result in a position being reviewed and submitting recommendations to make the Human Resources Director and City Manager aware of the need for a position reclassification.

The determination of the reclassification request shall be based on substantial and permanent changes in the nature, variety and complexity of job duties, the supervision received or supervision exercised, or the responsibility for staff and/or resources. Changes in the volume of work assigned, or an employee's performance, are not considered justification for a reclassification.



## **ARTICLE III. THE PAY PLAN**

### **Section 1. Definition**

The pay plan includes the basic salary schedule and the "List of Classes Arranged by Grades" adopted by the City Council. The salary schedule consists of minimum or beginning, midpoint, maximum, and intervening rates of pay for all classes of positions.

### **Section 2. Administration and Maintenance**

The City Manager, assisted by the Human Resources Director, shall be responsible for the administration and maintenance of the pay plan. All employees covered by the pay plan shall be paid at a rate listed within the salary range established for the respective position classification, except for employees in trainee status or employees whose existing salaries are above the established maximum rate following transition to a new pay plan. Each year, the City Manager shall recommend a cost of living or market adjustment amount based on an analysis of the consumer price increase and of the increases in other local governments. When cost of living or market adjustments are approved by the Council, the salary plan should adjust by that amount so that minimum rates and maximum rates of pay remain competitive in the market.

The pay plan is intended to provide equitable compensation for all positions, reflecting differences in the duties and responsibilities, the comparable rates of pay for positions in private and public employment in the area, changes in the cost of living, the financial conditions of the City, and other factors. To this end, from time to time, the City Manager shall request the Human Resources Director to make comparative studies of all factors affecting the level of salary ranges and may make minor adjustments in the allocation of positions to salary grades. Approximately every three to five years the City will conduct a comprehensive classification and pay study to update the plan ensuring internal equity and external competitiveness. When major adjustments encompassing numerous positions are needed, or when a general adjustment is needed to the pay plan, the City Manager shall recommend such changes in salary ranges as appear to be warranted to the City Council. The City Council shall adopt the "Assignment of Classes to Grades and Ranges," including any recommended adjustments made by the City Manager during the previous budget year, annually as part of the budget process.

### **Section 3. Starting Salaries**

All persons hired or promoted into positions approved in the position classification plan shall be compensated at the minimum rate for the classification in which they are employed; however, exceptionally well qualified applicants may be paid above the minimum rate of the established salary range based upon recommendation of the hiring

department head and Human Resources Director and approval of the City Manager.

#### **Section 4. Trainee Designation and Provisions**

Applicants being considered for employment or City employees who do not meet all of the requirements for the position for which they are being considered may be hired, promoted, demoted, or transferred to a "trainee" status. In such cases, a plan for training, including a time schedule, must be prepared by the department head. "Trainee" salaries shall be one or (no more than) two grades below the minimum rate established for the position for which the person is being trained. A new employee designated as "trainee" shall concurrently serve a probationary period. However, probationary periods shall be at least six months and trainee periods may extend from three to eighteen months. A trainee shall remain a probationary employee until the trainee period is satisfactorily completed.

If the training is not successfully completed to the satisfaction of the City, the trainee shall be transferred, demoted, or dismissed. If the training is successfully completed, the employee shall be paid at least at the hiring rate established for the position for which the employee was trained.

#### **Section 5. Probationary Pay Increases**

Employees who satisfactorily complete probation may receive an increase. The percentage, or amount, shall be approved by the City Manager prior to the employee's appointment or acceptance of employment offer.

#### **Section 6. Performance Pay**

An annual performance evaluation shall be scheduled for all full-time employees. Consultation between the employee and supervisor regarding performance at times other than the annual performance evaluation is anticipated and encouraged under this policy and shall be considered to supplement rather than replace the annual performance evaluation. Advancement within the established salary range for an employee is not automatic but rather based upon specific performance-related reasons. Employees may be considered for advancement within the established salary range based on the quality of their overall performance. Procedures for determining performance levels and performance pay increases shall be established in procedures approved by the City Manager. Performance pay is subject to annual appropriation. See Appendix A for details.

## **Section 7. Performance Pay Bonus**

Employees who are at the maximum of the salary range for their position classification are eligible to be considered for a performance bonus at their regular performance evaluation time. Performance bonuses shall be awarded based upon the performance of the employee as described in the performance evaluation and shall be the same percentage of annual salary as employees within the salary range with the same performance level. Performance bonuses do not become part of base pay and shall be awarded in a lump sum payment.

## **Section 8. Salary Effect of Promotions, Demotions, Transfers and Reclassifications**

**Promotions.** Employees who successfully complete probation are eligible to apply for promotional opportunities. When an employee is promoted, the employee's salary shall be advanced to the minimum rate of the new position, or 10 % over the employee's salary before the promotion, whichever is greater; provided, however, that the new salary may not exceed the maximum rate of the new salary range.

Where a promotion moves an employee more than 2 salary grades, the City Manager may allow the Department Head to consider an increase of not more than 5% per pay grade at the time of the promotion or at a later date as part of the promotion; if discussed and documented at the time of the promotion.

The purpose of the promotion pay increase is to recognize and compensate the employee for taking on increased responsibility.

**Demotions.** Employees demoted for disciplinary or performance reasons should expect to have their salary reduced at least 5% per pay grade. The adjusted salary must be within the range of the new grade. The amount of the reduction will be determined by the supervisor and the department head and will be contingent on the severity of the offense or deficiency and approved by the Human Resources Director and the City Manager.

Employees who request a voluntary demotion should also expect to have their salary reduced to a salary within the pay range of the new position. The amount of reduction would be determined by the supervisor and the department head based on consideration of several factors such as internal equity and the employee's qualifications compared to the qualifications of the job. The final salary reduction must be approved by the Human Resources Director and the City Manager. Exceptions may exist where the employee retains his/her salary. Requests for such events will require approval by the City Manager. Factors, such as maintaining internal equity within the department, as well as the employee's value in the position will be taken into consideration.

Employees involuntarily demoted for reasons other than discipline or performance

**(Example: Reduction in Force or reorganization)** may have their salary reduced or maintained at the same rate as approved by the Human Resources Director and the City Manager.

**Transfers.** When a lateral transfer occurs, the salary of an employee reassigned to a position in the same class or to a position in a different class within the same salary range shall not be changed by the reassignment. An employee transferred because of performance, disciplinary reasons or voluntarily is considered a demotion.

**Reclassifications.** An employee whose position is reclassified to a class having a higher salary range shall receive a pay increase of 5% or an increase to the hiring rate of the new pay range, whichever is higher. If the employee's salary is above the midpoint of the new range, the employee shall receive an increase of 2.5%. If the position is reclassified to a lower pay range, the employee's salary shall remain the same. If the employee's salary is above the maximum established for the new range, the salary of that employee shall be maintained at the current level until the range is increased above the employee's salary.

## **Section 9. Salary Effect of Salary Range Revisions**

When a class of positions is assigned to a higher salary range, employees in that class shall receive a pay increase of at least 5%, or to the minimum rate of the new range, whichever is higher. If the employee has passed probation, the employee's salary shall be advanced at least to the probation completion amount (minimum rate) in the new range. If the employee's salary is above the midpoint of the new range, the employee shall receive an increase of 2.5%.

When a class of positions is assigned to a lower salary range, the salaries of employees in that class will remain unchanged. If this assignment to a lower salary range results in an employee being paid at a rate above the maximum established for the new class, the salary of that employee shall be maintained at that level until such time as the employee's salary range is increased above the employee's current salary.

## **Section 10. Transition to a New Salary Plan**

The following principles shall govern the transition to a new salary plan:

- 1) No employee shall receive a salary reduction as a result of the transition to a new salary plan.
- 2) All employees being paid at a rate lower than the minimum rate established for their respective classes shall have their salaries raised at least to the new minimum rate for their classes.

- 3) All employees being paid at a rate above the maximum rate established for their respective classes shall be maintained at that salary level until such time as the employees' salary range is increased above the employee's current salary.

## **Section 11. Effective Date of Salary Changes**

Salary changes approved after the first working day of a pay period shall become effective at the beginning of the next pay period, or at such specific date as may be provided by procedures approved by the City Manager.

## **Section 12. Overtime Pay Provisions**

Employees of the City can be requested and may be required to work overtime hours as contingent upon the needs of the City and determined by the Department Head. All overtime hours worked must be authorized by appropriate management or City officials. To the extent that local government jurisdictions are so required, the City will comply with the Fair Labor Standards Act (FLSA). The Human Resources Director shall recommend which jobs are "non-exempt" and are therefore subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

Non-exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position (usually 40 hours in a 7-day period; 171 hours for police and 212 for fire personnel in a 28-day cycle). Hours worked beyond the FLSA established limit will be compensated in time off or pay at the appropriate overtime rate.

In determining eligibility for overtime in a work period, only hours actually worked shall be considered. In no event will vacation, sick leave, holiday time or compensatory leave hours be counted toward the total hours for the purpose of overtime compensation.

Whenever practicable, departments will schedule time off on an hour-for-hour basis within the applicable work period for non-exempt employees (work period is seven days except 28 days for applicable law enforcement and fire personnel) instead of compensating overtime. A maximum of 80 hours of comp-time may be held at any given time.

When time off within the applicable work period cannot be granted, overtime worked will be compensated in accordance with the FLSA, not to exceed 80 hours total. All accumulated compensatory time must be properly managed by the immediate supervisor and may be scheduled off at the will of the department. For employees eligible to earn and accrue Comp Time, during any absence from work, the employee will first use accrued Comp Time hours before using any other accrued leave time, including sick leave.

Employees in positions determined to be "exempt" from the FLSA (as Executive, Administrative, or Professional staff) do not accrue comp-time and are not paid for extra hours worked in excess of their normal work periods. Exempt employees may, upon immediate supervisor's approval, rearrange their weekly work schedule for hours worked over 40.

In declared emergency situations, where authorized essential non-exempt employees are required to work long and continuous hours, those authorized non-exempt employees shall receive compensation at their hourly rate for those hours worked beyond 40 hours in preparing for or responding to emergency situations.

### **Section 13. Call-back and Stand-by Pay**

The City provides a continuous twenty-four hour a day, seven day a week service to its customers. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the City is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary actions up to and including dismissal.

**Call-back.** Non-exempt employees will be guaranteed a minimum payment of two hours of wages per twenty-four-hour period for being called back to work outside of normal working hours. "Call-back" provisions do not apply to previously scheduled overtime work (scheduled one or more days in advance).

**Stand-by.** Non-exempt employees required to be on "stand-by" duty will be paid \$125 per week of stand-by time they serve. Hours actually worked while on stand-by are calculated beginning when the employee reports to the work site and are added to the regular total of hours worked for the week. Stand-by time is defined as that time when an employee must carry a mobile device pager or other communication device and must respond immediately to calls for service.

Stand-by time is normally assigned in seven-day increments. Employees designated for stand-by time must be fit for duty (not under the influence of any alcohol or drugs and able to respond within 15 minutes). Stand-by schedule changes must be approved by the department head.

### **Section 14. Payroll Deduction**

Deductions shall be made from each employee's salary, as required by law. Additional deductions may be authorized by the City Manager as to capability of payroll equipment and appropriateness of the deduction.

## **Section 15. Hourly Rate of Pay**

Employees working in a part-time or temporary capacity with the same duties as full-time employees will work at a rate in the same salary range as the full-time employees. The hourly rate for employees working other than 40 hours per week, such as police officers working an average 42.75 hours per week or firefighters working an average of 56 hours per week, will be determined by dividing the average number of hours scheduled per year into the annual salary for the position.

## **Section 16. Pay for Interim Assignment in a Higher-Level Classification**

An employee who is formally designated to perform the duties of a job that is assigned to a higher salary grade than that of the employee's regular classification shall receive an increase effective upon appointment. The employee shall receive a salary adjustment to the entry level (minimum rate) of the job in which the employee is assigned or an increase of 10%, whichever is greater. Criteria involved in determining the amount of compensation shall include 1) the difference between the existing job and that being filled on an interim basis, and 2) the degree to which the employee is expected to fulfill all the duties of the interim assignment. The salary increase shall be for the duration of the interim assignment and, at the conclusion of the interim assignment, the employee's salary shall be set at the rate he or she would have had notwithstanding the interim assignment.

## **ARTICLE IV. RECRUITMENT AND EMPLOYMENT**

### **Section 1. Equal Employment Opportunity Statement**

The City of Goldsboro provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability or genetics. In addition to federal law requirements, the City complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

### **Section 2. Implementation of Equal Employment Opportunity Policy**

All personnel responsible for recruitment and employment will continue to review regularly the implementation of this personnel policy and relevant practices to assure that equal employment opportunity based on reasonable, job-related requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of age, sex, race, color, religion, disability, national origin, political affiliation, or marital status. Notices with regard to equal employment matters shall be posted in conspicuous places on City premises in places where notices are customarily posted.

### **Section 3. Recruitment, Selection and Appointment**

**Recruitment Sources.** When position vacancies occur, the Human Resources Director shall publicize these opportunities for employment, including applicable salary information and employment qualifications. Information on job openings and hiring practices will be published in local and/or other news/social media as necessary to inform the community and create a quality and diverse pool of applicants. In addition, notice of vacancies shall be posted at designated conspicuous sites within departments. Individuals shall be recruited from a geographic area as wide as necessary and for a period of time sufficient to ensure that well-qualified applicants are obtained for City service. Human Resources listservs and other referral sites shall normally be used as recruitment sources. In rare situations because of emergency conditions, high turnover, etc., the City may hire or promote without advertising jobs, upon approval of the City Manager.

**Job Advertisements.** Employment advertisements shall contain assurances of equal employment opportunity and shall comply with Federal and State statutes.

**Application for Employment.** All persons expressing interest in employment with the City shall be given the opportunity to file an application for employment for positions



which are currently being recruited.

**Application Reserve File.** Applications shall be kept in an inactive reserve file for a period of two years, in accordance with Equal Employment Opportunity Commission guidelines.

**Selection.** Department heads, with the assistance of the Human Resources Director, shall make such investigations and conduct such examinations as necessary to accurately assess the knowledge, skills, and experience qualifications required for the position. All assessment materials and processes administered by the City shall be valid measures of job performance and approved by the Human Resources Director. Any assessment materials and/or processes that create adverse impact based upon race, sex, religion or any other protected class will be subject to replacement or validation. (See Appendix C)

**Physical Examination.** The City, at its own expense, may require that a selected candidate successfully complete a medical examination to include drug and alcohol testing prior to starting work with the City.

**Appointment.** Before any commitment is made to an applicant either internal or external, the Department Head shall make recommendations to the Human Resources Director including the position to be filled, the salary to be paid, and the reasons for selecting the candidate over other candidates. The Human Resources Director and Department Head shall recommend approval of appointments and the starting salary for all applicants to the City Manager.

#### **Section 4. Probationary Period**

An employee appointed or promoted to a regular position shall serve a six-month probationary period. Employees hired as trainees shall remain on probation until the provisions of their traineeship are satisfied. During the probationary period, the supervisor of the employee serving in a probationary status shall closely monitor the progress of that employee and shall frequently discuss with the employee his or her performance. At the end of the probationary period, the supervisor shall conduct a performance evaluation conference with the employee and discuss accomplishments, strengths and needed improvements. This shall be accomplished through the City's evaluation process and submitted to Human Resources for inclusion in the employee's personnel file. The supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed. Unsatisfactory performance shall result in the employee being placed on a Development Plan and he/she will remain on the Development Plan for no longer than six (6) months. Probationary periods may be extended for a maximum of six additional months.

Disciplinary action, including demotion and dismissal, may be taken at any time during the probationary period of a new hire without following the steps outlined in this Policy for

disciplinary action. A promoted employee who does not successfully complete the probationary period may be transferred or demoted to a position in which the employee shows promise of success. If no such position is available, the employee shall be dismissed. Promoted employees retain all other rights and benefits such as the right to use of the grievance procedures and to graduated disciplinary procedures. Employees on probation may apply for promotional opportunities using the same application process as external candidates.

An employee may be terminated during the probationary period, with or without cause, and such probationary employee shall have no rights to file a grievance regarding the termination under the grievance provisions of these personnel policies.

## **Section 5. Promotion**

Promotion is the movement of an employee from one position to a vacant position in a class assigned to a higher salary range. It is the City's policy to create career opportunities for its employees whenever possible. Therefore, when a current employee applying for a vacant position is best suited of all applicants, that applicant shall be appointed to that position. The City will balance three goals in the employment process:

- 1) The benefits to employees and the organization of promotion from within;
- 2) Providing equal employment opportunity and a diversified workforce to the community; and,
- 3) Obtaining the best possible employee who will provide the most productivity in that position. Therefore, the City will consider external and internal candidates rather than automatically promote from within. Candidates for promotion shall be chosen on the basis of their qualifications and their work records.  
Employees must complete probation before they may apply for promotional opportunities using the same application process as external candidates.

Department heads are responsible for developing staff capacity to provide back-up for coworkers and higher-level positions; to prepare staff and the organization for smooth transitions; and to ensure capability to cover interim absences and vacancies.

## **Section 6. Demotion**

Demotion is the movement of an employee from one position to a position in a class assigned to a lower salary range. Demotion may be voluntary or involuntary. An employee whose work or conduct in the current position is unsatisfactory may be demoted provided that the employee shows promise of becoming a satisfactory employee in the lower position. Such disciplinary demotion shall follow the disciplinary procedures outlined in this chapter.

An employee who wishes to accept a position with less complex duties and reduced responsibilities may request a voluntary demotion. A voluntary demotion is not a disciplinary action and is made without using the above-referenced disciplinary procedures. For a voluntary demotion, the employee's salary may be negotiated with approval of the Human Resources Director and City Manager.

## **Section 7. Transfer**

Transfer is the movement of an employee from one position or department to another. If a vacancy occurs and an employee in another department is eligible for a transfer, the employee may apply for the transfer using the usual application process. The Department Head wishing to transfer an employee to a different department or classification shall, with the consent of the receiving department head, make a recommendation to the Human Resources Director who shall review and make a recommendation to the City Manager. Any employee transferred without requesting the action may appeal the action in accordance with the grievance procedure outlined in this policy. An employee who has successfully completed a probationary period may be transferred into the same classification without serving another probationary period.

## **Section 8. Recruitment**

The City of Goldsboro is committed to employing the best-qualified candidates for approved positions while engaging in recruitment and selection practices that comply with all applicable federal and state employment laws. Although the City does not utilize a formal succession plan, it is recognized that succession planning is an integral component of the City's recruitment and selection process, no employee, identified and/or targeted by succession planning, shall be guaranteed or promised succession to any current or future vacant position. The City's has stated a formal procedure for recruitment, selection and promotion which shall be the guidelines by which all vacancies are filled. See Appendix C for additional information regarding the Recruitment process.

## **ARTICLE V. CONDITIONS OF EMPLOYMENT**

### **Section 1. Work Schedule**

Department Heads shall establish work schedules, with the approval of the City Manager, which meet the operational needs of the department in the most cost-effective manner possible.

### **Section 2. Political Activity**

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee shall:

- 1) Engage in any political or partisan activity while on duty;
- 2) Use official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- 3) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- 4) Coerce or compel contributions from another employee of the City for political or partisan purposes;
- 5) Use any supplies or equipment of the City for political or partisan purposes; or,
- 6) Be a candidate for nomination or election to an office under the City Charter;

Any violation of this section shall subject the employee to disciplinary action including dismissal.

### **Section 3. Outside Employment**

The work of the City shall have precedence over other occupational interests of employees. All outside employment for salaries, wages, or commission and all self-employment must be reported in advance to the employee's supervisor, who in turn will report it to the Department Head. The Department Head will review such employment for possible conflict of interest and decide whether to approve the work. Conflicting or unreported outside employment are grounds for disciplinary action up to and including dismissal. Documentation of the approval of outside employment will be placed in the

employee's personnel file.

Examples of conflicts of interest in outside employment *include but are not limited to*:

- 1) Employment with organizations or in capacities that are regulated by the employee or employee's department; or
- 2) Employment with organizations or in capacities that negatively impact the employee's perceived integrity, neutrality or reputation related to performance of the employees City duties.

#### **Section 4. Dual Employment**

Dual employment is prohibited in the City of Goldsboro. Dual employment is defined as employees working more than one job with the City regardless of whether the job is full-time, part-time or temporary.

#### **Section 5. Employment of Relatives**

The City prohibits the hiring and employment of immediate family in regular positions within the same work unit. The City wants to ensure that organization practices do not create situations such as conflict of interest or favoritism. This extends to practices that involve employee hiring, promotion and transfer. Immediate family members, individuals in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other and should inform their department head and Human Resources if such a relationship exists or begins. "Immediate Family" is defined in Article VII, Section 12.

The City also prohibits the hiring of any person into a regular\_position who is an immediate family member of individuals holding the following positions: Mayor, Mayor Pro Tem, City Council Member, City Manager, Human Resources Director, or City Attorney. Otherwise, the City will consider employing family members or related persons in the service of the City, provided that such employment does not:

- 1) Result in a relative supervising relatives;
- 2) Result in a relative auditing the work of a relative;
- 3) Create a conflict of interest with either relative and the City; or,
- 4) Create the potential or perception of favoritism.

Should a family member (as defined in Article VII Section 12) of a current employee be elected to the City Council, the employee may continue employment as long as there is not a conflict of interest or perception of favoritism.

The City reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is not direct-reporting relationship or authority involved.

## **Section 6. Anti-Harassment**

It is the policy of the City of Goldsboro to maintain a working environment that is free from all forms of discrimination and harassment, including sexual harassment. For that reason, the City of Goldsboro will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, the City will seek to prevent, correct and discipline behavior that violates this policy.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Any employee who feels subjected to unlawful harassment in the workplace is obligated to promptly report this information in accordance with the procedures provided in this policy.

Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimands, suspension, demotion or termination of employment. See Appendix D for policy guidelines.

## **Section 7. Acceptance of Gifts and Favors**

No official or employee of the City shall accept any gift, favor, or thing of value (more than \$50) that may tend to influence such employee in the discharge of the employee's duties or grant in the discharge of duty an improper favor, service, or thing of value.

## **Section 8. Performance Evaluation**

All supervisors shall conduct performance evaluation conferences with each employee at least once a year to review the employee's accomplishments and strengths, areas for improvements goals for the next year, and overall performance level. These performance evaluations shall be documented in writing and placed in the employee's personnel file. Procedures for the performance evaluation program shall be published by the City Manager.

## **Section 9. Safety**

Safety is the responsibility of both the City and employees. The City shall establish a safety program including policies and procedures regarding safety practices and precautions and training in safety methods. Department Heads and supervisors are responsible for ensuring a the safe work environment and providing necessary safety training programs for all employees. Employees shall follow the safety policies and

procedures and attend safety training programs as a condition of employment. Employees who violate such policies and procedures shall be subject to disciplinary action up to and including dismissal. (see SAFETY POLICY for guidelines)

## **Section 10. Direct Deposit**

Employees are required to participate in the City's direct deposit program.

## **Section 11. Use of City Supplies and Equipment**

City equipment, materials, tools and supplies shall not be available for personal use nor be removed from City property except in conduct of official City business.

City employees shall provide reasonable care for any City vehicle as a duty and function of their job requirements and will be accountable for the vehicle. Such vehicles are to be used exclusively for official City business, except that by special approval by the City Manager, an employee may be directed to take the vehicle home when doing so shall serve the best interest of the City. Use of City vehicles for commuting to and from work shall usually be limited to an employee who is subject to emergency call-back work. IRS guidelines will dictate any charges which shall accrue to the employee.

## **Section 12. Dress and Personal Appearance**

City of Goldsboro employees are expected to represent the City to its citizens and general public in an exemplary manner both in conduct and appearance at all times. City employees should always be well-groomed and dressed in a manner suitable for the public service environment and in attire that allows the employee to work comfortably in the workplace.

An employee's Department Head and/or supervisor will discuss the subject of personal appearance with the employee if it is felt it does not positively reflect the image of the City. Any employee deemed to be inappropriately dressed or groomed will be asked to return home in order to correct the unacceptable infraction. Employees will not be compensated for the time they do not work as a result unless vacation leave or compensatory time is used. Repeated violations will be subject to further disciplinary action up to and including dismissal.

Department Heads may authorize causal dress as necessary to achieve departmental objectives, i.e., clean up days. Department Heads are to monitor dress within their respective areas. If there should be a debate as to what is appropriate, the decision of the City Manager shall be final.

**Note:** Employees who have been issued uniforms will wear them according to departmental standards.

### **Section 13. Call-Back or Stand-By Requirement**

The City provides a continuous twenty-four hour a day, seven day a week service to its customers. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the City is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary actions up to and including dismissal.

### **Section 14. Breaks**

All employees shall be allowed a 1-hour lunch break each work day. In addition, all employees may be allowed up to 15 minutes for a break in the morning and in the afternoon, when work demands permit. While eating at the workspace is not prohibited, it is discouraged. While eating lunch at the workplace, an employee is relieved of all work activities unless approved by the supervisor.

### **Section 15. Social Media**

The City utilizes several forms of social media to provide information regarding City services, programs, events, meetings and other related announcements. The delivery of information to the public via social media requires the establishment of certain guidelines and expectations by the City and its employees. Those guidelines are located in Appendix F of this policy.



## **ARTICLE VI. EMPLOYEE BENEFITS**

### **Section 1. Eligibility**

All full-time employees (see definitions) of the City are eligible for employee benefits as provided for in this policy. These benefits are subject to change at the City's discretion. Temporary employees are eligible only for workers' compensation and FICA.

### **Section 2. Group Health and Hospitalization Insurance**

The City provides group health and hospitalization insurance programs for full-time employees, subject to annual appropriation by the City Council.

Part-time employees who are scheduled to work an average of 30 or more hours per week on a continuous year-round basis shall be eligible for health coverage in accordance with the Affordable Care Act.

Information concerning cost and benefits shall be available to all employees from the Human Resources Department.

### **Section 3. Group Life Insurance**

The City may elect to provide group life insurance for each employee subject to the stipulations of the insurance contract. Employees may elect to purchase additional coverage and/or to insure other family members at their expense subject to the stipulations of an insurance provider.

### **Section 4. Other Optional Group Insurance Plans and Benefits**

The City may make other group insurance plans available to employees upon authorization of the City Manager or City Council.

### **Section 5. Retirement**

Each employee who is expected to work for the City more than 1,000 hours annually shall join the North Carolina Local Governmental Employees' Retirement System upon hire as a condition of employment.

### **Section 6. Supplemental Retirement Benefits**

The City may provide supplemental retirement benefits for its full and part-time

employees. Each law enforcement officer shall receive 401-K benefits as prescribed by North Carolina State Law and beginning on the first day of employment. Each general employee shall receive supplemental benefits as determined by the City Council.

## **Section 7. Social Security**

The City, to the extent of its lawful authority and power, extends Social Security benefits for its eligible employees and eligible groups and classes of such employees.

## **Section 8. Workers' Compensation**

All employees of the City (full-time, part-time, and temporary) are covered by the North Carolina Workers' Compensation Act and are required to report all injuries arising out of and in the course of employment to their immediate supervisors at the time of the injury in order that appropriate action may be taken at once. This provision also applies to reactions to small pox vaccinations administered to City employees under Section 304 of the Homeland Security Act. Such reactions shall be treated the same as any other workers' compensation claim as regards leave and salary continuation.

Transitional duty may be provided when possible to aid an employee injured on the job to return to work as quickly as possible.

Before returning to work, a statement from the attending physician shall be submitted to the Human Resources Director giving permission for the employee to either return to perform restricted duties or resume regular duties.

Upon return to work, the employee's salary will be computed on the basis of the last salary plus any merit increment or other salary increase to which the employee would have been entitled during the disability covered by Workers' Compensation benefits. An employee continues to earn vacation leave and sick leave and will retain all accumulated sick or vacation leave.

Employees may use sick leave and/or vacation both during the waiting period before Workers' Compensation benefits begin, and afterward to supplement the remaining one-third of salary, except that employee may not exceed the regular salary amount using this provision. An employee receiving Worker's Compensation payments is not eligible for retirement service credit for the month in which payment is received.

Responsibility for claiming compensation under the Workers' Compensation Act is on the injured employee, and such claims should be filed with the North Carolina Industrial Commission within five days of the date of injury. The Human Resources Department is available if employees need assistance.

### **NOTE: Retirement Service Credit (Workers' Compensation Leave)**

If you are granted a leave of absence to receive benefits under the North Carolina Workers' Compensation Act, you may purchase credit for the period of time you received those benefits. Your cost for Workers' Compensation leave must be paid in a lump sum

and will include the total amount required to cover the employee and employer funding. Upon request by the employee, the Retirement System provides a statement of the cost and a date by which purchase must be made. If purchase is not made by that date, the cost will have to be recomputed.

## **Section 9. Return to Work (Personal Injury/Illness)**

The purpose of this section is to inform management and employees of the guidelines for returning to work following a personal injury/illness.

Transitional duty, if available, may be provided to accommodate a **temporary** illness or injury when an employee has not reached maximum medical improvement but is ready to return to restricted duty work with the approval of the treating physician. The department may provide transitional duty work for the employee suitable to the employee's capacity to work which is both meaningful and productive to the employee and the City. The City reserves the right to exercise its prerogative to protect itself against excessive future liability and insurance risk, and the employee against further aggravation and/ or injury.

The transitional duty work shall be temporary and not exceed 30 days, per personal injury/illness within a 12-month period. Department Heads are responsible for the administration of transitional duty assignments within their respective departments.

When the employee reaches maximum medical improvement, the employee shall be returned to his/her original position with regular duties.

## **Section 10. Unemployment Compensation**

In accordance with Public Law 94-566 and subsequent amendments, local governments are covered by unemployment insurance. City employees who are terminated due to a reduction in force or released from City service may apply for benefits through the local NC Works office, where a determination of eligibility will be made.

## **Section 11. Tuition Assistance Program**

Full-time employees who have completed initial probation may apply for tuition reimbursement for courses taken on their own time or during educational leave which will improve their skills for their current job or prepare them for promotional opportunities with the City. These courses must lead to a certification program or a degree program. The employee must complete an Educational Incentive Assistance Application, attach acceptance letter, course registration or other documentation for proof of enrollment and forward to appropriate approval authority for processing prior to attending. Tuition, registration, fees, laboratory fees, and student fees are eligible expenses.

Employees may be reimbursed eligible expenses up to a total of twenty-five hundred

dollars (\$2500) per fiscal year. Satisfactory completion of the courses with at least a “C” in graded courses will be required for reimbursement. The employee will complete a Tuition and Book Reimbursement Application, attach grade(s) and receipts, and forward to appropriate approval authority for processing. Employees must be enrolled in an accredited college or university to receive tuition reimbursement. Departments may budget sufficient funds to allow employees to participate in this program. Funding is subject to Council budgetary appropriation.

If the employee voluntarily terminates employment with the City after completion of the course (award of degree) and prior to completing **twelve (12) consecutive months of active employment**, the employee will refund a prorated amount of the educational expenses provided to them in the previous twelve months. *For example, if the employee voluntarily terminates their employment with the City three (3) months after completion, the employee would owe the City (12 months – 3 months)/12 or 75 percent of the cost of the course.*

## **Section 12. Professional Certification Program**

Employees may request approval for advance payment of expenses for certification courses and materials. The employee must complete a Certification Expense Agreement with attached documents and submit it to the Department Head. As part of the City of Goldsboro’s Professional Certification Program, the City will agree to advance educational expenses for the employee to attend. In consideration of payment of expenses, the employee agrees to the following:

If the employee is unable to complete the course, the employee shall reimburse the City for expenses paid. An exception may be made for what the City considers extreme extenuating circumstances (such as the employee’s illness or the illness of a family member). If the employee fails to pass the certification exam after the first attempt, the employee will be responsible for any and all future associated expenses. However, the City will refund expenses paid for the final exam upon the employee passing the final exam. If the employee voluntarily terminates employment with the City prior to completing the course, the employee will refund the entire amount of the certification expenses provided to the employee. If the employee voluntarily terminates employment with the City after completion of the course and prior to completing **twelve (12) consecutive months of active employment**, the employee will refund a prorated amount of the educational expenses provided to them. For example, if employee voluntarily terminates their employment with the City three (3) months after completion, the employee would owe the City (12 months-3 months)/12 or 75 percent of the cost of the course.

The Certification Expense Agreement creates no contract of employment between the employee and the City. The employee may terminate employment with the City at any time and the City may terminate the employee’s employment at any time.  
(Refer to Appendix B for certification details for approved career advancement)

### **Section 13. Law Enforcement Separation Allowance**

Each eligible sworn Law Enforcement Officer, as defined by G.S. 128-21 (11b) or G.S. 143-166.50 (a) (3), of the City who shall be and remain retired under the provisions of G.S. 128-27(a), shall be eligible for a special separation allowance as provided by G.S. 143-166.42. The allowance shall be paid on the same frequency as the regular City payroll cycle.

In order to qualify for the allowance, the Officer shall:

- 1) Have completed 30 years or more of creditable service, or
- 2) Have attained 55 years of age and completed five (5) or more years of creditable service (as the term "creditable service" is defined in G.S. 143-166.41(b); and,
- 3) Not yet have attained the age of 62; and
- 4) Have completed at least 5 years of continuous service as a law enforcement officer, as herein defined, with the City immediately preceding a service retirement.

The special separation allowance payments to a retired Officer will cease at the first of

- 1) The death of the Officer;
- 2) The officer attains 62 years of age; or
- 3) The first day of reemployment by a local government employer in any capacity.

Notwithstanding the provisions of subdivision (3) of this subsection, a local government employer may employ retired Officers in a public safety position in a capacity not requiring participation in the Local Governmental Employees' Retirement System, and doing so shall not cause payment to cease to those Officers under the provisions of this section. Once payment is terminated, the Officer shall not be entitled to further special separation allowance unless he/she shall otherwise once again meet the requirements of the applicable statutory language.

Any Officer who is entitled to receive a special separation allowance from the City shall, within five (5) days of any change in his/her employment status, report the same to the Human Resources Department.

**NOTE:** This Section is revised by Session Law 2009-396, House Bill 816, effective July 23, 2009.

## ARTICLE VII. HOLIDAYS AND LEAVES OF ABSENCE

### Section 1. Policy

The City may provide vacation, sick leave, and holiday leave to all full-time employees and provide proportionately equivalent amounts to employees having average work weeks of different lengths. Leave balances should be printed on payroll checks or provided to employees with each paycheck, including net accrued sick leave, vacation, compensatory time, etc.

Employees will not be approved for short-notice leave requests that have not been accrued. In no event will vacation, sick leave, holiday time or compensatory leave hours be counted toward the total hours for the purpose of overtime compensation.

### Section 2. Holidays

The following 12 holidays have been designated for observance. The schedule of actual dates is issued on a calendar year basis.

<b>Holiday</b>	<b>Number of Days</b>
New Year's Day	1
Martin Luther King, Jr.'s Birthday	1
Good Friday	1
Memorial Day	1
Independence Day	1
Labor Day	1
Veterans Day	1
Thanksgiving	2
Christmas	3

Each full-time employee of the City shall earn holiday leave at the following schedule, respectively, prorated by the average number of hours scheduled in the workweek:

<b><u>Employee Status</u></b>	<b><u>Number of Work Week Hours</u></b>	<b><u>Holidays Accrued Each Year</u></b>	<b><u>Hours For Each Holiday</u></b>
General Employee	40	12	8
Law Enforcement	42.75	12	8.55
Fire	56	12	11.2

When a holiday falls on a Saturday, the previous Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed.

In order to receive a paid holiday, an employee must be on paid status before and after the holiday.

### **Section 3. Holidays: Effect on Other Types of Leave**

Regular holidays which occur during a vacation, sick or other leave period of any employee shall not be considered as vacation, sick, or other leave.

### **Section 4. Holidays: Compensation When Work is Required or Regularly Scheduled Off for Shift Personnel**

Employees required to perform work on regularly scheduled holidays may be granted compensatory time off or be paid at their hourly rate for hours actually worked in addition to any holiday pay to which they are entitled. If a holiday falls on a regularly scheduled off-duty day for shift personnel, the employee shall receive the hours for paid holiday leave. Departments with employees working a shift schedule may elect to compensate those employees for working on the true holiday rather than the designated holiday. Holiday pay will be calculated according to the formula in Section 16 of this article. This means employees working a 40-hour week are compensated for an 8-hour holiday; employees working a 42.75-hour week are compensated with an 8.55-hour holiday, and employees working a 56-hour week are compensated with 11.2-hour holiday.

### **Section 5. Vacation Leave**

Vacation leave may be used for rest and relaxation, school appointments, and other personal needs. Employees whose duties require them to collect money from customers may be required to take five (5) consecutive days of vacation each calendar year subject to procedures developed by the Finance Director. Any accrued compensatory time must be used prior to the use of any vacation leave.

### **Section 6. Vacation Leave: Use by Probationary Employees**

Employees serving a probationary period following initial employment may accumulate vacation leave and may be permitted to take vacation leave during the first six months of the probationary period.

### **Section 7. Vacation Leave: Accrual Rate**

Each full-time employee of the City shall earn vacation leave at the following schedule, respectively, prorated by the average number of hours scheduled in the workweek:

**Regular Personnel (based upon 40-hour Week)**

<b><u>Years of Service</u></b>	<b><u>Vacation Days Accrued Each Year</u></b>	<b><u>Vacation Hours Accrued Each Month</u></b>
0 but less than 5 Years	12	8
5 but less than 10 Years	15	10
10 but less than 15 Years	18	12
15 but less than 20 Years	21	14
20 or more Years	24	16

**Police Personnel (based upon 42.75 Week)**

<b><u>Years of Service</u></b>	<b><u>Vacation Days Accrued Each Year</u></b>	<b><u>Vacation Hours Accrued Each Month</u></b>
0 but less than 5 Years	12	8.55
5 but less than 10 Years	15	10.69
10 but less than 15 Years	18	12.83
15 but less than 20 Years	21	14.97
20 or more Years	24	17.11

**Fire Personnel (based upon 56-hour Week)**

<b><u>Years of Service</u></b>	<b><u>Vacation Days Accrued Each Year</u></b>	<b><u>Vacation Hours Accrued Each Month</u></b>
0 but less than 5 Years	12	11.2
5 but less than 10 Years	15	14.0
10 but less than 15 Years	18	16.8
15 but less than 20 Years	21	19.6
20 or more Years	24	22.4

Vacation is accrued in each payroll period. Employees working greater or fewer than forty hours will have accrual rates prorated based upon the accrual amounts shown in the above tables and in the formulas found in Section 16 of this Article.

**Section 8. Vacation Leave: Maximum Accumulation**

If any employee departs from service, payment for all accumulated vacation leave shall be distributed, up to the following maximum amounts:

<b>Employee Status</b>	<b>Maximum Leave Hours</b>
General Employee	240
Sworn Law Enforcement	257
Firefighter	336

Vacation leave may be accumulated without any applicable maximum until December 31 of each year.



Effective the last paid payroll in the calendar year, any excess above 30 work days (the maximum leave hours in Section 10) shall be rolled from vacation to sick leave so that only the maximum hours are carried forward to the first payroll paid in the new calendar year. Active employees are not eligible to receive pay for vacation time not taken.

Employees are cautioned not to retain excess accumulated vacation leave until late in the year. Because of the necessity to keep all functions in operation, large numbers of employees cannot be granted vacation leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having vacation leave scheduled or in receiving any exception to the maximum accumulation.

### **Section 9. Vacation Leave: Manner of Taking**

Employees should request vacation leave two weeks in advance, if time permits. Employees shall be granted the use of earned vacation leave at those times designated by the Department Head which will least obstruct normal operations of the City. Department heads are responsible for ensuring that approved vacation leave does not hinder the effectiveness of service delivery. Vacation may be taken in one-quarter hour increments.

### **Section 10. Vacation Leave: Payment upon Separation or Retirement**

An employee who has successfully completed six months of the probationary period will be paid for accumulated vacation leave upon separation not to exceed the maximum leave hours listed in the following table:

<b>Employee Status</b>	<b>Maximum Leave Hours</b>
General Employee	240
Sworn Law Enforcement	257
Firefighter	336

An employee retiring under the provisions of the North Carolina Local Governmental Employees' Retirement System (LGERS) will be paid up to the maximum vacation hours listed in the above table. Any vacation hours exceeding the above listed maximums will be converted to sick and used for retirement service credit in accordance with LGERS rules and regulations at the time of the employee's retirement.

### **Section 11. Vacation Leave: Payment upon Death**

Subject to IRS guideline, the estate of an employee who dies while employed by the City shall be entitled to payment of all the accumulated vacation leave credited to the employee's account. Payments made to the estate may be subject to decedent's executor or administrator obtaining a tax id number for the estate and a copy of the death

certificate. Appropriate IRS forms shall be filed by the employer with the IRS for any such payments made, and it is the responsibility of the executor or administrator to file the appropriate tax forms. The City cannot provide any tax advice to the executor or administrator.

## **Section 12. Sick Leave**

Sick leave is a privilege granted to an employee by the City and not an employee right. Sick leave may be granted to an employee absent from work for any of the following reasons: sickness, bodily injury, temporary disabilities, required physical or dental examinations or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others.

Sick leave may be used when an employee must care for a member of his or her immediate family who is ill or needs medical care.

Sick leave may also be used for a death in the immediate family (see below). Up to three days of sick leave may be used for in-state funerals and up to 5 days for out of state funerals. For additional time or other funerals, employees may use vacation or accrued compensatory time.

Sick leave may also be used to supplement Workers' Compensation Disability Leave both during the waiting period before Workers' compensation benefits begin, and afterward to supplement the remaining one third of salary, except that employee may not exceed the regular gross salary amount using this provision.

"Immediate family" shall be defined as spouse, child, parent, brother, sister, grandparent, grandchild, guardian, various combinations of step, half and in-law, and adopted relationships of the employee, and others living in the same household.

## **Section 13. Sick Leave: Accrual Rate, Accumulation, and Manner of Taking**

Sick leave shall accrue at a rate of one day per month of service or twelve days per year; however sick leave for full-time employees working other than the basic 40 hours work schedule shall be pro-rated as described in Article VII, Section 7.

Sick leave requests should be submitted to the employee's supervisor prior to the leave, unless extenuating circumstances prevent the employee from doing so. Failure to so notify the appropriate supervisor within an appropriate time frame may result in disciplinary action.

The minimum amount of sick leave that may be taken is one half hour and leave must be taken in increments of one quarter hour.

Sick leave will be cumulative for an indefinite period of time and may be converted upon retirement to service credit consistent with the provisions of the North Carolina Local

## Government Employees' Retirement System.

All sick leave accumulated by an employee shall end and terminate without compensation when the employee resigns or is separated from the City, except as stated for employees retiring or terminated due to reduction in force or sick leave incentive pay.

Any accrued compensatory time must be used prior to the use of any sick leave.

Each full-time employee of the City shall earn sick leave at the following schedule, respectively, prorated by the average number of hours scheduled in the workweek:

<u>Employee Status</u>	<u>Number of Work Week Hours</u>	<u>Sick Days Accrued Each Year</u>	<u>Sick Hours Accrued Each Month</u>
General Employee	40	12	8
Law Enforcement	42.75	15	8.55
Fire	56	18	11.2

### **Section 14. Transfer of Sick Leave from Previous Employer**

The City will accept the transfer of sick leave for employees from other employers who are participants of the North Carolina Local Government or State Employees Retirement System. The sick leave will be treated as though it were earned with the City of Goldsboro. The sick leave amount must be certified by the previous employer. This sick leave may be taken after the employee successfully completes the initial hire probationary period.

### **Section 15. Sick Leave: Medical Certification**

When submitting requests for FMLA, the employee shall submit a physician's certificate to the Occupational Health Nurse or designated official stating the degree of the employee's (or employee's family member's) illness and the employee's capacity to resume duties. The Department Head (or supervisor) shall be responsible for the application of this provision to the end that:

- 1) Employees shall not be on duty when they might endanger their health or the health of other employees; and,
- 2) There will be no abuse of leave privileges.

### **Section 16. Leave Pro-rated**

Holiday, vacation and sick leave earned by full-time employees with fewer or more hours than the basic work week shall be determined by the following formula:

- 1) The number of hours worked by such employees shall be divided by the number of hours in the basic work week (usually 40 hours).
- 2) The proportion obtained in step 1 shall be multiplied by the number of hours of leave earned annually by employees.
- 3) The number of hours in step 2 divided by 12 shall be the number of hours of leave earned monthly by the employees concerned, divided by 52 shall be the number of hours of leave earned per weekly payroll period.

This means, for example, that law enforcement officers scheduled for an annual average 42.75-hour week earn 8.55 hours for each day of sick, vacation, or holiday leave they earn. Fire staff who are scheduled for 56 hours per week earn an average of 11.2 hours for each day of sick, vacation or holiday leave they earn.

## **Section 17. Family and Medical Leave**

The City will grant up to 12 weeks of family and medical leave per twelve months to eligible employees in accordance with the Family and Medical Leave Act of 1993 (FMLA). *This means, for example, that Law Enforcement Officers scheduled for an annual average 42.75-hour week will be entitled to 513 hours; Fire staff who are scheduled for 56 hours per week will be entitled to 672 hours; regular staff who are scheduled for 40 hours per week will be entitled to 480 hours. The 12-month period will be measured forward from the date any employee's first FMLA leave begins. For example, if the employee received FMLA on 9/11/19 and uses the full 12 weeks, the employee is not entitled to FMLA again until 9/11/19.* The leave may be paid (coordinated with the City's Vacation, Compensatory Time and Sick Leave policies), unpaid, or a combination of paid and unpaid. Unpaid leave will be granted only when the employee has exhausted all appropriate types of paid leave. Additional time away from the job beyond the 12-week period may be approved in accordance with the City's Leave without Pay policy.

To qualify for FMLA coverage, the employee must have worked for the employer 12 months or 52 weeks; these do not have to be consecutive. However, the employee must have worked 1,250 hours during the twelve-month period immediately before the date when the FMLA time begins.

When an employee requests Family Medical Leave (FML) or when the employee's department acquires knowledge that an employee leave may be for an FML-qualifying reason, the department shall notify Human Resources of the possibility of FML within 24 hours. The Human Resource Department will provide both the employee and the department notification of the employee's eligibility to take FML within five business days, absent extenuating circumstances.

Designation of Leave as FMLA Leave It is the responsibility of the City to:

- 1) Determine that leave requested is for a FMLA qualifying reason, and,
- 2) Designate leave, whether paid or unpaid, as FMLA leave even when an employee would rather not use any of the FMLA entitlement.

The City must give notice of the designation to the employee within five (5) business days absent extenuating circumstances. The notice may be oral or in writing, but must be confirmed in writing no later than the following payday.

Family and medical leave can be used for the following reasons:

- 1) The birth of a child and in order to care for that child;
- 2) The placement of a child for adoption or foster care;
- 3) To care for a spouse, child, or parent with a serious health condition;
- 4) The serious health condition of the employee; or
- 5) Military exigency.

An employee who takes leave under this policy will return to the same job or a job with equivalent status, pay, benefits, and other employment terms. The position will be the same or one which entails substantially equivalent skill, effort, responsibility, and authority.

A serious health condition is defined as a condition which requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition which requires continuing care by a licensed health care provider. This policy covers illness of a serious and long-term nature resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition which results in a period of incapacity for more than three days would be considered a serious health condition.

If a husband and wife both work for the City and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent with a serious health condition, the husband and wife together may only take a total of 12 weeks leave under FMLA.

An employee taking leave for the birth of a child may use paid sick leave for the period of actual disability, based on medical certification. The employee shall then use all accrued compensatory time and vacation leave for the remainder of the 12-week period.

“Military Exigency” is a specific qualifying exigency arising out of the fact that the employee’s spouse, son, daughter, or parent is a military service member (reserve or national guard) under a call or order to federal active duty in support of a contingency operation. Qualifying events are:

- 1) Deployment of service member with seven or fewer days’ notice;
- 2) Military ceremonies and events such as family-assistance or informational programs related to the family member’s active duty or call to active duty;
- 3) Urgent, immediate childcare or arranging for alternative childcare for the children of service members;
- 4) Attending school or daycare meetings relating to the child of service member;
- 5) Making financial or legal arrangements related to a family member’s active duty status or call to active duty; or

- 6) Post-deployment activities for a period of ninety days after the termination of the service member's active duty status.

**Military Caregiver Leave:** An employee whose spouse, son, daughter, parent or next of kin is a current service member who is undergoing treatment, therapy, recuperation or outpatient treatment or has temporary disability retirement for injury or illness sustained in the line of duty, is eligible for 26 weeks of leave in a single 12-month period. During a single 12-month period, the employee is eligible for a total of 26 weeks of all types of FMLA leave. The request for the use of leave must be made in writing by the employee and approved by the Department Head or City Manager.

**NOTE:** Serious health condition (U.S. Department of Labor, Wage and Hour Division)

### **What is a serious health condition?**

The most common serious health conditions that qualify for FMLA leave are:

1. Conditions requiring an overnight stay in a hospital or other medical care facility; conditions that incapacitate the employee or the employee's family member (for example, unable to work or attend school) for more than three consecutive days and have ongoing medical treatment (either multiple appointments with a health care provider, or a single appointment and follow-up care such as prescription medication);
2. Chronic conditions that cause occasional periods when the employee or his/her family member are incapacitated and require treatment by a health care provider at least twice a year; and,
3. Pregnancy (including prenatal medical appointments, incapacity due to morning sickness, and medically required bed rest).

## **Section 18. Medical and Family Leave - Certification**

In order to qualify for leave under this law, the City requires an FMLA Medical Form or other certification. For medical certification, the statement from the employee's or the family member's physician should include the date when the condition began, its expected duration, diagnosis, and brief statement of treatment. For the employee's own health condition, it should state that the employee is unable to perform the essential functions of his/her position. For a seriously ill family member, the certification must include a statement that the patient requires assistance and the employee's presence would be beneficial or desirable.

This certification should be furnished at least 30 days prior to the needed leave unless the employee's or family member's condition is a sudden one. The certification should be furnished as soon as possible (no longer than 15 days from the date of the employee's request). The certification and request must be made to the Department Head and filed with the Human Resources Office.

The employee is expected to return to work at the end of the time frame stated in the medical certification, unless he/she has requested additional time in writing under the City's Leave Without Pay policy.

For Military exigency leave, a copy of active duty orders or other documentation is required including facts supporting the employee's need for leave; the approximate starting date on which the qualifying exigency began or will begin; the beginning and ending dates of the absence for which the employee is requesting the leave; and if the employee is meeting with a third party, identifying contact information for the third party and a description of the meeting's purpose.

### **Section 19. Family Medical Leave and Leave Without Pay: Retention and Continuation of Benefits**

When an employee is on leave under FMLA (maximum of 12 weeks in a year), the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. If an employee chooses not to return to work for reasons other than a continued serious health condition, the City will require the reimbursement of the amount paid for the employee's health insurance premium during the FMLA leave period.

Other insurance and payroll deductions are the responsibility of the employee and the employee must make those payments for continued coverage of that benefit.

An employee shall retain all unused vacation and sick leave while on Leave Without Pay. An employee ceases to earn leave credits on the date leave without pay begins. An employee who is on approved leave without pay may continue to be eligible for benefits under the City's group insurance plans at his or her own expense, subject to any regulation adopted by the City Council and the regulations of the insurance carrier.

An employee who is using accrued sick leave may receive paid health insurance.

### **Section 20. Leave Without Pay**

A full-time employee may be granted a leave of absence without pay for a period of up to three months by the City Manager. Other than the reasons specified for Family Medical Leave and military commitment, the leave may be used for reasons of continuation of education, special work that will permit the City to benefit by the experience gained or the work performed, or for other reasons deemed justified by the City Manager.

The employee shall apply in writing to the supervisor for leave. The employee is obligated to return to duty within or at the end of the time determined appropriate by the City Manager. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority, and pay. If the employee decides not to return to work, the supervisor shall be notified immediately. Failure to report at the expiration of

a leave of absence, unless an extension has been requested, shall be considered a resignation.

Leave Without Pay (unpaid leave) may be granted **only** when the employee has exhausted all appropriate types of paid leave with the exception of Workers Compensation, Short Term Disability, military commitment and for adverse weather and emergency conditions.

While in a Leave Without Pay status, an employee shall not earn or accrue sick and vacation hours.

## **Section 21. Workers' Compensation Leave**

An employee absent from duty because of sickness or disability covered by the North Carolina Workers' Compensation Act may elect to use accrued sick leave, vacation, or compensatory time during the first waiting period. The employee may also elect to supplement workers' compensation payments after they begin with sick leave, vacation, or compensatory time, provided that the combination of leave supplement and workers' compensation payments does not exceed normal compensation. An employee on workers' compensation leave may be permitted to continue to be eligible for benefits under the City's group insurance plans. When workers' compensation leave extends long enough for the waiting period to be reimbursed, the employee shall return the reimbursement check to the City and have leave hours re-instated for all time covered by paid leave. In such cases, the City will pay the employee for any unpaid time that is owed the employee.

1. All injuries arising out of, and during, the course of employment should be reported by the injured employee to the immediate supervisor as soon as possible. The supervisor or department head shall file an injury report to the Safety Officer immediately. The employee must use sick leave or vacation leave for the first seven (7) days of disability. These days will be reimbursed only if the disability continued for more than twenty-one (21) days.
2. Before returning to work, a statement from the attending physician should be submitted to the Human Resources Director giving permission for the employee to resume regular duties.
3. Upon return to work, the employee's salary will be computed on the basis of the last salary plus any merit increment or other salary increase to which the employee would have been entitled during the disability covered by Workers' Compensation. While receiving workers' compensation benefits, an employee continues to earn vacation leave, sick leave, and will retain all accumulated sick or vacation leave.

This provision also applies to reactions to small pox vaccinations administered to City employees under Section 304 of the Homeland Security Act. Such reactions shall be treated the same as any other worker's compensation claim as regards leave and salary



continuation.

## **Section 22. Military Leave**

This section relates to Military Leave which is limited to 2 or 3 weeks per year. When employees are called for active duty, the City will follow all federal regulations including USERRA related to job, wage, and benefits protections.

Regular employees who are members of an Armed Forces Reserve organization or National Guard shall be granted two calendar weeks per year and up to three weeks when required for military leave with pay. On rare occasions due to annual training being scheduled on a federal fiscal year basis, an employee may be required to attend two periods of training in one calendar year. For this purpose only, an employee shall be granted an additional ten days of military leave during the same calendar year. The effect will be to maintain the employee's salary at the normal level during this period. If such duty is required beyond the ten workdays, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status, and the provisions of that leave shall apply. While taking military leave, the employee's leave credits and other benefits shall continue to accrue as if the employee physically remained with the City during this period. Employees who are eligible for military leave have all job rights specified by the Vietnam Veterans Readjustment Act and USERRA.

If the compensation received while on military leave is less than the salary that would have been earned during this same period as a City employee, the employee shall, for a maximum period of three months, receive partial compensation equal to the difference in base salary earned as a reservist or guardsman and the salary that would have been earned during this same period as a City employee. The effect will be to maintain the employee's salary at the normal level during this period.

## **Section 23. Reinstatement Following Active Duty Military Service**

The City will fully comply with the requirements of USERRA and other related federal regulations. An employee called to extended active duty with the United States military forces, who does not volunteer for service beyond the period for which called, shall be reinstated with full benefits provided the employee:

- 1) Applies for reinstatement within ninety days after the release from military service; and
- 2) Is able to perform the duties of the former position or similar position; or
- 3) Is unable to perform the duties of the former position or a similar position due to disability sustained as a result of the military service, but is able to perform the duties of another position in the service of the City. In this case, the

employee shall be employed in such other position as will provide the nearest approximation of the seniority, status, and pay which the employee otherwise would have been provided, if available.

## **Section 24. Civil Leave**

A City employee called for jury duty or as a court witness for the federal or state governments, or a subdivision thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated leave. The employee may keep any compensation received for jury or witness duty in addition to regular compensation. While on civil leave, benefits and leave shall accrue as though on regular duty.

## **Section 25. Parental School Leave**

A City employee who is a parent, guardian, or person standing in loco parentis (in place of the parent) may take up to four hours of paid leave (vacation or accrued compensatory leave) or unpaid leave annually to involve him or herself in school activities of his or her child(ren). Any accrued comp time will be used prior to the use of vacation or sick leave. This leave is subject to the three following conditions:

- 1) The leave must be taken at a time mutually agreed upon by the employee and the City;
- 2) The City may require the employee to request the leave in writing at least 48 hours prior to the time of the desired leave; and
- 3) The City may require written verification from the child's school that the employee was involved at the school during the leave time.

## **Section 26. Volunteer Service Leave**

The City of Goldsboro recognizes the impact of volunteer services and is committed to supporting employee involvement within community service organizations and educational institutions to benefit and sustain the quality of life of our citizens, employees and community.

With supervisory approval, the City will grant up to 12 hours of volunteer service leave per calendar year to serve at a City designated volunteer agency(ies). Any regular full-time employee with one year of employment with the City is eligible for volunteer leave.

### Procedures:

- 1) Volunteer service leave must be requested in advance and requires supervisory approval and verification of service. [Access here for the Volunteer Service](#)

## Leave Form

- 2) Prior to the activity, an employee requesting volunteer service leave must submit to his/her immediate supervisor a completed Volunteer Record Form indicating the volunteer agency's name and contact information, date, number of hour(s) and identifying the respective strategic plan goal.
- 3) Upon return from the approved volunteer service, the employee must verify the actual amount of volunteer leave used which may include reasonable travel time to and from the destination. If the approved volunteer service time exceeds 12 hours in the calendar year, the employee shall apply the remaining hours toward another appropriate leave category, i.e., comp time, vacation leave or leave without pay. When applying leave, comp time shall be used prior to the use of any vacation leave for the purposes of this section. The supervisor must update the remaining entries on the Volunteer Record Form and forward original forms to Human Resources. The original forms are maintained with the employee's timesheet records.
- 4) If the employee fails to verify the actual amount of leave used, then no volunteer service leave will be issued and the employee may record another leave category as described in the preceding paragraph.
- 5) Approved and unused volunteer service leave is not compensable, does not accrue, and may not be used beyond four (4) hours per month.
- 6) The Human Resources Director will generate and maintain an Annual Volunteer Leave Usage Summary report to reflect the total usage of volunteer service leave by each department.

### Responsibility:

- 1) It is the responsibility of the City's Department Directors and Supervisors to uniformly administer, communicate and ensure compliance.
- 2) It is the responsibility of the Human Resources Director to interpret, monitor and update the policy content.
- 3) It is the responsibility of each employee to comply with the Volunteer Service Leave policy guidelines.
- 4) Any violation or policy misuse will result in disciplinary action up to and including dismissal.

## Section 27. Educational Leave

The City Manager may grant educational leave to an employee. Educational leave may

be granted with pay to an employee, such as not to impede upon the operations of the department during regular work hours, and is limited to one course at a time (per semester, quarter, etc.).

## **Section 28. Adverse Weather and Emergency Conditions Policy**

The City has responsibility for providing emergency services. Adequate staff is required to operate these critical services seven days per week and 24 hours per day in all weather. Department Heads should designate which staff in essential positions are required to report to work regardless of weather or other hazardous conditions.

The adverse weather/hazardous conditions policy is established to be as fair as possible to all employees applying the following principles:

1. Maintain adequate staffing at all times of emergency services;
2. Provide for as much safety as possible for all employees in traveling to and from work in hazardous conditions; and,
3. Not pay regular salaries to some employees for *not working* when others are required to be at work.

City offices and departments shall remain open for the full scheduled working day unless authorization for closing or other deviation is received from the City Manager's office. The City Manager will consider the hazard of driving conditions and other relevant factors in determining whether to close City offices. All departments and offices will be given sufficient advance notice of any authorized closing of non-critical City functions.

Upon authorizing a closing, non-critical staff who do not get paid may use vacation, earned compensatory time, or time without pay for the hours not worked.

Essential staff required to report for emergency situations should make preparations for care of family and personal needs to allow them to report for duty when required. Any employee in a position designated as essential who does not report to work as directed by the City Manager or appropriate department head will be subject to disciplinary action.

Employees on previously scheduled leave or who call in sick prior to designation of closing, will be charged the normal scheduled hours in leave for the day.

## **Section 29. Voluntary Shared Leave**

Voluntary Shared Leave provides an opportunity for employees to assist another affected by a medical condition that requires absence from duty for a prolonged period of time resulting in possible loss of income due to lack of accumulated leave.

Non-qualifying conditions: The policy shall not ordinarily apply to short-term or sporadic conditions or illnesses. This would include such things as sporadic, short-term recurrences of chronic allergies or conditions; short-term absences due to contagious diseases; or short-term recurring medical or therapeutic treatments. These examples are illustrative, not all inclusive. Each case must be examined and decided based on its conformity to policy intent and must be handled consistently and equitably.

Access the City of Goldsboro's employee website to obtain a Voluntary Shared Leave donation request form. Contact Human Resources with any questions.

**Recipient Eligibility:**

- 1) Employee must be in a regular status;
- 2) Employee must have completed one year of full-time service
- 3) Employee must submit required doctor's statement and supporting documentation describing estimated length of absence to participate in the program.
- 4) Employee must be approved for FMLA (according to FMLA criteria).
- 5) Shared leave is not available to part-time, temporary or intermittent employees.
- 6) Employee must apply for voluntary shared leave no later than 2 weeks prior to exhausting sick and/or vacation; except under extenuating circumstances
- 7) Employee will not accrue any leave time while on donated leave
- 8) Employee can receive up to a maximum of 160 hours (regular full-time), 171 hours (law enforcement shift personnel) and 224 hours (Fire shift personnel) of shared leave in a 12-month period
- 9) Employee illness must be greater than two weeks; however, leave request can be any amount past the exhaustion of employee's leave (i.e. one hour up to 160 hours/20 days or 80 hours/10 days)
- 10) Employee may use donated leave in 1/2-hour increments
- 11) Recipient separation – if a recipient separates due to resignation, death, termination or retirement from local government, participation in the program ends. Unused sick leave shall be deposited into a sick leave bank for future use.

**Donating Eligibility:**

- 1) Employee must have completed one year of full-time or regular part-time service
- 2) Employee can only donate in hour increments
- 3) Employee must submit paperwork to authorize a leave transfer; donations geared to a specific employee may be listed on the donation form
- 4) Full-time employees may donate up to 75 hours of a combination of sick/vacation leave in a 12-month period
- 5) All donations must be in writing and must be signed by the donating employee. The employee receiving the leave must be named and the

amount and type of leave donated must be specified

- 6) If donating sick or vacation leave, the donation cannot cause the employee's current sick or vacation leave balance to fall below 75 hours
- 7) If an employee requests 160 hours/80 hours (maximum allowed) and uses only 75 hours/37.5 hours, the remaining unused sick leave shall be returned to the donor(s) on a prorated basis and credited to the sick/vacation leave account from which it originally came. The donor may also designate the remaining balance to be deposited in a sick leave bank.

## **ARTICLE VIII. SEPARATION AND REINSTATEMENT**

### **Section 1. Types of Separations**

All separations of employees from positions in the service of the City shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, reduction in force, disability, voluntary retirement, dismissal, or death. Upon separation, employee must return all issued City property prior to receiving any and all types of final pay or funds will be deducted to meet this financial obligation.

### **Section 2. Resignation**

An employee may resign by submitting the reasons for resignation and the effective date in writing to the immediate supervisor as far in advance as possible.

Three consecutive days of absence without contacting the immediate supervisor or Department Head may be considered to be a voluntary resignation. Sick leave will only be approved during the final two weeks of a notice with a physician's certification or comparable documentation.

Employees must return any required City property upon resignation. Employees shall participate in an exit interview to complete important paperwork and for other processes prior to receiving pay for any unused vacation days. Final vacation payout will be distributed in a paper check after the last payroll, and picked up in the Human Resources Department.

### **Section 3. Reduction in Force**

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's performance, organizational needs, and seniority in determining those employees to be retained. Employees who are separated because of a reduction in force shall be given at least two weeks' notice of the anticipated action. No regular employee shall be separated because of a reduction in force while there are temporary or probationary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary or probationary employee.

### **Section 4. Disability**

The City will comply with the Americans with Disabilities Act and will make all reasonable efforts to provide reasonable accommodation to employees who may be or become disabled. Employees who cannot perform the required duties because of a physical or mental impairment may be separated for disability. Action may be initiated by the employee or the City. In cases initiated by the employee, such action must be accompanied by medical evidence acceptable to the City Manager. The City may require an examination, at the City's expense,

performed by a physician of the City's choice. The City will make reasonable accommodation whenever possible for employees with disabilities.

## **Section 5. Voluntary Retirement**

An employee who meets the conditions set forth under the provision of the North Carolina Local Governmental Employees' Retirement System may elect to retire and receive all benefits earned under the retirement plan.

## **Section 6. Retirement Gift and Recognition Policy for City Employees**

Upon retirement from the City of Goldsboro, the employee shall receive a retirement plaque and a gift from the City based on the employee's total years of service with the City of Goldsboro according to the schedule below. Additionally, the employee will receive a Resolution of Appreciation from the City Council and be recognized at a Council meeting.

A luncheon, dinner or reception (decided on by retiring employee), with or without family members present, may be hosted by the department unless employee does not desire a function. The employee must be eligible to receive either full, reduced or disability retirement benefits from the North Carolina Local Governmental Employees' Retirement System in order to receive a retirement gift.

The retiring employee may receive a memento gift (i.e. watch, mantle clock, gift certificate, etc.) or a cash gift card with the value listed below. Employee declination of luncheon, dinner or reception does not change the value of the gift.

5-14 years of service	\$200 (includes \$50 gift)
15-19 years of service	\$300 (includes \$75 gift)
20-24 years of service	\$500 (includes \$125 gift)
25-29 years of service	\$750 (includes \$190 gift)
30 and over	\$1,000 (includes \$250 gift)

Employees with at least five (5) years of service shall be recognized at the City's annual appreciation event. Employees may select a service award gift or cash gift card based upon the values listed below:

5 years of service	\$10
10 years of service	\$25
15 years of service	\$35
20 years of service	\$50
25 years of service	\$75
30 years of service	\$100
35 years of service	\$125
40 years of service	\$150



All retirement and service award gifts/cash gift cards valued \$50 and above shall be recorded as taxable income to the employee.

### **Section 7. Death**

Separation shall be effective as of the date of death. All compensation due shall be paid to the beneficiary or estate of the employee.

### **Section 8. Dismissal**

An employee may be dismissed in accordance with the provisions and procedures of Article IX.

### **Section 9. Reinstatement**

An employee who resigns while in good standing or who is separated because of reduction in force may be reinstated within one year of the date of separation, upon recommendation of the Department Head, and upon approval of the City Manager. An employee who is reinstated in this manner shall be re-credited with his or her previously accrued sick leave and previous service, provided the leave has not been transferred to the State Retirement system. An employee may be reinstated if the separation occurred less than 12 months previously and re-hired if the separation occurred more than 12 months previously.

### **Section 10. Rehiring**

An employee who resigns while in good standing or whose position ended due to seasonal employment may be rehired with the approval of the City Manager if the separation occurred more than 12 months. (S)he will be regarded as a new employee, subject to all of the provisions of rules and regulations of this policy. An employee in good standing who is separated due to a reduction in force shall be given the first opportunity to be rehired in the same or a similar position.

## **ARTICLE IX. UNSATISFACTORY JOB PERFORMANCE AND DETRIMENTAL PERSONAL CONDUCT**

### **Section 1. Disciplinary Action for Unsatisfactory Job Performance**

A regular employee may be placed on disciplinary suspension, demoted, or dismissed for unsatisfactory job performance, if after following the procedure outlined below, the employee's job performance is still deemed to be unsatisfactory. All cases of disciplinary suspension, demotion, or dismissal must be approved by the City Manager prior to giving final notice to the employee.

### **Section 2. Unsatisfactory Job Performance Defined**

Unsatisfactory job performance includes any aspect of the employee's job which are not performed as required to meet the standards set by the Department Head including written performance standards, verbal performance coaching, and performance review discussions. Examples of unsatisfactory job performance include, but are not limited to, the following:

- 1) Demonstrated inefficiency, negligence, or incompetence in the performance of duties;
- 2) Careless, negligent or improper use of City property or equipment;
- 3) Physical or mental incapacity to perform duties after reasonable accommodation;
- 4) Discourteous treatment of the public or other employees;
- 5) Absence without approved leave;
- 6) Repeated improper use of leave privileges;
- 7) Habitual pattern of failure to report for duty at the assigned time and place;
- 8) Failure to complete work within time frames established in work plan or work standards;
- 9) Failure to meet work standards over a period of time; or,
- 10) Failure to maintain required license(s) and/or certification(s).

### **Section 3. Communication and Warning Procedures Preceding Disciplinary Action for Unsatisfactory Job Performance**

When an employee's job performance is unsatisfactory, or when incidents or inappropriate actions warrant, the supervisor should meet with the employee as soon as possible in one or more counseling sessions to discuss specific performance problems.

A brief summary of these counseling sessions should be noted in the employee's file by the supervisor. An employee whose job performance is unsatisfactory over a period of time should normally receive at least two counseling sessions followed with written warnings from the supervisor before disciplinary action is taken. In each case, the supervisor should record the dates of discussions with the employee, the performance deficiencies discussed, the corrective actions recommended, and the time limits set. If the employee's performance continues to be unsatisfactory, then the supervisor should use the following steps:

- 1) A final counseling session followed by a written warning from the supervisor serving notice upon the employee that corrected performance must take place immediately in order to avoid suspension, demotion, or dismissal.
- 2) If performance does not improve, a written recommendation should be sent to the department head or City Manager for disciplinary action such as suspension, demotion, or dismissal.

Disciplinary suspensions for nonexempt employees should not exceed 80 hours. Disciplinary suspensions for exempt employees should be in four (4) hour increments in order to retain the exempt status under FLSA. Copies of all disciplinary actions must be sent to the Human Resource Office for placement in the employee's personnel file. Access the city's website for the Disciplinary Action Form.

### **Section 4. Disciplinary Action for Detrimental Personal Conduct**

With the approval of the City Manager, an employee may be placed on disciplinary suspension, demoted, or dismissed without prior warning for causes relating to personal conduct detrimental to City service in order to: 1) avoid undue disruption of work; 2) to protect the safety of persons or property; or 3) for other serious reasons.

### **Section 5. Detrimental Personal Conduct Defined**

Detrimental personal conduct includes behavior of such a serious nature that the functioning of the City may be or has been impaired; the safety of persons or property may be or have been threatened; or the laws of any government may be or have been violated. Examples of detrimental personal conduct include, but are not limited to, the following:

- 1) Fraud or theft;
- 2) Conviction of a felony or the entry of a plea of nolo contendere thereto;
- 3) Falsification of records for personal profit, to grant special privileges, or to obtain employment;
- 4) Willful misuse or gross negligence in the handling of City funds;
- 5) Willful or wanton damage or destruction to property;
- 6) Willful or wanton acts that endanger the lives and property of others;
- 7) Possession of unauthorized firearms or other lethal weapons on the job;
- 8) Brutality in the performance of duties;
- 9) Reporting to work under the influence of alcohol or drugs or partaking of such while on duty. Prescribed medication may be taken within the limits set by a physician as long as medically necessary;
- 10) Engaging in incompatible employment or serving a conflicting interest;
- 11) Request or acceptance of gifts in exchange for favors or influence;
- 12) Engaging in political activity prohibited by this policy;
- 13) Harassment of an employee or the public with threatening or obscene language and/or gestures;
- 14) Harassment of an employee(s) and/or the public on the basis of sex or any other protected class status;
- 15) Stated refusal to perform assigned duties or flagrant violation of work rules and regulations;
- 16) Disclosure of confidential information;
- 17) Insubordination - an employee willfully disobeys or disregards a superior's legitimate directive; abusive language by employees toward supervisors and others; or,
- 18) Inharmonious work environment – an employee displaying unproductive

behaviors such as promoting rumors, bad-mouthing others and other demeaning behaviors distracting from a positive working environment.

## **Section 6. Pre-dismissal Conference.**

Before dismissal action is taken, whether for failure in personal conduct or failure in performance of duties, the City Manager, department head, or Human Resources Director will conduct a pre-dismissal conference. At this conference, the employee may present any response to the proposed dismissal to the City Manager, department head, or Human Resources Director. This will be taken into consideration prior to the final decision. If the employee is dismissed, the notice shall contain a statement of the reasons for the action and the employee's appeal rights under the City's grievance procedure.

## **Section 7. Non-Disciplinary Suspension**

During the investigation, hearing, or trial of an employee on any criminal charge, or during an investigation related to alleged detrimental personal conduct, or during the course of any civil action involving an employee, when suspension would in the opinion of the Department Head be in the best interest of the City, the Department Head may suspend the employee for part or all of the proceedings as a non-disciplinary action. In such cases, the Department Head may:

- 1) Temporarily relieve the employee of all duties and responsibilities and place the employee on paid or unpaid leave for the duration of the suspension, or,
- 2) Assign the employee new duties and responsibilities and allow the employee to receive such compensation as is in keeping with the new duties and responsibilities.

If the employee is reinstated following the suspension, such employee shall not lose any compensation or benefits to which otherwise the employee would have been entitled had the suspension not occurred.

If the employee is terminated following suspension, the employee shall not be eligible for any pay from the date of suspension.

## **ARTICLE X. GRIEVANCE PROCEDURE AND ADVERSE ACTION APPEAL**

### **Section 1. Policy**

It is the policy of the City to provide a just procedure for the presentation, consideration, and disposition of employee grievances. The purpose of this article is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair.

Employees utilizing the grievance procedures shall not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this policy. Supervisors or other employees who violate this policy shall be subject to disciplinary action up to and including dismissal from City service.

### **Section 2. Grievance Defined**

A grievance is a claim or complaint by an employee based upon an event or condition which affects the circumstances under which an employee works and is allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.

### **Section 3. Purposes of the Grievance Procedure**

The purposes of the grievance procedure include, but are not limited to:

- 1) Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- 2) Encouraging employees to express themselves about the conditions of work which affect them as employees;
- 3) Promoting better understanding of policies, practices, and procedures which affect employees;
- 4) Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures;
- 5) Increasing the sense of responsibility exercised by supervisors in dealing with their employees.
- 6) Encouraging conflicts to be resolved between employees and supervisors who

must maintain an effective future working relationship, and therefore, encouraging conflicts to be resolved at the lowest level possible of the chain of command through collaboration and/or mediation; and

- 7) Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the City or its leaders, thus freeing up employee motivation, productivity, and creativity.

#### **Section 4. Procedure**

When an employee has a grievance, the following successive steps are to be taken. The number of calendar days indicated for each step should be considered the maximum unless otherwise provided, and every effort should be made to expedite the process. However, the time limits set forth may be extended by mutual consent. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved. A decision to rescind a disciplinary suspension, demotion or dismissal must be approved by the City Manager before the decision becomes effective.

**Informal Resolution.** Prior to the submission of a formal grievance, the employee and supervisor should meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the Human Resources Department as a resource to help resolve the grievance. Mediation may be used at any step in the process and is encouraged. Mediation is the neutral facilitation of the conflict between or among parties where the facilitator helps the parties find a mutually agreeable outcome. The mediator should be a party agreed upon by all parties to the grievance. Mediation will not occur if a mediator cannot be agreed upon.

**Step 1.** If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance to the appropriate supervisor (the person who took the action which created the grievance issue, could be immediate supervisor, division head, department head, etc.) in writing. The grievance must be presented within seven calendar days of the event or within seven calendar days of learning of the event or condition. The written grievance should identify the action that is deemed unfair and the reason the grieving employee believes it to be unfair. The supervisor shall respond to the grievance within seven calendar days after receipt of the grievance. The supervisor should, and is encouraged to, consult with any employee of the City in order to reach a correct, impartial, fair and equitable determination or decision concerning the grievance. Any employee consulted by the supervisor is required to cooperate to the fullest extent possible.

The response from the supervisor for each step in the formal grievance process shall be in writing and signed by the supervisor. In addition, the employee shall sign a copy to acknowledge receipt thereof. The responder at each step shall send copies of the grievance and response to the Human Resources Director.

**Step 2.** If the grievance is not resolved by the first level supervisor to the satisfaction of the employee by the supervisor, the employee may appeal in writing to the next level supervisor (Division Head, Department Head, City Manager, etc.) within seven calendar days after receipt of the response from Step 1. The next level supervisor shall respond to the appeal stating the determination of decision within seven calendar days after receipt of the appeal.

**Step 3.** If the grievance is not resolved to the satisfaction of the employee at the end of Step 2, the employee may appeal, in writing, to the City Manager within seven calendar days after receipt of the response from Step 2. The City Manager shall respond to the appeal, stating the determination of decision within ten calendar days after receipt of the appeal. The City Manager's decision shall be the final decision. The City Manager would notify the City Council of any impending legal action.

**Department Heads.** In the case of department heads or other employees where the City Manager has been significantly involved in determining disciplinary action, including dismissal, the City may wish to obtain a neutral outside party to either:

- 1) Provide mediation between the grieving department head and the City Manager (see definition of mediation in informal resolution above); or
- 2) Consider the appeal and make recommendations back to the City Manager concerning the appeal. Such parties might consist of human resource professionals, attorneys, mediators, or other parties appropriate to the situation.

The City Manager's decision shall be the final decision. The City Manager shall notify the City Council of any impending legal action.

## **Section 5. Role of the Human Resources Director**

Throughout the grievance procedure, the Human Resources Director shall:

- 1) Advise parties (including employee, supervisors, and City Manager) of their rights and responsibilities under this policy, including interpreting the grievance and other policies for consistency of application;
- 2) Be a clearinghouse for information and decisions in the matter including maintaining files of all grievance documents;
- 3) Give notices to parties concerning timetables of the process, etc.;
- 4) Assist employees and supervisors in drafting statements;
- 5) Facilitate the resolution of conflicts in the procedures or of the



grievance at any step in the process; and,

- 6) Help locate mediators, outside parties, or other resources as needed.

The Human Resources Director shall also determine whether or not additional time shall be allowed to either side in unusual circumstances if the parties cannot agree upon extensions when needed or indicated.

## **Section 6. Grievance and Adverse Action Appeal Procedure for Discrimination**

When an employee, former employee, or applicant, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, national origin, religion, creed, political affiliation, or non-job related handicap), he or she has the right to appeal such action using the grievance procedure outlined in this Article (Section 4 above). While such persons are encouraged to use the grievance procedure, they shall also have the right to appeal directly to the Human Resources Director, Assistant City Manager, City Manager, or other designee. Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant should appeal an alleged act of discrimination within thirty calendar days of the alleged discriminatory action, but may appeal for up to six months following the action.

## **ARTICLE XI. DRUG AND ALCOHOL TESTING**

### **Section 1. Purpose**

The City of Goldsboro maintains a drug and alcohol-free work environment to promote effective, efficient, and safe operations. Drug and alcohol tests will be administered in accordance with the City's Drug and Alcohol Testing procedures described in Appendix E. Employees with substance-abuse problems are encouraged to voluntarily seek help from the Employee Assistance Program.

All testing will be conducted in a manner that will protect the rights of employees and applicants subject to testing. Therefore, the City of Goldsboro will take all necessary steps to safeguard the dignity and self-esteem of those being tested, and will follow all procedures pertaining to the implementation of this Policy. The City of Goldsboro will adhere strictly to all standards of confidentiality and assure all employees that testing records and results will be released only to those authorized to receive such information.

## **ARTICLE XII. TOBACCO FREE POLICY**

### **Section 1. Purpose**

The purpose of this policy is to protect the health of individuals in public places and places of employment and riding in City government vehicles from the risks related to secondhand smoke. The North Carolina General Assembly finds that secondhand smoke has been proven to cause cancer, heart disease, and asthma attacks in both smokers and nonsmokers. In 2018, a report issued by the United States Surgeon General stated that the scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke. Preferences of both nonsmokers and smokers should be considered, whenever possible. However, when conflict arises, the health and consideration of nonsmokers should come first. Since the City of Goldsboro is dedicated to the provision and maintenance of a healthy and safe work environment for all of its employees, the use of all tobacco products is prohibited in all City facilities and vehicles.

### **Section 2. Objective**

As a responsible business and employer, the City of Goldsboro has implemented the following policy for City facilities and vehicles (leased and/or owned).

- 1) To establish the City's policy concerning the use of tobacco products. This includes cigarettes, e-cigarettes, cigars, pipes or chewing tobacco.
- 2) To establish a uniform tobacco free workplace environment for all City employees.
- 3) To promote health-awareness and improve the health of City employees.
- 4) The use of tobacco products will not be permitted in buildings owned or in space leased by the City. These buildings include but are not limited to, City Hall, City Hall Annex, Police/Fire Complex, to include all fire and police substations, Public Works Complex, DGDC office, Goldsboro Event Center, Golf Course, Herman Park Center and Office Complex; Parks Maintenance Complex; Paramount Theatre; WA Foster Center and all other interior recreation facilities and offices; Wastewater Treatment Plant, Compost Facility and Water Treatment Plant.
- 5) "No Smoking" areas shall be clearly identified and designed both to reduce safety hazards and protect the health of individuals. Signs shall be conspicuously posted that clearly state that smoking is prohibited. The signs may include the international "No Smoking" symbol. It is essential that no-smoking regulations be observed.

- 6) The use of tobacco products will be allowed outside except where restricted by safety considerations. Where smoking is allowed, employees are required to use ashtrays or similar receptacles to guard against fire and maintain good housekeeping. Cooperation is most important in this regard.

On January 1, 2009, the North Carolina General Assembly gave local governments' statutory authority, per NC General Statute 130A-498(5), to prohibit smoking in locally owned, leased or otherwise controlled vehicles. As a responsible business and employer, the City of Goldsboro has implemented the following policy regarding city vehicles:

- 1) Smoking is prohibited inside all City vehicles (leased and/or owned).
- 2) The individual or the individual's designee in charge of assigning vehicles shall place one or more signs in conspicuous areas of the vehicle.
- 3) The signs shall state that "smoking is prohibited" and may include the international "No Smoking" symbol.

### **Section 3. Compliance**

All employees are responsible for ensuring compliance with this policy. Compliance is expected and will be sought with compassion, tact, and the exercise of good judgment. All employees, particularly supervisors, share in the responsibility of adhering to and enforcing this policy. Employees who violate the provisions as outlined will be subject to disciplinary action, up to and including dismissal.

## **ARTICLE XIII. RECORDS AND REPORTS**

### **Section 1. Public Information**

In compliance with GS 160A-168, the following information with respect to each City employee is a matter of public record:

- 1) Name.
- 2) Age.
- 3) Date of original employment or appointment to the service.
- 4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the city has the written contract or a record of the oral contract in its possession.
- 5) Current position.
- 6) Title.
- 7) Current salary.
- 8) Date and amount of each increase or decrease in salary with that municipality.
- 9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that municipality.
- 10) Date and general description of the reasons for each promotion with that municipality.
- 11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal.
- 12) The office to which the employee is currently assigned.

For the purposes of this subsection, the term "salary" includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity.

Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the City may adopt. Any person denied access to this information may apply to the appropriate division of the General Court of Justice for an order compelling disclosure, and the court shall have jurisdiction to issue such orders. For the purposes of this subsection, the term "salary" includes pay, benefits, incentives, bonuses, deferred and all other forms of compensation paid by the City.

## **Section 2. Access to Confidential Records**

Further, in compliance with G.S. 160A-168, all information contained in a City employee's personnel file, other than the information mentioned above is confidential and shall be open to inspection only in the following instances:

- 1) The employee or his/her duly authorized agent may examine all portions of his/her personnel file except letters of reference solicited prior to employment, and information concerning a medical disability, mental or physical, that a prudent physician would not divulge to the patient.
- 2) A licensed physician designated in writing by the employee may examine the employee's medical record.
- 3) A City employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- 4) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file.
- 5) An official of an agency of the State or Federal Government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the City Manager to be necessary and essential to the pursuit of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee, or for the purpose of assisting in an investigation of the employee's tax liability. However, the official having custody of the personnel records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.
- 6) An employee may sign a written release to be placed in his/her personnel file that permits the record custodian to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.
- 7) The City Manager, with the concurrence of the City Council, may inform

any person of the employment, non-employment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination of a City employee, and the reasons for that action. Before releasing that information, the City Manager shall determine in writing that the release is essential to maintaining the level and quality of City services. The written determination shall be retained in the City Manager's office, is a record for public inspection, and shall become a part of the employee's personnel file.

### **Section 3. Personnel Actions**

The Human Resources Director, with the approval of the City Manager, will prescribe necessary forms and reports for all personnel actions and will retain records necessary for the proper administration of the personnel system. The official personnel files are those which are maintained by the Human Resources Department. These files shall contain documents such as employment applications and related materials, records of personnel actions, documentation of employee warnings, disciplinary actions, performance evaluations, retirement and insurance records, letters of recommendation, and other personnel-related documents. Any documents not contained in these files or maintained as designated by the Human Resources Director is not an official part of the personnel file.

Departments are required to complete personnel action forms for Human Resources and City Manager approval prior to any personnel action becoming valid.

### **Section 4. Records of Former Employees**

The provisions for access to records apply to former employees as they apply to present employees.

### **Section 5. Remedies of Employees Objecting to Material in File**

An employee who objects to material in his/her file may place a statement in the file relating to the material considered to be inaccurate or misleading. The employee may seek removal of such material in accordance with established grievance procedures.

### **Section 6. Examining and/or Copying Confidential Material without Authorization**

Section 160A-168 of the General Statutes of North Carolina provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a misdemeanor and upon conviction shall be fined consistent with the General

Statutes.

### **Section 7. Destruction of Records Regulated**

No public official may destroy, sell, loan, or otherwise dispose of any public record, except in accordance with GS 121.5, without the consent of the State Department of Cultural Resources. Whoever unlawfully removes a public record from the office where it is usually kept, or whoever alters, defaces, mutilates or destroys it will be guilty of a misdemeanor and upon conviction will be fined in an amount provided in Chapter 132.3 of the North Carolina General Statutes.



## **ARTICLE XIV. IMPLEMENTATION OF POLICIES**

### **Section 1. Conflicting Policies Repealed**

All policies, ordinances, or resolutions that conflict with the provisions of these policies are hereby repealed.

### **Section 2. Severability**

If any provision of these policies or any rule, regulation, or order thereunder of the application of such provision to any person or circumstances is held invalid, the remainder of these policies and the application of such remaining provisions of these policies of such rules, regulations, or orders to persons or circumstances other than those held invalid will not be affected thereby.

### **Section 3. Effective Date**

These policies shall become effective on a date approved by the City Council.

### **Section 4. Amendments**

Amendments to this policy which results in any financial or monetary changes must be by action of the City Council and by resolution appropriately approved.

The City Manager at his/her discretion may make non-financial or non-monetary changes to this policy as deemed necessary.

Notice of any suggested amendments to this policy, or any portion thereof, should be provided to employees and opportunities for employee comment and reaction. Proposed amendments should be sent via electronic mail, posted on bulletin/electronic boards in all employee work locations and/or in employee newsletters. Any revisions or amendments adopted in conformance with this procedure shall become effective as of the date of such adoption.

## APPENDICES

### APPENDIX A: PERFORMANCE PAY ELIGIBILITY REQUIREMENTS

Employees may be compensated based on merit due to the performance of their duties. Employees must meet the following criteria to be eligible for merit pay.

- 1) Employee must be a regular full-time or part-time employee (assigned to a salary grade classification) who has completed the six-month probationary period (new hire/promotion). For example, if the employee was hired or promoted June 1 of the current year, the probationary period would have ended on December 1 and the employee would be eligible for a merit increase January of the following year, or whenever merit pay is distributed.
- 2) Eligibility for merit is based upon the following criteria:
  - Employee must have an overall performance evaluation rating of  $\geq 3.0$  on the current 5 point scale
  - Employee should have no unsatisfactory competency rating of  $< 2.0$  on the current 5 point scale.

**Note:** The merit eligibility criteria are subject to change at the City Manager's discretion.

- 3) The following items will disqualify an employee's eligibility for merit/bonus:
  - a. Employee was on disciplinary probation during the past 12 months that resulted in a suspension from work (leave without pay) and/or received non-disciplinary suspension resulting in leave without pay.
  - b. Employee received a disciplinary written warning for performance issues.
  - c. Employee received a written safety violation that resulted in four (4) or more safety points over a two-year period.
- 4) The appraisal period is from October 1 to September 30. Merit pay will be distributed the following January.
- 5) Employees must have worked at least 40 of the 52 weeks of the evaluation period. If an employee is out of work for more than 12 weeks, he/she will not be eligible for merit pay unless the leave is protected by Federal law. Examples of federally protected leave include Family and Medical Leave Act (FMLA) and Uniformed Services Employment and Reemployment Rights Act (USERRA).

## **APPENDIX B. PROFESSIONAL CERTIFICATION PROGRAM**

### **City of Goldsboro Police Department Career Progression**

#### **I. PURPOSE**

The purpose of this directive is to outline uniform criteria regarding career progression and promotional procedures for sworn personnel in the Goldsboro Police Department.

#### **II. POLICY**

It is the policy of the Goldsboro Police Department to fill each authorized, sworn position with qualified and available personnel while making the greatest possible use of each sworn employee's training, knowledge, skills, and abilities. The Goldsboro Police Department will promote the most qualified employees based on job-related needs and nondiscriminatory procedures.

#### **III. DEFINITIONS**

**Assessment Center** – A process comprised of various components that is used to help identify the best candidate for a specific position.

**Certification - Advanced, Intermediate, or Basic** – Certification by the North Carolina Training and Standards Commission or its equivalent from another State recognized by North Carolina.

**Career Progression** – A non-competitive program within the Department designed to reward personnel for their efforts in pursuing excellence through training and experience, applying that training in service to the community.

**Experience** – Law enforcement experience gained as a full time sworn peace officer with full arrest powers.

**Promotion** – The movement of an employee from one position to a vacant position in a class assigned to a higher salary range (City of Goldsboro Personnel Policy).

**Reinstatement** – An employee who resigns while in good standing or who is separated because of reduction in force may be reinstated within one year of the date of separation. An employee who is reinstated in this manner shall be re-credited with his or her previously accrued sick leave and previous service. An employee may be reinstated if the separation occurred less than 12 months previously.

**Time in Grade** – Length of time in current pay grade.

**Years of Service** – Years of experience based on the employee’s most recent sworn employment with this agency, including reinstatement; does not include total time accrued with this agency or as a sworn police officer.

#### IV. DISCUSSION

- A. The Goldsboro Police Department seeks to promote productive, efficient, and effective job performance and improve the overall level of individual job satisfaction through a structured career development and promotional processes. It is the responsibility of each employee and their supervisor to facilitate a career development plan for the employee.
- B. Career Development Program – In an effort to assist employees in planning their career paths, the Department encourages personnel to utilize the following to improve their knowledge, skills, and abilities:
  - 1. Training opportunities (as outlined in General Order 5.01 Training Division and Programs)
  - 2. Specialized Units (as outlined in General Order 3.04 Assignment, Transfer, and Specialty Assignment)
  - 3. Career Progression (as outlined in this general order)
  - 4. Educational Incentives/Benefits, such as the City of Goldsboro Tuition Assistance Program (as outlined in General Order 3.06 Compensation, Benefits, and Employee Support)
- C. Supervisors conduct career development activities with employees under their command.
  - 1. To support this role, supervisors are required to successfully complete a Department approved training, which includes, but is not necessarily limited to, job-related tasks, supervisory techniques in counseling and assessment of knowledge, skills, and abilities, as well as information regarding benefits, training, incentives, and record keeping.
  - 2. Through continued observations of work performance, work product, and interactions with employees under their command, supervisors at all levels should assist employees in determining performance strengths and weaknesses, professional interests, and career paths.
  - 3. Based on those observations, and in conjunction with annual performance evaluations and training opportunities, supervisors should make efforts to address those issues and assist employees with developing and advancing their careers.
- D. The Goldsboro Police Department desires to employ the most professional and effective officers in service to the citizens of Goldsboro. In the pursuit of excellence, it is necessary to acquire training beyond that provided by the basic law enforcement training program. This is provided in part by In-service training provided by the Department but should be supplemented by additional training offered by outside entities. Excellence is achieved by applying the acquired

training, knowledge, skills, and abilities to use in a practical manner in service to the community. It is this combination that the Department seeks to reward through this written directive.

## **V. ADMINISTRATION**

- A. The Chief of Police maintains authority over the Department's career progression and promotion program including:
1. Determining the skills, knowledge, and abilities required for each position through the use of Position Questionnaires/Job Task Analysis.
  2. Making final determinations as to what training may qualify for career progression and promotion, in conjunction with the Training Advisory Committee (See General Order 5.01 Training Division and Programs).
  3. Initiating promotional processes on an as-needed basis.
  4. Selecting a candidate for promotion at the completion of the process.
  5. Ensuring the proper employee documentation is completed (e.g. City of Goldsboro Personnel Action Forms), when applicable.
- B. Under the authority of the Chief of Police, the Support Services Major is responsible for the administrative aspects of career progression and promotion. When deemed necessary, assistance may be used from other entities within or outside of City government. Additionally, the Support Services Major may delegate selected duties to other Departmental employees to facilitate the promotional process.
- Responsibilities of the Support Services Major include:
1. Coordinating the evaluation process for promotions.
  2. Ensuring the security of promotional materials by maintaining them in a secure location with limited access.
  3. Make recommendations for revisions to the promotional process, when necessary.
- C. Classification for Career Progression and Promotion – The career ladder program will include the following classifications that are a part of the City of Goldsboro pay and classification plan established by the City Council and administered by the Human Resources Department:
- |                       |         |
|-----------------------|---------|
| Police Officer        | Captain |
| Police Officer I      | Major   |
| Police Officer II     |         |
| Senior Police Officer |         |
| Corporal              |         |
| Sergeant              |         |
- D. The City Manager reserves the right to administer a selection process for the position of Chief of Police as outlined in the City of Goldsboro Personnel Policy.

E. All elective training shall be approved by the Training Division to ensure it qualifies toward progression/promotion. State of North Carolina and Departmental mandated training is not included in the cumulative total of training hours (This includes BLET).

F. Lateral Entry

1. For general promotional purposes, lateral entry from other agencies above the rank of Police Officer (entry level) is not practiced. Prior experience with another agency will be assessed and qualified by the Chief of Police on a case by case basis. The exception to this is the position of Chief of Police (and any other upward level management position as determined by the City Manager).
2. If lateral entry from other agencies above the rank of Police Officer is permitted, eligibility requirements are the same as for the internal promotional process as outlined in this general order.

G. Officers hired with previous law enforcement experience may also apply previous training to satisfy requirements of the career progression program if that training is properly documented and recognized by the Chief of Police.

H. Upon promotion, employees will serve a six (6) month probationary period, per City of Goldsboro Policy.

I. This written directive applies to sworn personnel. Any job vacancies for a non-sworn position will follow the processes outlined in General Order 3.03 Selection.

**VI. CAREER PROGRESSION**

A. To recognize officers for their pursuit of excellence the Department will use the following career progression:

1. Police Officer
2. Police Officer I
3. Police Officer II
4. Senior Police Officer

**B. ELIGIBILITY REQUIREMENTS**

1. To be eligible for progression, an officer must have a rating of Satisfactory (2), or better, in all areas of their last performance evaluation and must not be on disciplinary probation.
2. Each level will have certain minimum requirements necessary to qualify for progression to the next level.
3. POLICE OFFICER – This level includes all officers of this Department with probationary certification and/or on new-hire probation with the Goldsboro Police Department. It will also include officers with their general certification who have not attained Police Officer I.

4. POLICE OFFICER I
  - a. Must have a minimum of two (2) years of service with the Goldsboro Police Department.
  - b. Must have successfully completed the following training:
    - i. Intoxilyzer;
    - ii. Shift Identification Officer Training;
    - iii. ICS 200; and
    - iv. 24 hours of elective training.
5. POLICE OFFICER II
  - a. Must have a minimum of four (4) years of service with the Goldsboro Police Department.
  - b. Must have successfully completed the following training:
    - i. Courses required for Police Officer I;
    - ii. Introduction to Community Oriented Policing;
    - iii. Police Law Institute;
    - iv. Crisis Intervention Training; and
    - v. 24 hours of elective training.
6. SENIOR POLICE OFFICER
  - a. Must have a minimum of seven (7) years of service with the Goldsboro Police Department.
  - b. Must have successfully completed the following training:
    - i. Courses required for Police Officer II;
    - ii. ICS 300; and
    - iii. 200 cumulative hours in elective training to include the following:
      - a) 24 hours/credits of supervisory training
      - b) 8 hours/credits of traffic
      - c) 8 hours/credits of investigations
      - d) 8 hours/credits of officer safety

#### C. PROCEDURE

1. Upon fulfilling the requirements necessary for advancement to Police Officer I, Police Officer II, or Senior Police Officer, the officer must submit GPD Form 3.05-A Career Progression Advancement Request through the chain of command to the Chief of Police indicating their request to be advanced to the next level of progression.
2. The officer should attach documentation of their qualifications to be considered for progression.
3. The officer's Captain, or Sergeant if no Captain is assigned, shall verify the qualifications prior to forwarding through the chain of command.
4. The Chief of Police will make recommendations for advancement to the City Manager based on the verification of qualifications. The eligibility date will be the date all paperwork was approved and the effective date will be the 1<sup>st</sup> day of the next pay period.

## **VII. PROMOTION**

### **A. OBJECTIVES**

1. To give all eligible sworn employees the opportunity to participate in the promotional process.
2. To provide a framework of policies and operating procedures which will ensure an orderly method for promoting qualified Departmental sworn employees to progressively higher level positions of responsibility.
3. To improve the quality and quantity of sworn applicants for vacancies within the Department.
4. To create and strengthen the sworn employee's identification with his/her employer and job-related duties and responsibilities.
5. To encourage sworn employees to undertake additional training.

### **B. ADMINISTRATION**

#### **1. PROMOTIONAL POSITIONS**

- a. Pay Grade 76 consisting of the following positions:
    - Patrol Corporal
    - Community Police Services Corporal
    - Crime Scene Specialist (if sworn)
    - Investigator
    - Vice Corporal
    - Assistant Training Specialist
  - b. Sergeant
  - c. Captain
  - d. Major
2. All materials related to promotional processes will be kept secured by the Major of Support Services. The preferred storage location is the offices of the Major of Support Services and/or Chief of Police. Promotional materials will be disposed of by shredding or other equally effective method to prevent disclosure of information in accordance with NCGS, a minimum of two (2) years after the decision.
  3. Efforts will be made to make the promotional process position specific. However, a situation involving vacancies in multiple positions at the same time may not allow for a position specific promotional process.

### **C. ELIGIBILITY REQUIREMENTS**

1. Promotions will be determined by an employee's job-related experience, performance evaluations, training record, disciplinary record and educational background. No employee, who is otherwise eligible, shall be excluded from a promotional opportunity when such exclusion is based solely upon race, gender, religion or ethnic origin.
2. To be eligible for promotion, an officer must have a rating of Satisfactory (2), or better, in all areas of their last performance evaluation and must not be on



disciplinary probation. Additionally, each rank will have specific minimum requirements necessary to qualify for promotion.

3. PAY GRADE 76 – In order to be considered for promotion to a position within Pay Grade 76, a candidate must:
  - a. Have four (4) years of full-time experience as a sworn officer with the Goldsboro Police Department at time of appointment.
  - b. Have successfully completed the following training:
    - i. Intoxilyzer
    - ii. Shift Identification Officer Training
    - iii. ICS 200 and ICS 300
    - iv. Introduction to Community Oriented Policing
    - v. Police Law Institute
    - vi. Crisis Intervention Training
    - vii. Elective training as follows:
      - a) 24 hours/credits of supervisory training
      - b) 8 hours/credits of traffic
      - c) 8 hours/credits of investigations
      - d) 8 hours/credits of officer safety
4. SERGEANT – In order to be considered for promotion as a Sergeant, a candidate must:
  - a. Have one (1) year or more as a Pay Grade 76 position or six (6) years of full-time experience as a sworn officer with the Goldsboro Police Department at time of appointment.
  - b. Possess the Intermediate Law Enforcement Certificate.
  - c. Have successfully completed the following training:
    - i. All requirements outlined in Pay Grade 76; and
    - ii. 200 cumulative hours in elective training.
5. CAPTAIN – In order to be considered for promotion as a Captain, a candidate must:
  - a. Have ten (10) years of experience as a sworn officer with the Goldsboro Police Department with a minimum of two (2) years of full-time experience as a Sergeant at time of appointment.
  - b. Have successfully completed eighty (80) hours of non-repetitive management training in addition to training requirements of Sergeant.
  - c. Possess the Advanced Law Enforcement Certificate.
6. MAJOR – In order to be considered for promotion as a Major, a candidate must:
  - a. Have twelve (12) years of progressively responsible law enforcement experience and at least two (2) years (full time) which have been served in the position of a Captain (for internal applicants) or an equivalent position (for external applicants).

- b. Have successfully completed Administrative Officer Management Program, FBI National Academy, Southern Police Institute, and/or equivalent.
- c. Possess the Advanced Law Enforcement Certificate.

#### D. INITIATION OF PROMOTIONAL PROCESSES

1. All promotions scheduled to be made within the Goldsboro Police Department will be advertised internally for at least fourteen (14) days. The notice advertising the promotion will be disseminated electronically via memorandum and posted on the Department bulletin board(s). The notice will include the following:
  - a. Description of the position vacancy/vacancies;
  - b. Number of vacancies;
  - c. Position closing date/deadline for applications; and
  - d. Instructions for obtaining materials from the Office of the Chief of Police.  
 \*This provision may not apply to the position of Major when the decision has been made to advertise internally and externally.
2. Eligible candidates should complete a City of Goldsboro application through the City Human Resource Management Software, including all supplemental documents.
3. After applications are received, an additional notice will be disseminated via memorandum to eligible candidates. The notice will include the following:
  - a. Description of the selection process;
  - b. Date, time, and location of the promotional process; and
  - c. Test and/or assessment materials required for successful completion of the promotional process.
4. Reference Material
  - a. Updated reading lists, study guides, and/or any other reference materials that are to be used in the promotional assessment process are available on a continual basis.
  - b. Department and City policies are to be considered reference/study material and may be used in the promotional assessment process. Up-to-date Department and City policies are available to employees on a continual basis, usually in electronic format (ex. City Intranet, GPD PowerDMS).
  - c. It is the employee's responsibility to obtain the appropriate study material.
  - d. In the event a reference on the study list is available through the Support Services Administrative Assistant, an employee may sign out the material; however, it must be returned prior to taking a written examination. Signing out of material through the Support Services Administrative Assistant will be on a first-come, first-served basis.
  - e. Employee are encouraged to check-out reference materials and/or review Department and City policies at any time in order to prepare for current or future promotional processes.

5. Provisions for the position of Major:
  - a. When a position becomes available a determination will be made by the City Manager in consultation with the Chief of Police as to whether applications from outside the Goldsboro Police Department will be accepted.
  - b. If no outside applications are accepted, the position will be advertised internally for at least fourteen (14) days. The notice advertising the position will describe the procedure for application.
  - c. If outside applications will be accepted the position will be advertised both internally and externally for a period of at least thirty (30) days. The notice advertising the position will describe the procedure for application.
  - d. The Chief of Police, in conjunction with the City of Goldsboro Human Resources Department, will review the applications and qualified candidates will be selected to participate in the assessment process. It is at the discretion of the Chief of Police, in consultation with the City Manager, to set qualification guidelines and cap the number of applicants, if necessary.
6. Specific sections of this General Order may be waived by the Chief of Police to satisfy special or unusual circumstances. Additionally, when deemed necessary, the Chief of Police has the authority to order a written test for any promotional process.

#### E. EVALUATION PROCEDURES

1. General
  - a. Promotion to Pay Grade 76 and Sergeant will be based on the successful completion of a Written Examination, an Assessment Center, and the Chief's Interview.
  - b. Promotion to Captain and Major will be based on the successful completion of an Assessment Center and Chief's Interview.
2. Written Examination
  - a. Exam questions will be restricted to the given and/or listed reference materials.
  - b. Each exam will be a uniform, standardized test for all candidates.
  - c. Candidates will be ranked according to their test score, from highest to lowest. Candidates will advance beyond the assessment center based on their ranking as follows:
    - i. If there is one (1) vacancy, the top eight (8) candidates will advance.
    - ii. If there are two (2) vacancies, the top ten (10) candidates will advance.
    - iii. If there are three (3) or more vacancies, the top twelve (12) candidates will advance.
    - iv. If a tie occurs at the cut-off point, all candidates involved in the tie will be allowed to advance to the Assessment Center.
  - d. The Chief of Police has the discretion to waive the written examination requirement and advance all candidates to the Assessment Center if the total number of candidates for any of the listed positions is twelve (12) or under.
3. Assessment Center

- a. This is a method of evaluating a promotional candidate based on multiple recommendations.
  - b. The Assessment Center will consist of a minimum of three (3) exercises presented to and evaluated by a Review Board. The multiple assessment techniques may include any job-related exercise (e.g. written exercise, group exercises, interview simulations, in-basket exercises, etc.).
  - c. Members of the Review Board will be from an outside law enforcement agency/agencies. Review board members for the position of Major may include members of the agency's command staff. The Review Board will be trained to utilize a number of specially designed techniques to evaluate each candidate and measure his/her various dimensions, attributes, characteristics, qualities, skills, abilities, and/or knowledge as related to successful task performance of the position being sought.
  - d. The criteria being measured (e.g. self-confidence, flexibility, leadership, oral communication, etc.) will be based on position questionnaires/job-task analysis. All candidates will be provided in advance with a list of the various dimensions to be measured.
  - e. Candidates will be ranked according to their Assessment Center score, from highest to lowest. Candidates will advance beyond the assessment center based on their ranking as follows:
    - i. If there is one (1) vacancy, the top three (3) candidates will advance.
    - ii. If there are two (2) vacancies, the top four (4) candidates will advance.
    - iii. If there are three (3) vacancies, the top five (5) candidates will advance, and so forth.
4. Chief's Interview
- a. The Chief's Interview will consist of job-related, uniform questions administered by the Chief of Police to each candidate.
  - b. The Chief of Police will review the results of the assessment center, the candidate's job-related experience, performance evaluations, training record, disciplinary record, and educational background.

#### F. PROMOTIONAL ELIGIBILITY LISTS

- 1. Based on the successful completion of the above listed assessments, qualified candidates will be placed on a Promotional List in order of their rank as determined by the above listed processes.
- 2. Candidates will be selected from the list in order from highest to lowest ranked. The Chief of Police will make his recommendation for promotion to the City Manager.
- 3. The Promotional List is good for twelve (12) months from the time of appointment.
- 4. The promotional list for Major will expire immediately upon filling the open position(s) at the time of the process.
- 5. All sworn officers who become eligible for promotion during that twelve (12) months are eligible to compete in the process; however, they will not be eligible to interview with the Chief until they meet the minimum requirements.

6. Candidates not advancing in the process and/or not selected for promotion are eligible to reapply for a subsequent promotional process for the same position as long all provisions of this written directive have been met.

#### G. REVIEW AND APPEAL

1. Employees who have been considered for promotion through established eligibility and promotional proceedings and who were not promoted, may request a review of the written reports that document the results of the various elements of the process and/or contest the contents of the reports.
2. Any such request must be made by the employee in writing to the Chief of Police through the chain of command. The employee will be kept informed as to the status of the request and any subsequent reviews.
3. If an employee is not satisfied with the results of the review, he/she may follow grievance procedures as outlined in General Order 2.02 Discipline and Grievance Procedures.

## ***CITY OF GOLDSBORO FIRE DEPARTMENT CAREER PROGRESSION***

### **PURPOSE**

To enhance the professionalism and morale of the Fire Department and provide excellent service to the residents and visitors of Goldsboro.

### **OBJECTIVES**

- 1) To allow all eligible departmental personnel the opportunity to participate in the promotional process.
- 2) To provide an operational procedure that will ensure an orderly method for promoting qualified departmental personnel to progressively higher levels of responsibility.
- 3) To identify the participant's strengths and weaknesses so that they may pursue their career goals.
- 4) To encourage all fire department personnel to undertake additional training.

### **STATEMENT OF GENERAL ORDERS**

It is the policy of the Goldsboro Fire Department to fill each authorized position with qualified personnel.

### **DEFINITIONS / CLARIFICATIONS OF STATEMENTS**

- 1) Position Opening Date – The day after a fire department employee is taken off the city's payroll and the position is vacated.
- 2) In order to be considered or to continue to hold the position – Each promoted employee shall be required to maintain the required certifications in effect at the time of their promotion.

### **ELIGIBILITY REQUIREMENTS AND PROMOTIONAL PROCESS FOR FIRE ENGINEER**

Each applicant must possess and/or maintain the following on the date that the position is officially open:

- Two years of service as a firefighter with the GFD
- One year served as a back-up driver
- Performance evaluation of 3.5
- N.C. EMT certification

- N.C. Firefighter Certification
- N.C. Class B Driver's License
- N.C. Driver Operator Certification
- N.C. Aerial Operation Certification
- N.C. Fire Officer I

Firefighters (FFs) must successfully complete the GFD pump skills check off sheet and possess dated documentation of all training prior to being cleared as a backup driver. Once cleared, backup drivers will be required to substitute during the absence of the regular Fire Engineer (FE) in a satisfactory manner. Failure to do so will forfeit their eligibility to compete for a permanent position

### **Testing Requirements for Fire Engineer**

The Goldsboro Firefighter will be required to score at least an 80 on a written test administered by the training officer before advancing to the next level of the testing process. If a passing grade of 80 is not obtained, the firefighter will be eliminated from the current promotion process. Test score will not be factored in the overall scoring process.

- 1) The Goldsboro FF will be required to perform a street test that will be administered by a Goldsboro Police Department designee or by the Fire Chief's designee. The test will consist of two parts. Part one will consist of an evaluation of the firefighter's driving and operation of a Goldsboro Fire Department Pumper in accordance with North Carolina's traffic laws. Part two will be the evaluation of the firefighter's ability to locate city streets and/or fire department sprinkler/standpipe connections within the city of Goldsboro. Note: This score will count as 30% of the overall testing process.
  - Maximum score of the street test is 100 points.
  - Candidate must achieve a minimum of 70 points to stay in the process.
- 2) The Goldsboro FF shall be evaluated in pump operations by two (2) outside evaluators. The evaluators shall be Driver Operator certified instructors through the North Carolina Department of Insurance. Human Resources will obtain the evaluators. Note: This score will count as 60% of the overall testing process.
  - Maximum score of the pump operations test is 100 points.
  - Candidates must achieve a minimum of 70 points to stay in the process.
- 3) The Goldsboro FF shall be required to participate in an incident command exercise that will be administered by two outside evaluators who serve as Fire Officers in their department. They will be knowledgeable of the functions of the Incident Command System. The dimensions of the exercise will consist of, but not be limited to, the candidates performing a size-up of a fire scene and giving an explanation of the tactical objectives that they would initiate on the fire ground

as the first arriving unit based on the information given and the visual fire ground scenario. Note: This score will count as 10% of the overall testing process.

- Maximum score of the incident command exercise is 100 points.
- Candidate must achieve a minimum of 60 points to stay in the process.

### **Scoring**

All score sheets will be completed accurately and legibly by all evaluators on a daily basis and submitted to the Human Resources Department at which time the candidates will be ranked in order to qualify for the Chief's interview.

<b>Test</b>	<b>Perfect Score</b>	<b>% Weight</b>	<b>Total Points</b>
Street Test	100 Points	.30	30
Pump Operations	100 Points	.60	60
Incident Command	100 Points	.10	10
<b>Total</b>			<b>100</b>

### **Fire Chief's Interview**

The Fire Chief's interview will be based on the overall scores of the testing process, seniority/certifications and the number of fire engineer vacancies at that time and shall be administered as follows:

- 1) The Fire Chief will interview all qualified candidates.
- 2) The Chief's interview will consist of a thorough examination of the employees work history and will include, but not be limited to training records, attendance, performance evaluations, and other job-related experiences. The maximum score will be 12 points.
- 3) A total of 1/2 point for each year of service up to 10 points will be added to each applicant's score for seniority.
- 4) A maximum of 10 points will be given for the following certifications and educational degrees:

<b>Certification</b>	<b>Number of Points</b>
NC Fire Officer I	1
NC Certified Fire Instructor	1
NC Level I Fire Inspector	1
NC Life Safety Educator	1
NC Technical Rescuer	1
Associate's Degree*	2.5
Bachelor's Degree*	5



\* Associate's Degree and Bachelor's Degree must be from an Accredited College or University.

The final selection shall be made by the Fire Chief with the approval of the City Manager based on the applicant's test scores, seniority/certifications and the Fire Chief's interview.

### **ELIGIBILITY REQUIREMENTS AND PROMOTIONAL PROCESS FOR FIRE LIEUTENANT/COMPANY OFFICER**

Each applicant must possess and/or maintain the following on the date that the position is officially open:

- Five years of service with the Goldsboro Fire Department
- Two years served as a Fire Engineer, back up driver or a combination of Fire Engineer/back up driver.
- Performance evaluation of 3.5
- N.C. EMT certification
- N.C. Firefighter Certification
- N.C. Class B Driver's License
- N.C. Driver Operator Certification
- N.C. Aerial Operation Certification
- N.C. Fire Officer I
- N.C. Certified Fire Instructor
- N.C. Fire Inspector Level I

Each applicant must meet and maintain the minimum qualifications for the position as established by the Goldsboro Fire Department.

#### Testing Requirements for Fire Lieutenant /Company Officer

- 1) Each qualified applicant will be interviewed by an assessment panel, which will consist of three evaluators per exercise. The Human Resources Department will be responsible for obtaining and scheduling personnel to serve on the panel. The Human Resources Department will assign a department representative to monitor assessment center procedures.
- 2) Assessment panel members will score each applicant on a five-point scale, which will range from clearly unacceptable to outstanding in five separate dimensions. If the evaluators rank any applicant as unacceptable within any of the five separate areas, it must be so noted on the forms completed by the evaluators as to how this rank was determined.
- 3) Each dimension of the exercise will be used to determine the total score assessed by the evaluators. The five dimensions of an exercise will be totaled and divided by five to obtain an average score per evaluator. Each evaluator's average score of

that exercise will be added to have a maximum score of 15 points.

<b><u>Maximum Score</u></b>	
Evaluator # 1	5 points
Evaluator # 2	5 points
Evaluator # 3	<u>5 points</u>
Total	15 points

Candidate must achieve a **minimum of 9.5 points** **in each exercise** to stay in the process.

Scoring for each phase of the test will be administered as follows:

- a. Exercise #1 - 15 points
- b. Exercise #2 - 15 points
- c. Exercise #3 - 15 points
- d. Exercise #4 - 15 points

### **Scoring**

All score sheets will be completed accurately and legibly by all evaluators on a daily basis and submitted to the Human Resources Department at which time the candidates will be ranked in order to qualify for the Chief's interview.

The maximum points a candidate can achieve in the assessment center is 60 points.

### **Fire Chief's Interview**

The Fire Chief's interview will be based on the overall scores of the testing process, Seniority/Certifications and the number of current Fire Captain vacancies and will be administered as follows:

- 1) The Fire Chief will interview all qualified candidates.
- 2) The Fire Chief's interview will consist of a thorough examination of the employee's work history and shall include, but not be limited to, training records, attendance, performance evaluation, and other job-related experiences. The maximum score will be 12 points.
- 3) A total of 1/2 point for each year of service up to ten points will be added to each applicant's score for seniority.
- 4) A maximum of 10 Points will be given for the following certifications and educational degrees:

<b>Certification</b>	<b>Number of Points</b>
NC Fire Officer I	1
NC Certified Fire Instructor	1
NC Level I Fire Inspector	1
NC Life Safety Educator	1
NC Technical Rescuer	1
Associate's Degree*	2.5
Bachelor's Degree*	5

The final selection will be made by the Fire Chief with the approval of the City Manager based on the applicants' test scores, seniority/certifications and the Fire Chief's interview.

### **ELIGIBILITY REQUIREMENTS AND PROMOTIONAL PROCESS FOR FIRE CAPTAIN COMPANY OFFICER**

Each applicant must possess and/or maintain the following on the date that the position is officially open:

- Seven years of service with the Goldsboro Fire Department
- Two years served as a Fire Engineer, Lieutenant or a combination of Fire Engineer/Lieutenant.
- Performance evaluation of 3.5
- N.C. EMT certification
- N.C. Firefighter Certification
- N.C. Class B Driver's License
- N.C. Fire Officer I
- N.C. Certified Fire Instructor
- N.C. Fire Inspector Level I
- N.C. Fire Officer II
- N.C. Qualified Fire Instructor

Each applicant must meet and maintain the minimum qualifications for the position as established by the Goldsboro Fire Department.

### **Testing Requirements for Fire Captain Company Officer**

- 1) Each qualified applicant will be interviewed by an assessment panel, which will consist of three evaluators per exercise. The Human Resources Department will be responsible for obtaining and scheduling personnel to serve on the panel. The Human Resources Department will assign a department representative to monitor assessment center procedures.
- 2) Assessment panel members will score each applicant on a five-point scale, which will range from **clearly unacceptable** to **outstanding** in five separate

dimensions. If the evaluators rank any applicant as unacceptable within any of the five separate areas, it must be so noted on the forms completed by the evaluators as to how this rank was determined.

- 3) Each dimension of the exercise will be used to determine the total score assessed by the evaluators. The five dimensions of an exercise will be totaled and divided by five to obtain an average score per evaluator. Each evaluator's average score of that exercise will be added to have a maximum score of 15 points.

**Maximum Score**

Evaluator # 1	5 points
Evaluator # 2	5 points
Evaluator # 3	<u>5 points</u>
Total	15 points

Candidates must achieve a **minimum of 9.5 points** **in each exercise** to stay in the process.

**Scoring**

- 1) Scoring for each phase of the test will be administered as follows:
  - a. Exercise #1 - 15 points
  - b. Exercise #2 - 15 points
  - c. Exercise #3 - 15 points
  - d. Exercise #4 - 15 points
- 2) All score sheets will be completed accurately and legibly by all evaluators on a daily basis and submitted to the Human Resources Department at which time the candidates will be ranked in order to qualify for the Chief's interview.

Maximum points a candidate can achieve in the assessment center is 60 points.

**Fire Chief's Interview**

The Fire Chief's interview will be based on the overall scores of the testing process, Seniority/Certifications and the number of current Fire Captain vacancies and will be administered as follows:

- 1) The Fire Chief will interview all qualified candidates.
- 2) The Fire Chief's interview will consist of a thorough examination of the employee's work history and shall include, but not be limited to, training records, attendance, performance evaluation, and other job-related experiences. The maximum score will be 12 points.

- 3) A total of 1/2 point for each year of service up to ten points will be added to each applicant's score for seniority.
- 4) A maximum of 10 Points will be given for the following certifications and educational degrees:

<b>Certification</b>	<b>Number of Points</b>
NC Fire Officer II	1
NC Life Safety Educator	1
NC Qualified Fire Instructor	1
NC Technical Rescuer	1
Level II Fire Inspector	1
Associate's Degree*	2.5
Bachelor's Degree*	5

\* Credit for degree will be Associate or Bachelor's degree from a regionally accredited institution of higher learning

- 5) The final selection will be made by the Fire Chief with the approval of the City Manager based on the applicants' test scores, seniority/certifications and the Fire Chief's interview.

#### **ELIBILITY REQUIREMENTS AND PROMOTIONAL PROCESS FOR FIRE CAPTAIN/INSPECTOR**

- 1) The Fire Captain Company Officer and the Fire Captain Inspector are in the same pay grade but are not considered interchangeable due to the job requirements.
- 2) If a Fire Captain requests to laterally transfer to the Fire Captain Inspector's position, then he/she will follow the testing requirements as listed.
- 3) If a Fire Inspector's position is vacant and there is not a Fire Captain that qualifies then the Fire Inspector position will be open up to Fire Lieutenants, Fire Engineers, and/or outside applications.
- 4) The Fire Inspector's position requires the possession and maintenance of a Standard Level II Fire Inspector Certification within 24 months of the date the position is filled.
- 5) In order to be considered or to continue to hold the position of Fire Captain Inspector each applicant must meet and maintain the following certifications:
  - North Carolina driver's license.
  - Standard Level I Fire Inspector Certificate
  - have the ability to acquire the Standard Level II within 24 months of the date the position is filled.

## **Testing Requirements and scoring procedures are the same as Fire Captain**

### **Fire Chief's Interview**

The Fire Chief's interview will be based on the overall scores of the testing process, Seniority/Certifications and the number of current Fire Captain Inspector vacancies and will be administered as follows:

- 1) The Fire Chief will interview all qualified candidates.
- 2) The Fire Chief's interview will consist of a thorough examination of the employee's work history and shall include, but not be limited to, training records, attendance, performance evaluation, and other job-related experiences. The maximum score will be 10 points.
  - A total of 1/2 point for each year of service up to ten points will be added to each applicant's score for seniority.
  - A maximum of 7.5 Points will be given for the following certifications and educational degrees:

a. Level III Fire Inspector	2.5 points
b. Associate Degree*	2.5 points
c. Bachelor Degree	5 points

\* Credit for degree will be Associate or Bachelor's degree from a regionally accredited institution of higher learning

- 3) The final selection will be made by the Fire Chief with the approval of the City Manager based on the applicant's test scores, seniority/certifications and the Fire Chief's interview.

## **ELIGIBILITY REQUIREMENTS AND PROMOTIONAL PROCESS FOR BATTALION CHIEF**

Each applicant must possess and/or maintain the following on the date that the position is officially open:

- Eleven years of service with the GFD
- Four years served as a Fire Lieutenant, Fire Captain or a combination of Fire Lieutenant/Fire Captain.
- Performance evaluation of 3.5
- N.C. EMT certification
- N.C. Firefighter Certification
- N.C. Class B Driver's License

- N.C. Fire Officer II
- N.C. Fire Inspector Level I
- N.C. Qualified Fire Instructor

Each applicant must meet and maintain current the minimum training and experience requirements established for the position by the Goldsboro Fire Department.

### **Testing Requirements for Battalion Chief**

The qualifications and testing process mentioned below will be used for all positions classified:

- 1) Each qualified applicant will be interviewed by an assessment panel, which will consist of at least three and not more than five evaluators. The Human Resources Department will be responsible for obtaining and scheduling personnel to serve on the panel. The Human Resources Department will also assign someone from that department to monitor assessment center procedures.
- 2) Assessment panel members will score each applicant on a five-point scale, which will range from clearly unacceptable to outstanding in five separate dimensions. If the evaluators rank any applicant as unacceptable within any of the five separate areas, it must be so noted on the forms completed by the evaluators as to how this rank was determined.
- 3) Each dimension of the exercise will be used to determine the total score assessed by the evaluators. The five dimensions of an exercise will be totaled and divided by five to obtain an average score per evaluator. Each evaluator's average score of that exercise will be added to have a maximum score of 15 points.

#### **Scoring**

##### **Maximum Score**

Evaluator # 1	5 points
Evaluator # 2	5 points
Evaluator # 3	<u>5 points</u>
Total	15 points

Candidate must achieve a **minimum of 9.5 points** **in each exercise** to stay in the process.

- 1) Scoring for each phase of the test will be administered as follows:
  - a. Exercise #1 - 15 points
  - b. Exercise #2 - 15 points

- c. Exercise #3 - 15 points
- d. Exercise #4 - 15 points

Maximum points a candidate can achieve in the assessment center is 60 points.

All score sheets will be completed accurately and legibly by all evaluators on a daily basis and submitted to the Human Resources Department at which time the candidates will be ranked in order to qualify for the Chief's interview.

### **Fire Chief's Interview**

The Fire Chief's interview shall be based on the overall scores of the testing process, seniority/certifications.

- 1) The Fire Chief will interview all qualified candidates.
- 2) The Fire Chief's interview will consist of a thorough examination of the employee's work history and will include, but will not be limited to, training records, attendance, performance evaluation, and other job-related issues. The maximum score will be 12 points.
- 3) A total of 1/2 point for each year of service up to ten points will be added to each applicant's score for seniority.
- 4) A maximum of 10 Points will be given for the following certifications and educational degrees.

<b>Certification</b>	<b>Number of Points</b>
Fire Officer III	1
Fire Inspector Level II	1
NC Technical Rescuer	1
NC Life Educator Level I	1
NC CFI Arson Investigator	1
Associate's Degree*	2.5
Bachelor's Degree*	5

\* Credit for degree will be Associate or Bachelor's degree from a regionally accredited institution of higher learning

- 5) The final selection will be made by the Fire Chief with the approval of the City Manager based on the applicant's test scores, evaluator comments, seniority and the Fire Chief's interview.

## **ELIGIBILITY REQUIREMENTS AND PROMOTIONAL PROCESS FOR BATTALION CHIEF/FIRE MARSHAL**



In order to be considered or to continue to hold the position of Fire Marshal each applicant must meet and maintain the following certifications:

- Valid North Carolina driver's license.
- Each applicant will possess the minimum of a Standard Level II Fire Inspector Certificate
- have the ability to acquire the Standard Level III within 24 months.

The Fire Marshal's position requires the possession and maintenance of a Standard Level III Fire Inspector Certification within 24 months of the position being filled.

**Testing Requirements and scoring procedures are the same as Battalion Chief**

**Fire Chief's Interview**

The Fire Chief's interview will be based on the overall scores of the testing process, seniority/certifications and the number of current Fire Captain Inspector vacancies and will be administered as follows:

- 1) The Fire Chief will interview all qualified candidates.
- 2) The Fire Chief's interview will consist of a thorough examination of the employee's work history and shall include, but not be limited to, training records, attendance, performance evaluation, and other job-related experiences. The maximum score will be 10 points.
- 3) A total of 1/2 point for each year of service up to ten points will be added to each applicant's score for seniority.
- 4) A maximum of 7.5 Points will be given for the following certifications and educational degrees:

- |                             |            |
|-----------------------------|------------|
| 1. Level III Fire Inspector | 2.5 points |
| 2. Associate Degree         | 2.5 points |
| 3. Bachelor Degree          | 5 points   |

\* Credit for degree will be Associate or Bachelor's degree from a regionally accredited institution of higher learning

- 5) The final selection will be made by the Fire Chief with the approval of the City Manager based on the applicant's test scores, evaluator comments, seniority/certifications and the Fire Chief's interview.

## **ELIGIBILITY REQUIREMENTS AND PROMOTIONAL PROCESS FOR COMMAND STAFF: ASSISTANT CHIEF**

Each applicant must possess and/or maintain the following on the date that the position is officially open.

- Eleven years of service with the Goldsboro Fire Department
- Four years served as a Fire Captain, Battalion Chief or a combination of Fire Captain/Fire Battalion Chief
- Performance evaluation of 3.5
- N.C. EMT certification
- N.C. Firefighter Certification
- N.C. Class B Driver's License
- N.C. Fire Officer II
- N.C. Qualified Instructor
- N.C. Fire Inspector Level I
- N.C. Fire Officer III
- N.C. Fire Inspector Level II

Each applicant must meet and maintain current the minimum training and experience requirements established for the position by the GFD administration.

### **Testing Requirements for Assistant Chief**

The Assistant Chiefs of Training and Support Services are in the same pay grade and considered to be interchangeable. The qualifications and testing process mentioned below shall be used:

- 1) Each qualified applicant will be interviewed by an assessment panel, which will consist of at least three and not more than five evaluators. The Human Resources Department will be responsible for obtaining and scheduling personnel to serve on the panel. The Human Resources Department will also assign someone from that department to monitor assessment center procedures.
- 4) Assessment panel members will score each applicant on a five-point scale, which will range from clearly unacceptable to outstanding in five separate dimensions. If the evaluators rank any applicant as unacceptable within any of the five separate areas, it must be so noted on the forms completed by the evaluators as to how this rank was determined.
- 5) Each dimension of the exercise will be used to determine the total score assessed by the evaluators. The five dimensions of an exercise will be totaled and divided by five to obtain an average score per evaluator. Each evaluator's average score of that exercise will be added to have a maximum score of 15 points.

## Scoring

### Maximum Score

Evaluator # 1	5 points
Evaluator # 2	5 points
Evaluator # 3	<u>5 points</u>
Total	15 points

Candidate must achieve a **minimum of 9.5 points** in each exercise to stay in the process.

- 1) Scoring for each phase of the test will be administered as follows:
  - a. Exercise #1 - 15 points
  - b. Exercise #2 - 15 points
  - c. Exercise #3 - 15 points
  - d. Exercise #4 - 15 points

Maximum points a candidate can achieve in the assessment center is 60 points.

- 2) All score sheets will be completed accurately and legibly by all evaluators on a daily basis and submitted to the Human Resources Department at which time the candidates will be ranked in order to qualify for the Chief's interview.
- 3) The Fire Chief reserves the right to rotate personnel within the same class as required to support the function of the GFD. All applicants need to take this into consideration when applying for the positions.

## Fire Chief's Interview

The Fire Chief's interview shall be based on the overall scores of the testing process, seniority/certifications and the number of Assistant Chief vacancies at the time and shall be administered as follows:

- 1) The Fire Chief will interview all qualified candidates.
- 2) The Fire Chief's interview will consist of a thorough examination of the employee's work history and will include, but will not be limited to, training records, attendance, performance evaluation, and other job-related issues. The maximum score will be 12 points.
- 3) A total of 1/2 point for each year of service up to ten points will be added to each applicant's score for seniority.
- 4) A maximum of 10 Points will be given for the following certifications and educational degrees.

<b>Certification</b>	<b>Number of Points</b>
Fire Officer III	1
Fire Inspector Level II	1
NC Technical Rescuer	1
NC Life Educator Level I	1
NC Arson Investigator	1
Associate's Degree*	2.5
Bachelor's Degree*	5

\*Credit for degree will be for either Associate or Bachelor from a regionally accredited institution of higher learning

- 5) The final selection will be made by the Fire Chief with the approval of the City Manager based on the applicant's test scores, evaluator comments, seniority, and the Fire Chief's interview.

### **GENERAL PROCEDURES FOR PROMOTIONAL ADVANCEMENT**

The following set of procedures will be used during all Goldsboro Fire Department promotions:

- 1) In the event of a tie between the candidates in any of the above listed promotional process, the Fire Chief at his/her discretion will develop an assessment in which the results of the assessment will determine which applicant will be promoted.
- 2) Individual test scores and ranking will be given to candidates after the final announcement has been made by the Fire Chief. All candidates may get their ranking from either Human Resources or the Fire Chief's office.
- 3) Applicants may review their test results in the Human Resources Department only after all vacancies are filled. Copies of test materials will remain the property of the employer and will not be released to the applicant.
- 4) The results of the promotional test shall remain in effect for a period of one year from the date of the last person interviewed by the Fire Chief.
- 5) Individuals who wish to be considered for promotional advancement will be required to submit an application designed by the Fire Chief.
- 6) If the department does not have any applicants for the Fire Captain Inspector's position and hiring occurs from the outside, the individual hired will not be eligible to laterally transfer to the Fire Captain Company Officer position. If a Fire Engineer is promoted to Fire Captain Inspector, he/she will not be able to lateral transfer unless he/she goes through the Fire Captain Company Officer assessment process and is promoted.

- 7) Any applicant who is under probationary status for disciplinary action will not be eligible.
- 8) Applicants are required to have all certifications and time served on the date the application opens. If there are more vacancies than qualified applicants the Fire Chief may grant extensions for obtaining a required certification and/or time served based on organizational need. Applicants will remain on probation until such time the certification is obtained or time served. The maximum extension shall be for 1 year.

### **Requirements for Senior Firefighter Designation**

Note: This is not a requirement to be promoted to Fire Engineer

- Applicant must have 3 years of service at time of application
- Applicant must have obtained Driver Operator certification
- Applicant must have obtained EVD certification
- Applicant must have obtained Aerial certification
- Applicant must have successfully completed NIMS 100
- Applicant must have successfully completed NIMS 200
- Applicant must have successfully completed NIMS 700
- Applicant must have successfully completed GFD Relief Driver Skills
- Applicant must have valid Class B Driver's License
- Applicant must have served in a role, position or provided a significant contribution that improved the City of Goldsboro or the Fire Department during his/her tenure with the City. (This should be included in letter submitted by applicant.)
- No written disciplinary action within the last 12 months at time of application.
- Applicant must submit a recommendation letter to the Fire Chief from assigned Company Officer recommending them for Senior Firefighter.
- Applicant must submit a letter to the Fire Chief stating why they feel they should be designated as Senior Firefighter.
- Applicant must have overall score  $\geq 3.5$  on last evaluation.
- Applicant must have completed certification in at least two (2) specialty classes outside the Goldsboro Fire Department that will enhance their firefighter skills and benefit the Goldsboro Fire Department during the previous 3 years at time of application. This does not include classes required for Firefighter I or II or Driver Operator. Examples include, but are not limited to, Initial Company Operations, PICO, STICO, First Due Engine Company, Multi-family Dwelling, Leadership, etc.

## ***CITY OF GOLDSBORO INSPECTIONS DEPARTMENT CAREER PROGRESSION***

### **PURPOSE:**

To enhance the professionalism, recruitment, retention and morale of the Inspections Department and provide excellent service to the residents and visitors of Goldsboro.

### **POLICY:**

An employee of the Inspections Department may be eligible to receive a salary increase per advanced certification obtained if the following conditions are met:

- 1) Building Inspectors will be titled as such, without required certification levels.
- 2) An applicant employed, who does not have a Level I in the field the City has asked for in the position vacancy notice, will be paid 2.5% below the minimum salary of the assigned pay grade until he/she does qualify at the Level I, at which time, not to exceed eighteen (18) months, they will move to the minimum salary of the assigned pay grade. If Level I certification is not completed within this timeframe, the employee shall be terminated.
- 3) A new hire employee with Probationary, Limited or Standard Level I in any area (Building, Mechanical, Electrical, Plumbing or Fire) will be paid the minimum salary of the assigned pay grade.
- 4) As employees obtain additional Level II or Level III certifications in any field, a 2.5% incentive increase will be authorized.

Master Building Inspector will be titled as such with a requirement of standard certification in 4 areas (4 Level III's in any of the 5 fields); increase in salary of 10% or minimum salary range; whichever is greater.

- 1) Building Level III
- 2) Mechanical Level III
- 3) Electrical Level III
- 4) Plumbing Level III
- 5) Fire Level III

### **Additional requirements for salary increases:**

- 1) Increase can only be awarded during the fiscal year in which it was obtained.
- 2) No increases will be awarded retroactively for certifications obtained prior to the adoption of this policy or in a previous fiscal year from which the increase is being requested.
- 3) Re-certifications are not eligible for an increase.
- 4) Employee is not in the disciplinary process at the time the increase is being requested.
- 5) Employee may not receive more than two increases within a 12-month period.
- 6) No increases given above the maximum of the pay grade. If an employee's

salary is above the maximum of the pay grade, certification increases will not become part of base pay but shall be awarded in a lump sum payment.

**PROCEDURES:**

- 1) During the preparation of the budget each fiscal year, the Building Code Administrator is to review the certification needs of department employees and budget for the increases accordingly.
- 2) The Administrator will submit requests and justifications for their employees' increases as the certifications are obtained to the City Manager and/or Human Resources Director for approval.
- 3) Documentation of satisfactory completion must be submitted with request.
- 4) Increases must be approved by the City Manager and/or Human Resources Director; if approved, the salary increase shall become effective at the beginning of the next pay period.

## **CITY OF GOLDSBORO PUBLIC UTILITIES DEPARTMENT CAREER PROGRESSION**

### **PURPOSE:**

To enhance the professionalism and morale of the Utilities Department and provide excellent service to the residents and visitors of Goldsboro.

### **ELIBILITY REQUIREMENTS FOR PUBLIC UTILITIES:**

- 1) An employee must be a regular Plant Operator at the Water Reclamation Facility or at the Water Treatment Plant.
- 2) If the certification is possessed at the time of hiring, an employee may begin working at 5% above the minimum salary. For the Water Reclamation Facility, the Certification must be Grade 1 or higher. For the Water Treatment Plant, Certification must be C-Surface or higher.
- 3) A new employee who does not possess a certification of any category will be hired as an entry level Operator, at the hiring salary. Upon employment, the employee must obtain, within 1 year from the date of hire, a Grade 1 Certification at the Water Reclamation Facility or C-Surface Certification at the Water Treatment Plant. Failure to receive a Grade I or C-Surface Certification will result in termination.
- 4) If the Level 1 Certified Operator obtains a Grade 2 Certification for the Water Reclamation Facility or a B-Surface Certification for the Water Treatment Plant and the Operator I has been employed by the City of Goldsboro or holds a Level 1 certification for one year or more while having a Grade 1 Certification or a C-Surface Certification, whichever is applicable, this employee will then be upgraded to a Level 2 Certified Operator position with a 10% increase in pay providing the employee has a satisfactory job performance evaluation. All duties and responsibilities will increase accordingly.
- 5) If the Level 2 Certified Operator obtains a Grade 3 Certification for the Water Reclamation Facility or a B-Surface, Process Control Chemistry, and Microbacteriological Methods for the Analysis of Drinking Water for the Water Treatment Plant, this employee will then be upgraded to a Level 3 Certified Operator position with a 10% increase in pay if funds are available and providing the employee has a satisfactory job performance evaluation. All duties and responsibilities will increase accordingly.
- 6) If the Level 3 Certified Operator obtains a Grade 4 Certification for the Water Reclamation Facility or an A-Surface, Process Control Chemistry, and Microbacteriological Methods for the Analysis of Drinking Water for the Water Treatment Plant, this employee will then be upgraded to a Level 4 Certified Operator position with a 5% increase in pay if funds are available and providing the employee has a satisfactory job performance evaluation. All duties and responsibilities will increase accordingly.



The City of Goldsboro will, as funds are available and scheduling permits, send employees to State approved certification schools above Level 2 (which include Water Process Chemistry and Water Microbacteriological Methods schools) and sit for certification exams. Position classifications above Level 2 must be approved prior to being available to employees who have met the appropriate requirements and have satisfactory job performance evaluation. Should there be more internal candidates than available positions, the department shall develop a process to determine the best qualified candidate. Any plant staff who takes on Back-up ORC duties will be compensated with a 2.5% pay increase.

It is essential that the wastewater laboratory staff and the pretreatment staff are properly trained on the standard practices and regulations in their respective areas. The City strongly encourages staff in these areas to sit for the respective exams, the Wastewater Laboratory Analyst Exam and the Pretreatment Program Certification Exam. There are four levels of exams for each of these respective areas.

After the WRF laboratory and pretreatment staff have met the City's requirements for the Biological Water Pollution Control System Operators certifications and have an above average job performance rating, the employee will be eligible for a spot bonus as indicated for successful completion of the following exams, though not more than one per year:

- 1) Class 1 Wastewater Laboratory Analyst or Grade 1 Pretreatment Program - \$500
- 2) Class 2 Wastewater Laboratory Analyst or Grade 2 Pretreatment Program - \$650
- 3) Class 3 Wastewater Laboratory Analyst or Grade 3 Pretreatment Program - \$800
- 4) Class 4 Wastewater Laboratory Analyst or Grade 4 Pretreatment Program - \$1000

**Note:** The Water Reclamation Facility employees' certifications are identified by Grades 1, 2, 3 and 4. The Water Treatment Plant employees' certifications are identified by C-Surface, B-Surface, and A-Surface.

## ***CITY OF GOLDSBORO PUBLIC WORKS DEPARTMENT CERTIFICATION INCENTIVE PROGRAM***

### **PURPOSE:**

To enhance the professionalism and morale of the Public Works Department and provide excellent service to the residents and visitors of Goldsboro.

### **Eligibility Requirements for Distribution and Collections:**

- 1) A person must be an employee assigned to Distribution and Collections with at least six months of actual experience.
- 2) If certification is possessed at time of hiring, an employee may begin working at a rate of 2% above minimum salary for each level of certification held, not to exceed 10% total.
- 3) If an employee successfully passes a state certification exam for either waste water collections or water distribution they will be awarded a 2% pay increase, provided the employee has a satisfactory performance evaluation and is not on probation. This will be limited to one waste water collections and one water distribution certification per calendar year. The only exception will be for system Integrity employees, who will also be eligible to receive a National Association of Sewer Service Companies (NASSCO) certification and earn an additional 2% pay increase.
- 4) Two employees will be classified as back-up Operators in Responsible Charge (ORC)—one each for the waste water collections system and water distribution system. These employees must possess a minimum of a Grade-3 certification in waste water collections and/or a B-Distribution certification in water distribution. These employees will share the daily responsibilities with the ORC and assume all responsibilities in the absence of the ORC. The back-up ORC's salary will be adjusted 2.5% for the extra duties and responsibilities required.
- 5) Two employees will be classified as Operators in Responsible Charge (ORC)—one each for the waste water collections system and water distribution system. These employees must possess a Grade-4 certification in waste water collections and/or an A-Distribution certification in water distribution, as well as a certification in cross connection control. These employees' duties require that they approve the work completed on all jobs. If approved by the Public Works Director, these employees may serve as the back-up ORC's for each other—provided proper certifications are held. The ORC's salary will be adjusted 5% for the extra duties and responsibilities required.
- 6) Incentive certification pay increases will remain in effect as long as the employee is assigned to Distributions and Collections, but will be retracted if the employee transfers to another division.

The City of Goldsboro (COG) will, as funds are available and scheduling permits, send employees to state approved certification schools obtain up to a Grade-4 in waste water collections and an A-Distribution in water distribution, as well as Cross Connection Control certifications. NASSCO course and certification will be provided for System

Integrity personnel only.

The City of Goldsboro will pay for the cost of classes, hotel rooms and rental cars as needed for employees to attend distribution and collections classes. The COG will also pay the cost to sit for state level exams—up to two times for each level of certification. The COG will pay for the first exam. If failed, the COG will only pay for the exam once it's passed. Any attempts between failing and passing will be at the expense of the employee. Employees must have a satisfactory evaluation and not be on probation to attend class. Employees in positions that require certification will be given first consideration for class scheduling.

### **CERTIFICATION POLICY – OTHER DEPARTMENTS**

The City of Goldsboro is committed to rewarding its employees in pursuit of certifications. Subject to budgetary restraints, individuals who obtain professional certifications (job related) may receive up to a 5% increase with approval of department head and City Manager in accordance with established policy.

## **APPENDIX C. RECRUITMENT AND SELECTION PLAN**

### **PURPOSE**

The City of Goldsboro is committed to employing the best-qualified candidates for approved positions while engaging in recruitment and selection practices that comply with all applicable federal and state employment laws.

The City of Goldsboro provides equal employment opportunity for all applicants and employees, regardless of age, color, national origin, race, religion, creed, gender, sex, sexual orientation, gender identity and/or expression, genetic information, marital status, veteran status, or any characteristic protected by federal, state or local law. In addition, the city will provide reasonable accommodations for qualified individuals with disabilities.

The appropriate authorization is required to initiate any action for a vacant position, including any recruitment efforts, advertising, interviewing and offers of employment, and is required to extend any offers of employment to any candidate.

### **RECRUITMENT AND SELECTION**

The hiring supervisor (or designee) will submit a requisition through the Human Resources Information System (NeoGov).

The appropriate approval steps will be followed to prepare the requisition for recruitment. Employment advertisements shall contain assurances of equal employment opportunity and shall comply with Federal and State statutes.

The Human Resources Department will complete the process by posting the position for advertisement.

If necessary, the Human Resources Department will expand recruitment sources to reach a broader audience. All positions will be advertised for a minimum of two weeks unless otherwise noted.

Upon recommendation of the department head and with the approval of the Human Resources Director, the position vacancy may be posted internally for current City of Goldsboro employees. (In the event that there is not a succession plan in place). Internal vacancies will be posted on the City of Goldsboro Intranet for a minimum of one (1) week.

Potential recruitment sources include:

- Internet/Social media advertising
- GovernmentJobs.com
- HR Listservs
- Indeed.com
- Professional publications and associations

- NC League of Municipalities
  - NC Works
- 1) All persons expressing interest in employment with the city shall be given the opportunity to complete an application for employment via the electronic applicant system.
  - 2) The Human Resources Department will perform the necessary steps for applicant tracking and referrals. The hiring manager will identify the most qualified candidates for interviewing and notify Human Resources when completed.
  - 3) Applications for employment will only be accepted during the open period of application submission.

## **HIRING PROCESS**

This process applies to internal and external hires.

- 1) Hiring managers are responsible for conducting timely, effective interviews of qualified candidates for open positions. The HR department will be available to advise hiring managers on interview techniques, questions, assessments and final candidate selection.
- 2) All interviews for department heads and supervisors should have a hiring committee of a minimum of five (5) members. Two (2) of the five members shall consist of external assessors. All other positions should have a minimum of three hiring committee members.
- 3) In an effort to promote diversity during the recruitment and selection phase, hiring managers should select a diverse hiring committee, which shall to be forwarded to Human Resources for approval. This committee should include a diverse mix of race, gender, age and position status.
- 4) Human Resources will receive a copy of all interview questions and/or assessments to ensure biased and/or illegal questions are not asked during the interview process. Any assessments administered by the City shall be valid measures of job performance and should not create an adverse impact upon any protected class of individuals. In the event of adverse impact, the assessment will be subject to replacement or validation. Departments are encouraged to build a bank of interview questions so that approval is not needed for each process.
- 5) An Interview Assessment Report shall be completed for all candidates interviewed for the vacant position and forwarded to Human Resources.
- 6) Upon the selection of the final candidate, the hiring manager (or designee) will prepare the Personnel Action Form (PAF).
- 7) In the event the hiring manager's selected candidate is not eligible for hire or rejects offer of employment, (s)he may select next qualified candidate (if available).

- 8) The City, at its own expense, shall require that a selected candidate successfully complete a medical examination and drug screen prior to starting work.
- 9) Human Resources will perform a background check on the selected candidate.
- 10) The hiring manager or Human Resources will perform reference checks on the selected candidate.
- 11) Human Resources or hiring manager will extend the verbal offer of employment to the candidate selected. All salaries must be verified by Human Resources prior to official job offer. The HR department will prepare a written offer of employment for the candidate, subject to a clean background check and City Manager's final approval of PAF. Upon receipt of an offer letter signed by the candidate, the Human Resources department will close out the requisition and candidate will receive instructions for onboarding.
- 12) In the event a vacancy occurs for the same position or very similar position (in same department) within 90 days, the hiring manager may select eligible candidates from the same applicant pool from the same requisition. The hiring manager (or department's representative) shall notify Human Resources within three days of vacated position regarding intent to select from eligible candidates. (S)he will follow the same steps outlined above regarding selection.

## **RESPONSIBILITY**

The Human Resources Department is responsible for the overall management of the recruitment and selection processes, including employment-related agency relationships, applicant tracking and onboarding, interviews/assessment centers, offers of employment, and all personnel-related matters involving the employee once (s)he is hired with the City of Goldsboro. This includes distribution of interview questions, composition of interview panels, and validity of testing processes and procedures.

## **RECRUITMENT**

The Human Resources Department will assist departments with external recruiting, including, but not limited to, career/job fairs and other city/state-sponsored events. Recruiters shall receive orientation training prior to representation at events, in collaboration with Human Resources representative(s).

## APPENDIX D. ANTI-HARASSMENT POLICY

### POLICY

It is against the policy of the City of Goldsboro and illegal under local, state and federal law to discriminate against someone on the basis of their race, color, gender, religion, national origin, age, disability and genetic information.

It is also against the policy of the City of Goldsboro, and illegal under state and federal law, to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.

In addition, it is against the policy of the City of Goldsboro, and federal law, to discriminate against someone based on his or her marital status, sexual orientation, gender identity or gender expression.

### DEFINITIONS

**Covered Employees** - This policy applies to all employees of the City of Goldsboro, including, but not limited to, full and part-time employees, regular, temporary, contract and seasonal employees, elected officials, vendors, employees covered or exempted from personnel rules or regulations, on or off duty City employees harassing another City employee on or off duty, non-City employees harassing City employees and City employees harassing non-City employees while the City employee is on duty or in City uniform.

**Harassment** - For purposes of this policy, any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker, non-City employee, or any person working for or on behalf of the City of Goldsboro

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- 1) Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, gender, gender expression, sexual orientation, age, body, disability or appearance. Verbal harassment includes epithets, slurs, and negative stereotyping.
- 2) Non-verbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect towards an individual or group because of national origin, race, color, religion, age, gender, gender expression, gender identity, sexual orientation, pregnancy, disability or other protected status.

**Hostile Work Environment** - Results from harassing conduct that has the purpose or effect of unreasonably interfering with an employee's work performance, or creates an intimidating, hostile or offensive working environment.

**Retaliation** - Any adverse action taken against an individual because he or she filed a charge of harassment, complained about harassment on the job, or participated as a witness in an investigation.

**Sexual Harassment** - A form of sex discrimination that consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- 1) Submission to that conduct is made either explicitly or implicitly a term or condition of employment;
- 2) Submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- 3) The conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment can include, but are not limited to, the following when such acts or behavior comes within one of the above definitions:

- 1) Either explicitly or implicitly conditioning any term of employment (e.g. continued employment, wages evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- 2) Touching or grabbing a sexual part of an employee's body;
- 3) Touching or grabbing any part of an employee's body after that person has indicated or it is known that such physical contact is unwelcome;
- 4) Continuing to ask an employee to socialize on or off-duty when that person has indicated that she or he is not interested;
- 5) Displaying or transmitting sexually suggestive pictures, objects, cartoons or posters;
- 6) Writing sexually suggestive notes or letters to another employee;
- 7) Referring to or calling a person a sexualized name;
- 8) Regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of other employees;
- 9) Retaliation of any kind for having filed or supported a complaint of sexual harassment (such as but not limited to ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering the person's duties or work environment, etc.);
- 10) Derogatory or provoking remarks about or relating to an employee's sex or sexual orientation or gender identity or gender expression;
- 11) Harassing acts or behavior directed against a person on the basis of an employee's sex, sexual orientation, gender identity, or gender expression; or,



- 12) Off-duty conduct that falls within the above definition and affects the work environment.

Electronic mail (e-mail), social media (Facebook, Twitter, Instagram, etc.) or other computer aided transmissions of sexually explicit materials or harassing conduct may also constitute prohibited conduct under this policy.

Sexual harassment can also consist of intimidating, abusive or hostile behavior of a non-sexual nature towards an employee on the basis of gender. Verbal abuse and hostility that is not sexual in character but is directed solely at females because they are female or males because they are male may also constitute a violation of this policy on the same level as harassment of a sexual nature.

Sexual Harassment can also take the form of offensive conduct by non-employees such as vendors and outside contractors against employees in the workplace.

## **PROCEDURE**

### **Procedures for Reporting Harassment**

- 1) Any employee who feels subjected to harassment, including sexual harassment should immediately contact one of the persons below with whom the employee feels comfortable. Complaints may be made orally or in writing to:
  - a. The employee's immediate supervisor;
  - b. The employee's Department Director;
  - c. The Human Resources Director; or
  - d. The City Manager; or
  - e. The City Attorney
- 2) Although employees are strongly encouraged to try to resolve disputes with the help of their immediate supervisor, employees may circumvent the chain of command in selecting the person to make a complaint of harassment, particularly when the immediate supervisor is the harassing employee.
- 3) The employee should be prepared to provide the following information, if known, to the individual to whom a complaint of harassment is made:
  - a. The employee's name, department and position title;
  - b. The name of the person committing the harassment including person's title, if known;

- c. The specific nature of the harassment, its duration, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the employee as a result of the harassment, or any other threats made against the employee as a result of the harassment;
- d. Any witnesses to the harassment; and
- e. Whether the employee has previously reported such harassment and, if so, when and to whom.
- f. The filing of a good faith complaint or otherwise reporting harassment will not adversely affect the individual's employment status or future terms and conditions of employment.

### **Investigation**

- 1) In the event the City receives a complaint of harassment, or otherwise has reason to believe that harassment is occurring, the City will take all necessary steps to ensure that the matter is promptly investigated and addressed.
- 2) The City is committed, and required by law, to take appropriate and remedial action if it learns of potential harassment in the workplace. Once a complaining party makes a report of harassment to the supervisor, department director or City Manager, the person receiving the report must forward all relevant information to the Human Resources Director regardless of any request or desire by the complaining party not to initiate a formal investigation under this policy. Failure to appropriately report such harassment complaints or suspected acts of harassment shall be considered a violation of this policy.
- 3) Care will be taken to protect the identity of the complaining party and of the accused party or parties, except as may be reasonably necessary to successfully complete the investigation. Employees who are involved in any aspect of the harassment complaint are advised to refrain from discussing the alleged facts of the complaint with other City employees, particularly during the pendency of the investigation. It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliatory action that affects the working environment of any person involved in this investigation.
- 4) When an allegation of harassment is made by an employee, the person to whom the complaint is made shall immediately prepare a report of the complaint and submit it to the Human Resources Director.

- 5) The Human Resources Director shall make and keep a written record of the investigation, including notes of responses made to the investigator in connection with the investigation. The notes shall be made at or near the time the interview is in progress.

Upon the receipt of a complaint of harassment, the Human Resources Director shall immediately:

- 1) Obtain a written statement(s) (oral if necessary) from the person complaining of sexual harassment that includes a comprehensive report of the nature of the harassment complained of, and the times, dates and places where the harassment occurred. The Human Resources Director shall interview the person complaining of harassment about any information in the written statement that is not clear or needs further explanation.
- 2) Obtain a written statement(s) (oral if necessary) from witnesses that includes a comprehensive report of the nature of the conduct witnessed, and the times, dates, and places where the conduct occurred, and the conduct of the person complaining of harassment toward the person against whom the complaint of harassment was made. The Human Resources Director shall orally question witnesses about any information in their written statements that is not clear or needs further explanation.
- 3) Obtain a written statement(s) (oral if necessary) from the person against whom the complaint of harassment has been made. The Human Resources Director shall orally question the person against whom the complaint of harassment has been made about any information in the written statement that is not clear or needs further explanation.
- 4) Prepare a report of the investigation, that includes the written or transcribed statement of the person complaining of harassment, the written or transcribed statements of witnesses, the written or transcribed statement of the person against whom the complaint of harassment was made, and the investigator's notes connected to the investigation, and submit the report to the City Manager. In the event that the harassment complaint is filed against the City Manager, the report shall be submitted to the City Council.

## **MEDIATION**

At any point in time during or after the investigation into a complaint of harassment, the alleged victim and harasser may agree to participate in mediation to be conducted at the direction of the Human Resources Director. Mediation under this section cannot take place without the consent of both parties. Participation in mediation will not affect an ongoing investigation of the underlying harassment complaint or any disciplinary action that may result therefore.

## **SANCTIONS**

- 1) If it is determined that a complaint of harassment is substantiated, immediate and appropriate disciplinary action will be taken against the employee guilty of harassment. This action may be directed through the appropriate Department Head and City Manager. In cases in which the harassment is committed by a non-employee against a City employee in the workplace, the City Manager shall take whatever lawful action is necessary against the non-employee to bring the harassment to an end.
- 2) The disciplinary action shall be consistent with the nature and severity of the offense, the rank of the employee, and any other factors the City Manager believes relate to fair and efficient administration of the City, including, but not limited to, the effect of the offense on employee morale and public perception of the offense, and the light in which it casts the City
- 3) The disciplinary action may include demotion, suspension, warning or reprimand or dismissal. A determination of the level of disciplinary action shall be made on a case-by-case basis.
- 4) A written record of disciplinary action taken shall be kept.
- 5) Future conduct of the parties involved may be monitored in order to reasonably ensure that the remedial action taken has been effective in stopping the harassment and that no retaliation has occurred.

## **NOTIFICATIONS**

This Policy will be made available to all employees and incorporated into employee handbooks. The Policy shall also be included in any standard operating procedures manual of all City Departments. Mandatory training sessions on this Policy and the prevention of harassment shall be held for all personnel during appropriate in-service training programs and orientation sessions.

## **EMPLOYEE RESPONSIBILITY**

- 1) It is the duty of employees to report instances of harassment, including sexual harassment,
- 2) It is the duty of all employees, especially supervisory personnel, to be familiar with this Policy. Each employee has a stake in preventing harassment and thus shares responsibility with the City Manager in eliminating harassment in the workplace.

- 3) No employee shall, in any way, retaliate, harass or discriminate against a person making or involved as a witness or otherwise in a complaint of harassment.
- 4) In cases in which the harassment is committed by a non-employee against a City employee in the workplace, the City Manager shall take whatever lawful action is necessary against the non-employee to bring the harassment to an end.
- 5) Employees are obligated to cooperate in every investigation of harassment. The obligation includes, but is not necessarily limited to:
  - a. Coming forward with evidence, both favorable and unfavorable concerning a person accused of harassment;
  - b. Fully and truthfully making a written report under oath upon request; and
  - c. Orally answering questions when required to do so by an investigator during the course of an investigation of harassment.
- 6) Employees are also obligated to refrain from making accusations of sexual harassment in bad faith.

## **Contact information**

### **City of Goldsboro**

#### **Human Resources Director**

**Bernadette Dove**

**(919) 739-7441**

## **FILING OUTSIDE COMPLAINTS**

Employees and applicants may file formal complaints of discrimination, harassment, or retaliation with the agencies listed below. Individuals who wish to pursue filing with these agencies should contact them directly to obtain further information about their processes and time limits.

### **U.S. Equal Employment Opportunity Commission**

**Location:** 434 Fayetteville Street, Suite 700  
Raleigh, NC 27601-1701

**Phone:** 1-800-669-4000

**Fax:** 919-856-4151

**TTY:** 1-800-669-6820

**ASL Video** 844-234-5122

**Phone:**

**Director:** Thomas M. Colclough

**Regional** Lynette A. Barnes

**Attorney:**

**Office** The Raleigh Area Office is open for walk-ins to show Monday-Tuesday  
**Hours:** and Thursday-Friday from 8:30 am to 3:00 pm.

Although walk-ins are accepted, scheduling an interview is strongly recommended, and individuals with appointments will be given priority. We encourage you to schedule an interview through our online system <http://www.eeoc.gov/employees>

## **CORRECTIVE ACTION GUIDELINES**

*The City of Goldsboro will take appropriate corrective action(s) up to and including formal discipline against any employee(s) when an investigation has found that misconduct occurred. Such corrective action(s) may include, but are not limited to, letters of reprimand, suspension, demotion, or termination. Additionally, depending on the nature of the violation, civil liability could be imposed on the violator as well as the City of Goldsboro.*

**CITY OF GOLDSBORO**

**ANTI HARRASSMENT POLICY**

*COMPLAINT FORM*

**COMPLAINANT INFORMATION**

NAME:

DIVISION / UNIT:

OFFICE LOCATION:

WORK PHONE:

IMMEDIATE SUPERVISOR:

Please describe the conduct that you believe violates the Discrimination, Harassment or Retaliation Prevention Policy. In your narrative, describe: (1) What happened to you; (2) Why you believe you are being discriminated, harassed, or retaliated against, including the reason or evidence you have to support your belief, and; (3) When the acts of discrimination, harassment, or retaliation occur (attach additional pages if needed). If you require assistance with completing this form as a reasonable accommodation, please contact the EEO officer.

## APPENDIX E. DRUG AND ALCOHOL TESTING POLICY

### Section 1. Drug and Alcohol Abuse and Testing Policy for all Employees

- 1) The unlawful manufacture, distribution, dispensation, possession, purchase, or use of drugs by employees is prohibited and constitutes grounds for immediate termination.
- 2) The manufacture, distribution, dispensation, possession, storage, purchase, or use of alcohol by employees while at the workplace is prohibited and constitutes grounds for immediate termination.
- 3) Positive Drug Tests
  - a. Any employee holding a safety-sensitive position as defined by this policy who has a positive drug test shall be terminated. Safety-sensitive positions are defined in the list of *Safety Sensitive Positions*.
  - b. Any employee holding a non-safety-sensitive position who has a positive drug test may be terminated. Upon determination by that employee's Department Head, the Human Resources Director, and/or the City Manager, the employee may be allowed to remain employed with the City of Goldsboro pursuant to the conditions set forth below.
  - c. An employee who is allowed to remain employed with the City of Goldsboro after a positive drug test shall be employed on a probationary basis. The time period for this probationary period of employment will be for a minimum of twelve (12) months to a maximum of sixty (60) months. After that time period, the employee shall be subject to the original conditions of this policy regarding drug and alcohol testing. A second positive drug test for this employee, either during or after this probationary period, shall result in immediate termination.
  - d. During this probationary employment period, the employee shall be given unannounced drug and alcohol tests. These tests may be on a random basis at the discretion of the Department Head, the Human Resources Director, and/or the City Manager. A positive drug test shall result in immediate termination.
  - e. Employees who have a positive drug test and are allowed to remain employed with the City of Goldsboro shall be evaluated by a substance abuse professional. As a condition of their continued employment during and after their probationary period, the employee shall comply with any and all substance abuse treatment recommended by this substance abuse professional.



- 4) Applicants for employment shall be required to take a drug test during the application process. Current employees who are selected for a new position shall also be drug tested. This test shall be administered no more than thirty (30) days prior to the date of employment.

Applicants shall be disqualified from further consideration for employment under the following circumstances:

- Refusal to submit to a required drug test; or,
- A confirmed positive drug test indicating prohibited drug use; or,
- Failure to submit to a drug test within 24 hours after notification by Human Resources Management that a test is needed.

## **PROMOTION DRUG TESTING**

Any employee being promoted to a higher position shall be required to take a drug test as a condition of the promotion process. This shall take place within fifteen (15) days prior to the effective date of the promotion.

## **POST-VEHICULAR ACCIDENTS AND INJURIES**

- 1) An employee will be drug and alcohol tested when involved in a vehicular accident or workplace injury if:
- 2) A life is lost;
- 3) If operating a motor vehicle and the driver is cited for a traffic moving violation AND any individual is transported for medical treatment; or
- 4) If operating a motor vehicle, the driver is cited for a moving violation.
- 5) Post-accident drug and alcohol tests shall be administered within eight hours following the accident. No employee to be tested following an accident shall consume any alcohol for eight hours following the accident or until a post-accident alcohol test is performed, whichever comes first.
- 6) The supervisor of any driver of any City vehicle involved in an accident will determine whether or not the driver should be allowed to continue with his/her duties for the remainder of that workday. The employee should not be sent home but should be assigned other duties as determined by his or her Department Head. If reasonable suspicion of substance abuse exists, arrangements will be made by the Department Head to have the employee transported home.
- 7) If a driver of a City vehicle tests positive for drugs or alcohol when tested pursuant to this post-accident testing section, that driver will be immediately

terminated. This post-accident termination applies to both safety-sensitive employees and non-safety sensitive employees who are driving City vehicles and are then involved in an accident.

### **REASONABLE SUSPICION**

Employees will be required to submit to a drug and/or alcohol test as a condition of continued employment in any case where there exists an individualized reasonable suspicion that the employee has used or is under the influence of illegal drugs or alcohol. The following may be considered when determining whether or not there is reasonable suspicion:

- 1) Direct observation of drug or alcohol use;
- 2) The physical symptoms or manifestations of being under the influence of a drug (e.g. slurred speech, odor of a drug or alcoholic beverage on body or breath, incoherence, loss of coordination, etc.) while at work;
- 3) Abnormal conduct or erratic behavior while at work such as deterioration in work performance, or participation in a physical or verbal altercation, under suspicious conditions;
- 4) Information from a reliable and credible source or other similar evidence that an employee may be or may have been impaired in the performance of his or her duties by recent use of alcohol or drugs, whether on or off the job. Attempts should be made to independently corroborate this information;
- 5) Supervisors should be alert to the conduct and job performance of an employee based on the supervisor's long-term knowledge of the employee; and,
- 6) In combination with observations of current and/or contemporaneous conditions, the following may alert the supervisor to be watching for signs of substance abuse:
  - a. A prior history of confirmed substance abuse by the employee during employment with the City, such as recent convictions of driving while impaired. (Prior history shall not be considered sufficient on its own to constitute a reasonable suspicion).
  - b. A pattern of excessive absenteeism, tardiness, or deterioration in work performance.
  - c. A pattern of unexplained and unusual vehicle or personal accidents or injuries on or off the job.

## **PROTOCOL FOR TESTING FOR REASONABLE SUSPICION**

- 1) The supervisor shall contact his/her Department Head (or designee) to advise regarding why he/she believes there is reasonable suspicion for a drug test and complete the "Alcohol & Controlled Substance Reasonable Suspicion Checklist for Testing" form.
- 2) The Department Head shall immediately contact the Human Resources Director (or his/her designee in his/her absence) and provide him/her with this information.
- 3) In the event the City Manager receives sensitive or confidential Information indicating reasonable suspicion, he/she shall consult with the Human Resources Director or his/her designee regarding this information.
- 4) If the Human Resources Director or his/her designee then determines there is a reasonable suspicion, he/she directs the supervisor or a designee to transport the employee for a drug or alcohol test.
- 5) After Hours: If a supervisor on a weekend or night shift has reasonable suspicion that an employee may be under the influence of alcohol or drugs, the employee will be removed from any duties. The Department Head or his/her designee will be informed and the normal procedure followed to determine if there is reasonable suspicion that will allow a drug test. If the Department Head or his/her designee feels that there is reasonable suspicion, the employee will be subject to a drug test.
- 6) No employee who voluntarily seeks help from the Employee Assistance Program (EAP) will be given a drug or alcohol test based solely on the fact that help has been sought from EAP. If that employee meets other criteria to be tested for reasonable suspicion, he/she will be tested.

Any employee having a reasonable basis to believe that another employee is illegally using, or is in possession of, any controlled substance shall immediately report the facts and circumstances to his/her supervisor.

### **Random Testing for Safety Sensitive Positions and Federally Mandated Positions**

Employees assigned to positions that are determined to be safety sensitive will be randomly tested for alcohol and drugs. Safety- sensitive positions are defined in Appendix A, entitled Safety Sensitive Positions.

Subject to Random Drug Testing. Selected employees will be transported to the designated testing location the day that they are chosen to be randomly tested. Random testing shall be conducted at the rate mandated by DOT or city policy. Such rate will provide an equal probability of any employee from the Safety Sensitive Positions list to be selected.

## **DISCLOSURE OF ALCOHOL OR DRUG RELATED CHARGES AND CONVICTIONS**

If an employee is charged with or convicted of a violation of a criminal drug statute or of any kind of criminal offense involving alcohol, including but not limited to "Driving While Impaired", the employee must notify his or her Department Head of the charge or conviction within twenty-four (24) hours of receiving the charge or conviction. Failure to comply with this requirement may result in termination.

## **POSITIVE TESTS FOR ALCOHOL**

- 1) An employee who is tested (exclusive of the return to duty test) and is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform or continue to perform his or her job functions until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test. The employee shall be removed from duty without pay for this 24-hour period and shall receive a notation in his or her personnel file about the requirement of reporting to work without the presence of alcohol in his or her system.
- 2) An employee who tests positive for alcohol must submit to a return to duty breath alcohol test before resuming the performance of safety sensitive functions following a disciplinary suspension. The return to duty alcohol test must indicate an alcohol concentration of less than 0.02. A return to duty breath alcohol test result of 0.02 – 0.039 will result in a five-day suspension without pay. A return to duty breath alcohol test result of 0.04 or greater will be considered as the second positive alcohol test within a five-year period and will result in termination.
- 3) If an employee alleges that, because of medical reasons, he or she is unable to provide a sufficient amount of breath to permit a valid breath test, the breath alcohol technician shall instruct the employee a second time to attempt to provide an adequate amount of breath. If the employee continues to allege an inability to provide a sufficient amount of breath for the test, the department shall be notified that the employee has refused to be tested. The employee will be directed to obtain, as soon as practicable after the attempted provision of breath, an evaluation from a licensed physician acceptable to the City of Goldsboro addressing the employee's medical inability to provide the adequate amount of breath. If there is not a medical reason acceptable to the City for the employee's inability to provide the breath, the employee will be considered to have refused to submit to the alcohol test and will be disciplined according to the guidelines established by this Policy.

## **REFUSAL TO SUBMIT TO TESTING**

An employee who refuses to submit to, fails to follow through with, or tampers with a drug or alcohol test when testing is required by this policy will be terminated. However, before proceeding with disciplinary action, the employee's Department Head will have the facts of the case reviewed by the Human Resources Department.

## **RE-EMPLOYMENT AFTER FAILED TEST AND TERMINATION**

An employee who does not pass the drug or alcohol test and is terminated will not be considered for re-employment for a two-year period following the date of the test and then will be considered only when:

- 1) He or she provides documentary proof of successful completion of a drug and/or alcohol abuse treatment or rehabilitation program, and;
- 2) He or she passes a pre-placement drug and/or alcohol test.

## **DUTY TO DISCLOSE IMPAIRMENT**

An employee shall inform his or her supervisor if, prior to beginning work or while he or she is on duty, that he or she has used or intends to use any prescription drug, over-the-counter drugs, or other substance that might impair his or her ability to satisfactorily perform his or her duties. Employees are responsible for a thorough understanding of the effects and potential side effects of medications or other chemicals taken. Failure to notify the supervisor under these circumstances may result in disciplinary action up to and including termination. However, before proceeding with disciplinary action, the employee's Department Head will have the facts of the case reviewed by the Human Resources Department.

## **Section 2. Supervisory Responsibilities**

Every supervisor shall:

- 1) Consistently apply this policy to all employees under his or her supervision. A supervisor who fails to apply this policy when he or she believes, or reasonably should believe, that an employee under his or her supervision has committed a violation will be disciplined. Supervisors will be provided with the appropriate training by the City of Goldsboro in order for the supervisor to be able to accurately detect the different behaviors and observations that indicate an employee may be under the influence of alcohol or drugs.
- 2) Initiate the process for having an employee drug or alcohol tested if there is reasonable suspicion that an employee under his or her supervision, when

such employee is on duty, has an illegal drug or alcohol in his or her system or is using any legal drug in a manner other than it was intended.

- 3) Educate employees under his/her supervision and make them aware of the requirements and consequences of this Policy.
- 4) Follow the procedure established by the Department Head for ensuring that an employee who is tested for alcohol or other drugs is transported to the designated test site, and that those employees for whom there is reasonable suspicion of substance abuse or who have had a breath alcohol test result of 0.02 or greater are transported home – either by personal family/friends or by arranged transportation.

### **Section 3. Employee Responsibilities**

Every employee shall:

- 1) Abide by this policy as a condition of employment.
- 2) Comply with all applicable laws regulating the manufacture, distribution, dispensation, use or possession of illegal drugs, alcohol, or prescription drugs.
- 3) Ensure that his or her ability to perform his or her job duties is not negatively affected due to the use of a drug or alcohol when scheduled to report to work or when “on call” status. Should any employee be requested to report to work for a safety-sensitive job earlier than his or her normal or previously assigned time, it is the employee’s responsibility to advise his or her supervisor of an inability to perform his or her job duties or that he or she had consumed alcohol within the last four hours prior to reporting for duty. If the employee has received prior notice that he or she might be called back into work, the employee will be considered absent without leave if he or she is unable to report to duty. An employee may be subject to other disciplinary action due to inability to report for duty.
- 4) Submit immediately to a drug or alcohol test when requested by his or her supervisor.
- 5) Notify his or her Department Head if convicted of a violation of a criminal drug statute and such violation occurred while the employee was on duty, within five calendar days of such conviction, as required by the Drug-Free Workplace Act.

## Section 4. Definitions

Accident – An occurrence involving property damage or bodily injury while conducting business for the City of Goldsboro.

Alcohol Test – A test for the presence of alcohol in the body as determined through the use of a Breath Alcohol Test (BAT), evidential breathalyzer test, or blood screening.

Applicant – A person who applies for employment with the City of Goldsboro.

Commercial Motor Vehicle – A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle rating of more than 10,000 pounds; or,
- Has a gross vehicle weight rating of 26,001 or more pounds; or,
- Is designed to transport 16 or more passengers, including the driver; or,
- Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and that requires the motor vehicle to be placarded under the Hazardous Materials Regulations.

Conviction – A finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judge or judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.

Criminal Drug Statute – A criminal statute relating to the manufacture, distribution, dispensation, use, or possession of any drug.

Drug – Any controlled substance, immediate precursor or metabolite thereof included in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. § 812) or the North Carolina Controlled Substances Act, Chapter 90, Section 87(5) of the North Carolina General Statutes.

Drug Test – A test, including providing the necessary sample of body fluid by the employee to be tested, for the presence of any of the following drugs or drug metabolites in the urine or blood an employee or applicant for employment:

- Amphetamines
- Barbiturates

- Benzodiazepines
- Cannabinoids
- Cocaine
- Methaqualone
- Opiates
- Phencyclidine
- Propoxyphene
- Other drugs that may be determined to reduce work efficiency.

**Negative Results** – A test indicating that there are no drugs or drug metabolites in the urine at a level specified to be a positive test. In alcohol testing a negative result would be a breath alcohol concentration of less than 0.02.

**No Notice Testing** – Periodic surprise drug and or alcohol tests given to an employee over a period of two years following his or her return to work after a positive drug or alcohol screen. The City Nurse or Human Resources Management Director (HRMD) will determine the timing and frequency of this testing.

**On Call** – The period of time when an employee is subject to a call to report immediately to work for the City of Goldsboro.

**On Duty** – The period of time when an employee is at the workplace, performing job duties, on call, or during any other time frame for which he or she is entitled to receive pay from the City of Goldsboro.

**Outside Provider** – An agency selected by the City of Goldsboro to handle all drug and alcohol screening.

**Orientation Period** – A one (1) year term during which a newly hired regular employee is required to demonstrate the ability to perform the essential functions of his/ her position.

**Positive Results** – With respect to the results of a drug test, indicates a laboratory finding of the presence of a drug or a drug metabolite in the urine sample of an employee or applicant at the levels identified by the Substance Abuse and Mental Health Services Administration (SAMHSA), or for drugs not subject to SAMHSA guidelines, at levels identified by the City of Goldsboro. All positive tests will be confirmed using a different technology than was used for the first test, such as the gas chromatography/mass spectrometry (GC/MS) process. In alcohol testing a positive result would be a breath alcohol concentration of 0.04 or greater.

**Promote** – an employee who is selected for advancement to a higher position.

**Random Testing** – testing conducted on an employee assigned to a safety sensitive position. Such testing is chosen by a method that provides an equal probability that any employee from a group of employees will be selected.



Reasonable Suspicion – the occasion when a supervisor detects the signs and symptoms of probable drug and/or alcohol use and can substantiate specific contemporaneous, objective observations concerning appearance, behavior, speech, body odor or other physical indicators of probable drug or alcohol use. By way of example and not limitation, any one or a combination of the following may constitute reasonable suspicion:

- Slurred speech
- The odor of marijuana or alcohol about the person
- Inability to walk a straight line
- An accident resulting in damage to property or personal injury
- Physical altercation
- Verbal altercation
- Behavior that is so unusual that it warrants summoning a supervisor or anyone else in authority (i.e. confusion, disorientation, lack of coordination, marked personality changes, irrational behavior)
- Possession of drugs
- Verifiable information obtained from other employees based on their observations
- Arrests, citations and deferred prosecutions associated with drugs or alcohol
- A documented pattern of abnormal conduct or erratic behavior, including abnormal leave patterns

Refuse to Submit – the occurrence when an employee or applicant:

- Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing
- Fails to provide adequate urine for controlled substances testing without a valid medical explanation after he or she has received notice of the requirement for urine testing
- Refuses to sign the breath alcohol confirmation test certification
- Engages in conduct that clearly obstructs the testing process
- Fails to remain readily available for testing after an accident

Revenue Service Vehicle – Any vehicle available to the general public where there is an expectation of carrying passengers on such vehicle. These passengers either: directly pay fares, are subsidized by public policy, or provide payment through some contractual arrangement. Vehicles operated in fare free service are considered in revenue service.

Safety Sensitive Positions – A position will be designated safety sensitive only where the City of Goldsboro has a compelling need, on the basis of safety concerns, to ascertain on-the-job impairment on the part of the employees who hold the position. Such a compelling need may arise when the duties of the position create, or on or are accompanied by, such a great risk of injury to other persons or property of such magnitude that even a momentary lapse

of attention, judgment, or dexterity could have disastrous consequences.

Examples of these positions include:

- Positions (full or part-time) requiring the use of weapons (or potential use of weapons) or the operation of vehicles, machinery, or equipment as a primary task (does not include routine office equipment).
- Positions requiring the handling of hazardous materials, the mishandling of which may place the employee, fellow employees, or the general public at risk of serious injury, or the nature of which would create a security risk in the workplace.
- Other positions as determined on a case-by-case basis.

The following includes activities defined as safety sensitive by the Federal Highway Administration or Federal Transit Administration portions of the DOT guidelines:

- Driving.
- Inspecting, servicing, or conditioning any commercial motor vehicle.
- Waiting to be dispatched at a carrier ship or plant, terminal, facility, or other public property.
- Performing all other functions in or upon any commercial motor vehicle except resting in a sleeper berth.
- Loading or unloading a vehicle, supervising or assisting in the loading or unloading of the vehicle, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or giving or receiving receipts for shipments being loaded or unloaded.
- Performing driver requirements relating to accidents.
- Repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle
- Operating a revenue service vehicle, including when not in revenue service.
- Operating a non-revenue service vehicle when required to be operated by the holder of commercial driver's license.
- Controlling the natural movement of a revenue service vehicle.
- Maintaining a revenue service vehicle or equipment used in revenue service.
- Carrying a firearm for security reasons.

Determination as to which positions are safety sensitive will be based on the DOT guidelines or the recommendation of the Department Head and approval by the Human Resources Department.

Supervisor – Any employee who has the authority to direct the job activities of one or more other employees. With respect to a particular employee, the term means such employee's immediate supervisor and all persons having indirect supervisory authority over such employee.

Workplace – location or facility where an employee performs tasks related to the requirements of his or her job including, but not limited to, break rooms and restrooms, outdoor work sites, City of Goldsboro vehicles or personal vehicles (while personal vehicle is being used for City of Goldsboro business), computer work stations, conference rooms, hallways, offices, open/partitioned work areas, public contact/customer service areas, medical services areas and parking lots.

## **Safety Sensitive Positions**

### **Safety Sensitive Positions Subject to Random Drug Testing**

#### **Building and Grounds Maintenance**

- Building & Grounds Maintenance Superintendent
- Building Maintenance Technician
- Grounds Maintenance Equipment Operator
- Grounds Maintenance Technician
- Senior Building Maintenance Technician
- Senior Sign Technician

#### **Cemetery**

- Assistant Cemetery Supervisor
- Cemetery Supervisor
- Equipment Operator
- Maintenance Technician

#### **Engineering**

- City Engineer
- Civil Engineer
- Construction Inspector
- Engineering Technician
- Property Technician
- Signal System Maintenance Supervisor
- Signal System Maintenance Technician
- Survey Technician

#### **Fire**

- Assistant Fire Chief
- Battalion Chief (Fire Marshal)
- Battalion Chief (Operations)
- Deputy Fire Chief
- Fire Captain
- Fire Chief
- Fire Engineer
- Fire Fighter
- Fire Lieutenant
- Senior Fire Fighter

#### **Human Resources Management**

- Safety Officer

#### **Inspections**

- Building Inspector
- Master Building Inspector
- Minimum Housing Inspector
- Plans Examiner

### **Municipal Golf Course**

Assistant Golf Course Superintendent  
Golf Course Superintendent  
Golf Director

### **Parks and Recreation**

Athletics Supervisor  
Golf and Sports Turf Mechanic  
Heavy Equipment Operator  
Maintenance Technician  
Marketing and Special Events Assistant  
Marketing and Special Events Supervisor  
Multi-Sports Complex Manager  
Park Superintendent  
Park Technician  
Parks Maintenance Crew Supervisor  
Recreation Center Assistant  
Recreation Center Leader  
Recreation Superintendent  
Senior Park Technician  
Senior Recreation Center Assistant  
Senior Spray Technician  
Special Populations Program Supervisor I

### **Planning**

Environmental Codes Inspector  
Senior Planning Technician

### **Police**

Animal Control Officer  
Crime Analyst  
Crime Scene Specialist  
Police Chief  
Police Corporal  
Police Desk Officer  
Police Division Commanders  
Police Equipment Maintenance Coordinator  
Police Investigative Unit Supervisor  
Police Investigator  
Police Investigator-Juvenile  
Police Officer  
Police Officer Recruiter  
Police Park Officer  
Police Resource Officer  
Police Sergeant  
Police Shift Supervisor  
Police Support Services Supervisor  
Senior Maintenance Technician

## **Public Utilities**

### **Compost Department**

Compost Facility Operator  
Compost Plant Superintendent  
Plant Maintenance Mechanic/Operator

### **Water Reclamation Facility**

Biosolids Operator/Driver  
Chief Treatment Plant Operator  
Laboratory Supervisor  
Laboratory Technician  
Pretreatment Coordinator  
Public Utilities Director  
Senior Plant Maintenance Mechanic  
Utility Plant Mechanic  
Utility Plant Mechanic Assistant  
Treatment Plant Operator (All Levels)  
Water Reclamation Facility Superintendent

### **Water Treatment Plant**

Chief Treatment Plant Operator  
Laboratory Supervisor  
Treatment Plant Operator (All Levels)  
Plant Maintenance Mechanic/Operator  
Water Treatment Plant Specialist  
Water Treatment Plant Superintendent

### **Public Works (Administration)**

Public Works Director  
Deputy Public Works Director (Operations)

### **Distribution & Collection System**

Collections Supervisor  
Distribution & Collection System Superintendent  
Distribution Supervisor  
Meter Reader  
Meter Shop Supervisor  
Systems Integrity Operator  
Systems Integrity Supervisor  
Systems Integrity Technician  
Utility Maintenance Crew Leader  
Utility Maintenance Mechanic  
Utility Maintenance Technician  
Utility System Operator

### **Fleet Maintenance**

Fleet Maintenance Superintendent  
Fleet Maintenance Supervisor  
Senior Fleet Mechanic  
Welder

**Solid Waste**

Equipment Operator  
Heavy Equipment Operator  
Senior Heavy Equipment Operator  
Solid Waste Superintendent  
Solid Waste Supervisor  
Solid Waste Technician

**Stormwater Maintenance**

Stormwater Maintenance Equipment Operator  
Stormwater Maintenance Heavy Equipment Operator  
Stormwater Maintenance Senior Heavy Equipment Operator  
Stormwater Maintenance Supervisor  
Stormwater Maintenance Technician

**Street Maintenance**

Street Maintenance Equipment Operator  
Street Maintenance Heavy Equipment Operator  
Street Maintenance Senior Heavy Equipment Operator  
Streets and Stormwater Superintendent  
Street Maintenance Supervisor  
Street Maintenance Technician

## **APPENDIX F. SOCIAL MEDIA POLICY**

### **CITY OF GOLDSBORO SOCIAL MEDIA POLICY**

#### **Purpose**

Social media is one of the many tools the City of Goldsboro uses to reach its target audiences to further the goals of the City and the missions of its departments.

This policy establishes procedures related to the approval and use of City of Goldsboro social media sites, and City employees' (not serving in an official capacity) use of social media sites, personal web pages, and blogs to ensure such usage is not detrimental to the City or other City employees.

Content posted on the City's social media platforms in an official capacity by City employees is subject to all City policies.

Social media should be treated the same way as any other external publications are treated, and site administrators should always be aware of the City's strategic goals as they plan and post information about the City.

#### **Objectives**

Establish and maintain social media platforms that are responsive to public comments and concerns and establish a meaningful dialogue with residents; and, garner public interest in the City's services, programs, events, and initiatives.

#### **Mission Statement**

The City of Goldsboro's Public Information Office will maximize social media use to inform various public audiences, create a dialogue, and provide information about the City's services, programs, events and initiatives to residents in a transparent and timely manner.

#### **Policy**

All departments developing social media communication platforms must receive approval from the Public Information Office before launching their sites.

#### **Approved Social Media Sites**

The City maintains separate social media sites in order to successfully target its messages to the appropriate audiences. The Public Information Office monitors social media platforms to ensure there are no unapproved City social media sites. Currently approved social media sites for the City and its departments are listed on the City's Intranet.



## **Approval, Development, and Maintenance of City of Goldsboro Social Media Sites**

- 1) Written proposals for the request for official use of new social media sites must be approved by the Department Director and submitted to the Public Information Officer, explaining why this tool is appropriate for their target audience prior to site development.
- 2) When submitting a proposal to the Public Information Office to request official use of a new social media site, the department must supply the following information via email to the Public Information Officer:
  - a. Why does current City of Goldsboro social media platforms not meet department needs?
  - b. Why is this particular social media tool the appropriate outreach tool for the department's target audience?
  - c. Provide an example of the type of information and images that will be included on the proposed social media site.
  - d. Who will design the proposed social media site?
  - e. Which staff member in the department will be allowed to have access and provide content updates for the proposed social media site?
  - f. What are the estimated number of hours that will be dedicated to maintenance and content management of the proposed social media site?
  - g. Approximately how often will posts be made to the proposed social media site?
  - h. How will a link back to the City's official website, [www.goldsboronc.gov](http://www.goldsboronc.gov), be provided on the proposed social media site?
  - i. Provide any other information you feel will be helpful in sharing the vision for the proposed social media site to help the Public Information Officer make an informed decision regarding the request for approval of the use of the proposed site.
- 3) Each City social media site shall clearly identify the site as an official City site.
- 4) Content posted on the City's social media sites must reflect the City's official position, not an employee's personal view.
- 5) The designated social media site content manager can be any department employee approved by the Department director, who has a complete understanding of this policy and appropriate content

management and technical experience to properly maintain the site.

- 6) The administrators of City-approved social media sites are responsible for direct coordination with subject matter experts within the City of Goldsboro to resolve issues or requests made by the public concerning City-related issues. Questions, concerns and other issues not related to the City will be referred to the appropriate organizations, to the best of the administrators' abilities.
- 7) The Public Information Officer and one designated member of the Information Technology Department will have administrative privileges to all City-approved social media sites for contingency purposes. However, nothing will be posted on any department's social media sites without prior approval or coordination with the appropriate department social media manager.
- 8) Official City of Goldsboro social media platforms that have a single login account should be set up using a City email address. Examples: Twitter, Pinterest, and Instagram.
- 9) Master account information is maintained by the Information Technology Department.
- 10) Site administrators should take appropriate steps to minimize security risks in order to prevent fraud or unauthorized access to social media sites. Some suggested security measures and directions are available on the City's Intranet site.
- 11) City social media sites are subject to the North Carolina Public Records Laws and Records Retention Laws. All sites, when possible, must include the following disclaimer, stating "Correspondence to and from this site may be subject to the North Carolina Public Records Law and can be disclosed to third parties."
- 12) The content and records maintenance of each City social media site shall be the responsibility of the department producing and using these sites. The department head or the department representative should contact the Information Technology Department to make sure backups are being performed appropriately on all sites.
- 13) City social media sites must be "family-friendly." Do not delete or erase comments without established guidelines posted on the site, when possible.

Violation of the following is cause for deletion of the offending material from the social media site:

- a. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation.

- b. Posting of or links to sexually explicit content.
  - c. Solicitations of commerce.
  - d. Conduct or encouragement of illegal activity.
  - e. Spam.
  - f. Information that may compromise the safety or security of the public or public systems.
  - g. Threats or Obscenities.
  - h. Infringement on copyrights or trademarks.
  - i. Use of personally identifiable information or personally identifiable medical information.
- 14) Continued violation of any of the above-stated information will be cause for blocking or banning an individual from City social media sites. Only comments that violate the terms set forth above should be deleted. A comment may not be deleted simply because it is deemed to be negative. If the comment is a complaint about City services and a solution can be offered, a response should be given on the site so other followers can see they can come to our social media channels for answers and assistance.
- 15) All statements and questions do not necessitate a response and administrators will use their judgement, based on guidance provided in this policy, to determine where responses are needed. This refers primarily to how, when and if they respond to determined detractors. Determined detractors are defined as persistent critics of an organization who are seemingly mounting their own public relations campaign against a particular topic or organization. While there is merit to monitoring determined detractors' posts and responding to some of them, there is equal merit in not responding to rants or attempting to get into a public argument or debate with those types of individuals. Always remember to keep to the moral high ground when dealing with determined detractors on your site. This is a judgement call that falls on the social media site administrator. If in doubt, contact the Public Information Officer.
- 16) Where appropriate, Information Technology (IT) Department security policies shall apply to all City social media sites.
- 17) The department responsible for its social media site must secure (or set privacy settings for) each social media site so that only City employees assigned by the applicable department can post to the site. The sites can allow others, such as members of the public, to post comments or other visitor-generated content directly to the site.

- 18) Crisis management - What steps to take if your account is hacked:
- a. Immediately notify the Information Technology Department and Public Information Officer.
  - b. Do not try to regain access to the account until instructed by IT.
  - c. Change the password once access to the account is obtained.
  - d. Delete any messages posted by hackers.
  - e. Let followers know the site has been hacked and what is being done to correct the issue.
- 19) The following should be taken into account when managing a City social media site:
- a. Know your audience.
  - b. Monitor the site frequently and respond to comments/questions generally within 24 hours.
  - c. Monitor other City of Goldsboro social media sites for situational awareness and potential content that can be posted on your social media site.
  - d. Be visual. Updates should include links to imagery if possible.
  - e. Write updates in non-press release style.
  - f. Only identified administrators and editors will post approved content.
  - g. The Public Information Officer should be notified immediately of any user blocked, and then will review on a case- by- case basis.
  - h. City social media administrators are encouraged to scan external media sites for potential use and posting of select content on sites. Posting links to positive stories written by external media outlets is encouraged, and appropriately provided the content helps the City reach its strategic communication objectives and is posted in a way that clearly gives the external media outlet credit for its product.
- 20) Any department or division that creates and uses official City social media platforms must join the Communications Liaison Group. Department directors must send a designee to attend all meetings. This group will meet at least quarterly and more often as needed.
- 21) Whenever possible, provide links to the City's official website for more information, forms, documents or online services necessary to conduct business with the City of Goldsboro.

- 22) City social media sites must adhere to the City's Branding and Corporate Identity Policy set forth by the city's branding policy. Any exceptions will be made on a case- by- case basis.

### **Use of Social Media as a City Employee on City Sites**

The City understands that the use of social media has become a common form of communication. Employees who manage City social media platforms should adhere to the following guidelines, realizing that their comments could have serious repercussions on the City's image and ability to provide quality services to our residents:

- 1) Use of a City e-mail address and communicating in the official capacity of a City position will constitute conducting City business.
- 2) City policies, rules, regulations, and standards of conduct apply to employees who engage in social media activities while conducting City business.
- 3) City departments have the option of allowing employees to participate in approved social media sites as part of their job duties. Department directors may allow or disallow employee participation in any social media activities in their departments in an official capacity.
- 4) Employees representing the City government via social media sites must conduct themselves at all times as a respectable representative of the City and in accordance with all personnel administrative and operating procedures and policies.
- 5) Employees must protect other employees' personal privacy, the privacy of citizens and the information the City holds. Employees must adhere to all privacy protection laws, e.g., HIPPA and the protection of sensitive and confidential City information.
- 6) Employees must not disclose any information that would jeopardize the safety of City staff or the disclosure of personal or confidential information.
- 7) Employees must protect sensitive information that might jeopardize ongoing City activities and investigations, particularly with regard to Police and Fire/Rescue operations.
- 8) Employees must follow all copyright laws, public records laws, retention laws, fair use and financial disclosure laws and any other laws that might apply to the City or a functional area of the City.
- 9) Individuals, organizations, and businesses with a social media presence can be tagged by City employees acting on behalf of the City related to a social media post; however, posts shall not promote, endorse or criticize any vendor, contractor or supplier. All social media content must be neutral in that regard.

- 10) Employees will not share proprietary information that is not a matter of public record, which may have been gained during duties performed as a City employee.
- 11) Employees will not use ethnic slurs, profanity, personal insults or engage in any conduct that would not be acceptable in the City's workplace. Additionally, employees must avoid comments or topics that may be considered objectionable or inflammatory.
- 12) Employees should correct mistakes and not alter previous posts without indicating that a change has been made to that post. They should frame any comments or opposing views in a positive manner. If there are questions about how to do this, contact the Public Information Officer for guidance.
- 13) Employees should add value to the City through their social media interaction and provide worthwhile information and perspective in a respectful and professional manner.
- 14) Employees are encouraged to cross-promote information from other City-sponsored social media sites and in some cases, from external sites, where it helps to promote the City's objectives.
- 15) Use of social media that involves any kind of criminal activity or harms the rights of others may result in criminal prosecution or civil liability to those harmed or both.
- 16) No employee shall use social media as a platform to engage in any political or partisan activity.

### **Use of Social Media on Personal Sites**

The City of Goldsboro fully supports the right of employees to maintain personal web pages and a social media presence while not on duty. Employees are encouraged to represent themselves and the City in a positive manner and adhere to the City of Goldsboro's personnel policy. In personal use, the employee is speaking as an individual and not on behalf of the City of Goldsboro.

The following is provided as guidance for those who do maintain a personal social media presence:

An employee's use and comments made on social media sites are subject to limited First Amendment protections. As a public employee, use of social media is considered an extension of the workplace as it relates to employee conduct.

As a City employee, personal use of social media is subject to these guidelines:

- 1) Where personal use is related to a matter of public concern, it must be conducted in such a manner that a reader would not think the employee is speaking for or on behalf of the City.

- 2) Employees must comply with City policies, including but not limited to the City's Internet Access Policy.
- 3) Employees should exercise sound judgment and discretion so as not to reflect adversely on the City in contributing to social media sites.
- 4) Do not provide or disclose the City of Goldsboro or any other organization's or individual's non-public, confidential, or other proprietary information.
- 5) Do not discuss work-related legal proceedings or controversies, including communications with the City of Goldsboro's attorneys.
- 6) Do not disclose confidential personal information obtained by virtue of one's position with the City (i.e., department heads, supervisors, committee members, etc.).
- 7) Personal use of social media may not violate or infringe upon the right of any other person or entity or constitute a criminal offense or create civil liability.
- 8) Personal use of social media while on duty, including during breaks, must not be excessive such that it interferes with the employee's work or work of others.

#### **Public Information Officer/Information Technology**

The Public Information Officer, in coordination with the Information Technology Department will:

- 1) Oversee the City's social media effort, led by the Department's social media manager.
- 2) Routinely monitor content on the City's social media sites to ensure adherence to the Social Media Policy. Messaging should be consistent with the strategic goals of the City of Goldsboro.
- 3) Conduct a performance review of all City-wide social media sites on a quarterly basis. Sites that do not appear to be properly maintained will be considered for deactivation. If it is necessary to take this step, the Public Information Officer will coordinate directly with the appropriate department director prior to taking any action.
- 4) Provide training to all City social media administrators regarding the terms of this social media policy, including their responsibilities to review content submitted for posting to ensure policy compliance. Training will be conducted on an as-needed basis as administrators change within their departments.

Employees violating this policy may be subject to disciplinary action, up to and including termination of employment.

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
MAY 4 2020 COUNCIL MEETING**

**SUBJECT:** S-4-20 Stoney Creek Builders (Three-lot Preliminary Subdivision Plat)

**BACKGROUND:** The property is located within Spring Garden Subdivision, which is located on the north side of Fedelon Trail between Salem Church Road and U.S. Highway 117 North.

Goldsboro City Council approved the original subdivision plat for Spring Garden, Section 1 in 1979.

The parcel of property proposed for subdivision is located between Granville Place and Erin Place.

The applicant proposes to subdivide the subject property into three private lots for sale and single-family residential development.

Total Area: 3.84 acres

Total Lots: 3

Lot No. 1: ± 1.28 acres

Lot No. 2: ± 1.28 acres

Lot No. 3: ± 1.28 acres

Zoning: R-20 Residential (Watershed Protection Area)

Existing: Currently, the subject property consists of woodlands and is undeveloped.

**DISCUSSION:** As previously stated, the applicant proposes to subdivide the property into three private lots for sale and single-family development.



Engineering: The property is not located within a Special Flood Hazard Area.

City water is available to serve the property. However, inadequate pressure exists for domestic and fire protection purposes. City Engineering is currently in the process of investigating measures for increasing water pressure within the subdivision. Alternatively, if City water pressure is not adequate, Staff has been informed by Wayne County's Environmental Health Department that on-site private water supply wells may be utilized subject to County approval.

Approximately one-half of the approved subdivision is located in the City limits. The other half, including the subject property, is located outside the City limits. As such, the subject property will be served by Belfast Fire Department.

City sewer is not available to serve the property. Septic systems are proposed and must be approved in accordance with Wayne County's Environmental Health Department before building permits can be issued.

Because the subject property is located within a Watershed Protection Area, the lots cannot exceed 24% built-upon area.

The Planning Commission, at their meeting held on April 27, 2020, recommended approval of the 3-lot preliminary subdivision plat.

**RECOMMENDATION:** By motion, accept the recommendation of the Planning Commission and approve the 3-Lot Preliminary Subdivision Plat.

Date: 4/28/20

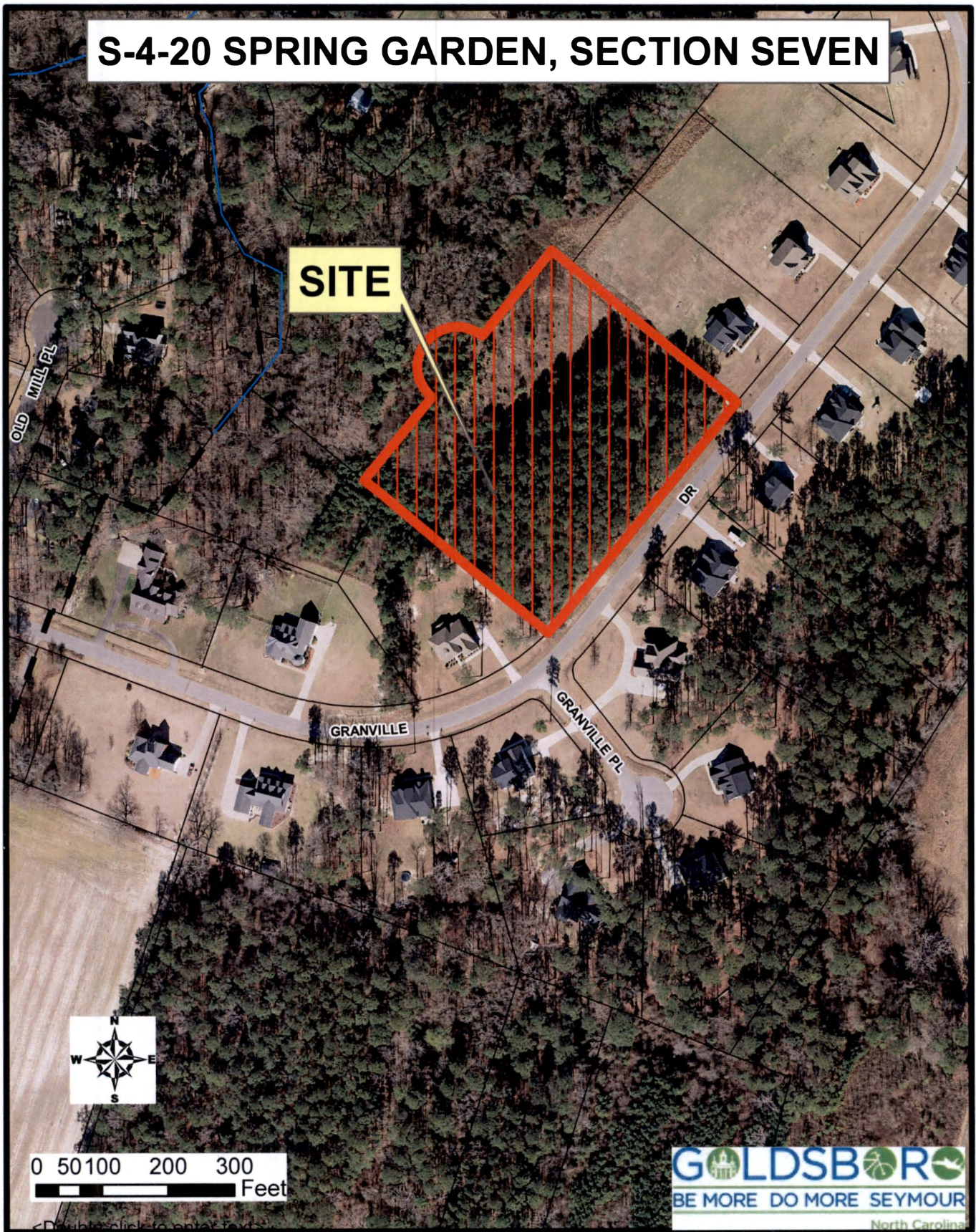
  
Planning Director

Date: 4/28/20

  
City Manager



# S-4-20 SPRING GARDEN, SECTION SEVEN



## PRELIMINARY SUBDIVISION REQUEST

**CASE #:** S-4-20  
**APPLICANT:** STONEY CREEK BUILDERS  
**OWNER:** PHILIP ROBSON dba STONEY CREEK BUILDERS  
**PIN #:** 3600-09-9243  
**LOCATION:** GRANVILLE DRIVE

The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.





PROPERTY ZONED R-20 (CITY OF GOLDSBORO)

**MINIMUM SETBACK REQUIREMENTS**

FRONT YARD = 45 FEET  
REAR YARD = 25 FEET  
SIDE YARD = 20 FEET  
CORNER YARD = 40 FEET

MAXIMUM HEIGHT = 35 FEET

**MAXIMUM BUILT-UPON AREA**

LOT NO. 1 = 0.73 ACRES  
LOT NO. 2 = 0.73 ACRES  
LOT NO. 3 = 0.73 ACRES

TAX PARCEL: 3600099243

REFERENCE: DEED BOOK 3508 PAGE 042

ACREAGE IN TOTAL TRACT = 3.849 ACRES±

ACREAGE IN PARK OR OTHER LAND USE = NONE

NUMBER OF LOTS = 3

AVERAGE LOT SIZE = 55,681 SQUARE FEET OR 1.283 ACRES±

MINIMUM LOT SIZE = 53,988 SQUARE FEET OR 1.239 ACRES±

LINEAL FEET IN STREETS = NONE

**NOTE:**  
THE PROPERTY IS LOCATED IN THE WAYNE WATER SUPPLY WATERSHED AREA.

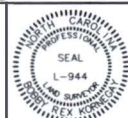
**NOTE (FIRE PROTECTION)**  
THE CITY OF GOLDSBORO SERVES THE ENTIRE SUBDIVISION WITH A 8-INCH WATER SERVICE LINE. HOWEVER, THERE IS NOT ADEQUATE WATER PRESSURE FOR FIRE PROTECTION PURPOSES.  
THE PROPERTY IS LOCATED IN THE BELFAST FIRE DISTRICT.

**NOTE FLOOD HAZARD**  
THE PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD HAZARD AREA AND FLOODWAY AREA. FOR FLOOD HAZARD DATA AND FLOODWAY DATA REFER TO FIRM FLOOD INSURANCE RATE MAP NORTH CAROLINA MAP NUMBER 3720351800K EFFECTIVE DATE JUNE 20, 2018.

**LEGEND**  
● CONCRETE MONUMENT CONTROL CORNER  
I.R.S. IRON ROD FOUND  
I.R.F. IRON ROD FOUND  
C.M.F. CONCRETE MONUMENT FOUND  
RATIO OF PRECISION MINIMUM 1/10,000  
NO HORIZONTAL CONTROL WITHIN 2,000 FEET  
AREA COMPUTED BY D.M.D. METHOD

60 0 30 60 120 240  
SCALE: 1" = 60'

**B. R. KORNEGAY, INC.**  
LAND SURVEYING • ENGINEERING • PLANNING  
License Number: F-1054  
300 East Walnut Street  
Goldsboro, N.C. 27530  
(919) 735-5886 Fax: (919) 580-9053



**PRELIMINARY PLAN**  
SPRING GARDEN - SECTION SEVEN  
STONE CREEK TOWNSHIP  
WAYNE COUNTY, N.C.

DRAWN BY: TSB  
DESIGNED BY: BRK  
DATE: 4-2-2020  
SCALE: 1" = 60'

OWNER & DEVELOPER  
**PHILIP ROBON**  
**dba STONEY CREEK BUILDERS**  
1000 CREEK FRONT COURT, WILLOW SPRINGS, NORTH CAROLINA 27592  
252-775-1786

SHEET: 1  
OF: 1  
WORK ORDER: 200158  
CADD DWG: 200158

SPRING GARDEN SECTION SIX - GOLDSBORO TOWNSHIP D6F15

2239

**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
MAY 4, 2020 COUNCIL MEETING**

**SUBJECT:** SITE-6-20 Emergent Investments, LLC (Medical Office Facility)

**BACKGROUND:** The property is located on the west side of Hospital Rd. north of Medical Office Place.

Frontage: 166 ft.

Average Depth: Approximately 639 ft.

Area: 134,121.24 sq. ft. or 3.079 acres

Zoning: Office & Institutional-1

Existing use: Almost half of the property is clear and vacant. The remaining acreage consists of existing woodlands.

**DISCUSSION:** The submitted site plan indicates a single-story, 7,201 sq. ft. building proposed for use as a medical office facility.

Hours of Operation: Monday-Friday  
9:00am – 5:00 pm

Number of Employees: 19

Access: The site will be served by a 60 ft. wide curb cut proposed off Hospital Road and is not subjected to NCDOT approval. A driveway permit will be required from City Engineering.

A 26 ft. wide paved access drive with curb and gutter will extend westward approximately 285 ft. from the terminus providing access to three parking lots located in front of, behind, and along the southern side of the proposed medical office facility.

Parking: Parking for the site requires 6 spaces per doctor and 1 per employee. A total of 61 parking spaces have been provided including 3 handicap accessible parking spaces. 17 spaces are shown in the front parking lot, 29 spaces are shown in the side parking lot, and 15 are shown in the rear parking lot.

Sidewalks and Pedestrian Access: 4 ft. wide exterior sidewalks are shown on the submitted site plan. City sidewalks are required to be a minimum of 5 ft. wide. Staff will ensure developer installs sidewalks to City standards.

6.5 ft. wide interior sidewalks have been provided for pedestrian access leading from the parking lots to the building entrances using private walkways and handicap ramps.

Landscaping: Since the subject property is zoned O&I-1 (Office and Institutional) and is located adjacent to other similarly-zoned properties, a Type A, 5 ft. wide landscape buffer is proposed along the northern, eastern and southern property lines.

Existing woodlands located at the rear of the property along the western property line are proposed as the required Type C, 20 ft. wide buffer yard adjacent to residentially-zoned properties.

A total of four street trees are proposed along Hospital Road. In addition, 27 small shrubs are proposed for use as the required vehicular surface buffer.

Building Elevations: Building elevation renderings have not been submitted. However, the applicant has informed Staff that the exterior building materials will consist of brick-veneer, hardy-plank siding, exterior insulation finishing systems (EIFS), and a shingle roof. Once building elevation renderings have been submitted, Staff will ensure that they are in compliance with City performance standards.

Commercial Lighting Plan: Commercial lighting plans have not been submitted, however, staff will work with the applicant to ensure that proposed lighting is compliant with the City's commercial lighting ordinance.

Engineering: Portions of the property are located within the City's Special Flood Hazard Areas known as the 500-year floodplain, 100-year floodplain and the Floodway. Any proposed development within Special Flood Hazard Areas will require approval from City Engineering before construction permits can be issued.

City water and sewer are available to serve the property.

Stormwater calculations, grading and drainage plans have been submitted and are subject to approval by City Engineering.

Interconnectivity: Interconnectivity has not been shown on the submitted site plan. Applicant states that interconnectivity would be impractical due to topography and that additional access drives between private properties would result in a loss of required parking spaces.

Refuse collection: A 11ft. x 14 ft. concrete pad is shown at the end of the access drive for the location of a commercial dumpster. The dumpster shall be screened according to City standards.

The Planning Commission, at their meeting held on April 27, 2020, recommended approval of the Site and Landscape plan with the requested modification.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and approve the site and landscape plans with the following modification:

- 1) Modification of interconnectivity.

Date: 4/28/20

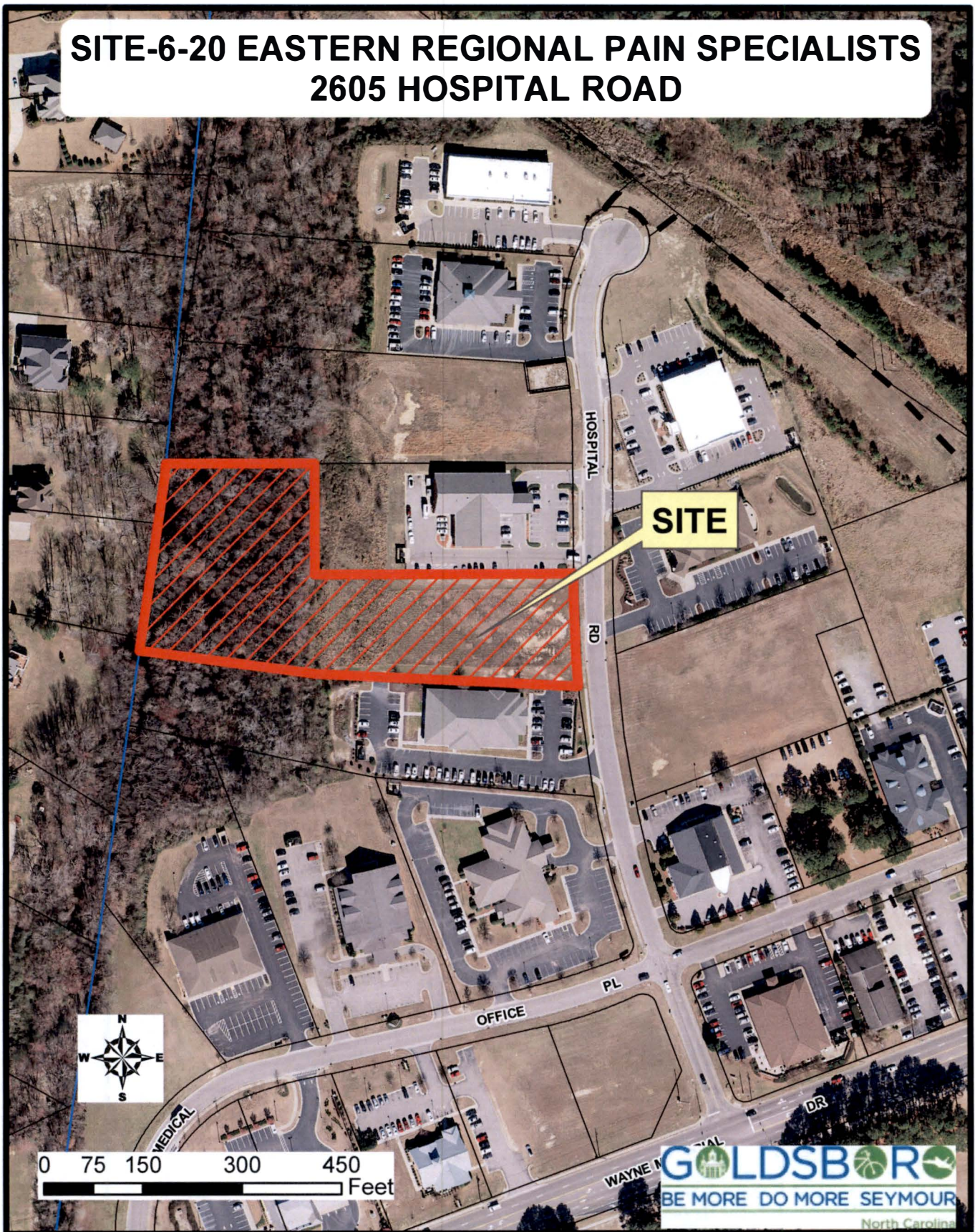
  
\_\_\_\_\_  
Planning Director

Date: \_\_\_\_\_

\_\_\_\_\_  
City Manager



# SITE-6-20 EASTERN REGIONAL PAIN SPECIALISTS 2605 HOSPITAL ROAD

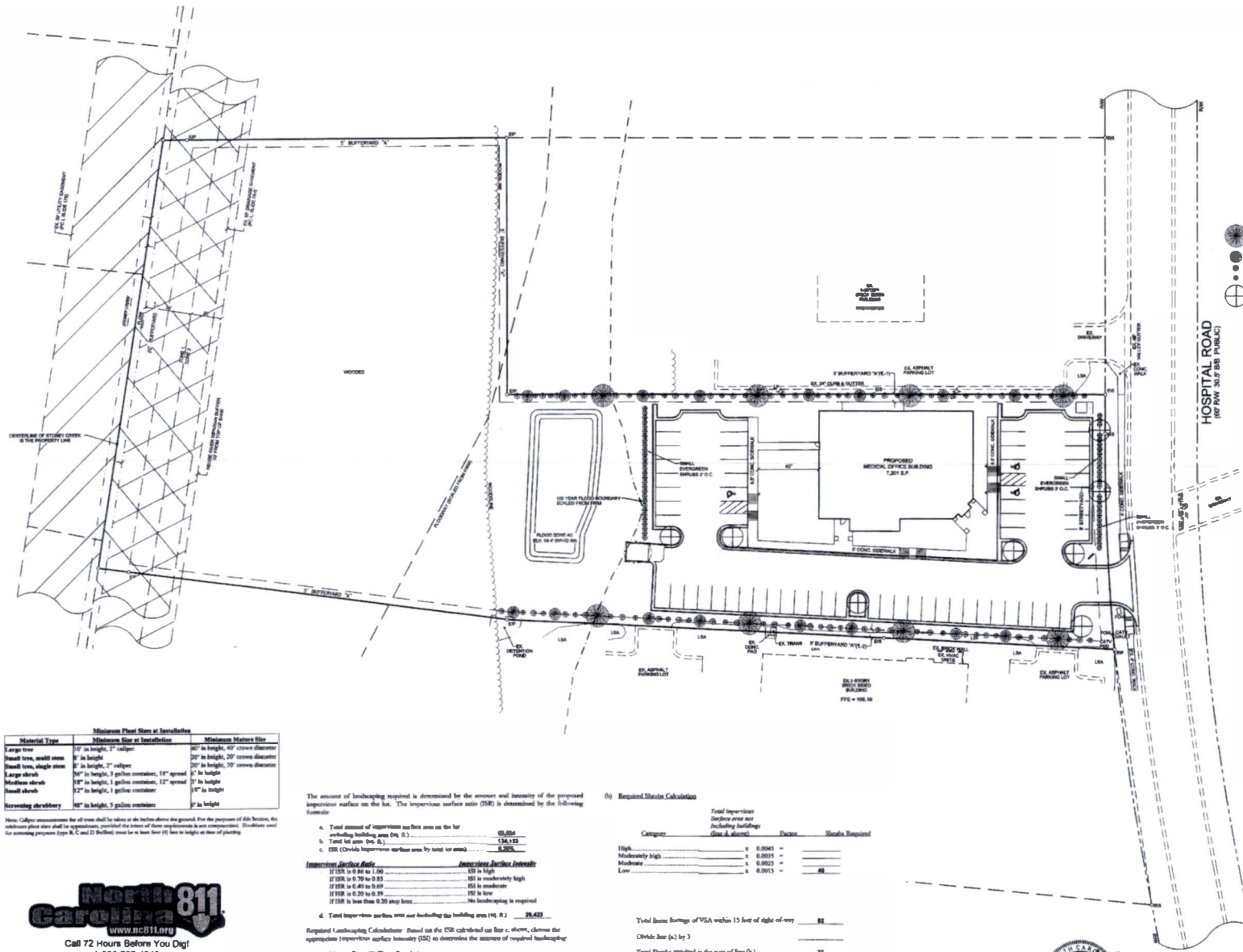


## SITE PLAN REQUEST

**CASE #:** SITE-6-20  
**APPLICANT:** EMERGENT INVESTMENTS  
**PIN #:** 3610-13-3241  
**LOCATION:** 2605 HOSPITAL RD  
**PROPOSED USE:** MEDICAL OFFICE

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**LEGEND**

- PROPOSED LARGE EVERGREEN TREE-CRYPTOMERIA JAPONICA (JAPANESE CEDAR)
- PROPOSED SMALL EVERGREEN TREE-ALIX C. ALTAIRNA (HOLLY, LARGE TYPE)
- PROPOSED LARGE EVERGREEN-SPRUS-ALIXA CRISPULA (PINA MYRTLE)
- PROPOSED SMALL EVERGREEN-SPRUS-ALIXA CRISPULA (PINA MYRTLE)
- PROPOSED LARGE DECIDUOUS SHADE TREE-QUERCUS PHELLO (YELLOW OAK)

**REQUIRED STREETVEGETATION FOR HOSPITAL ROAD (107' RW 30' P 30' B 30' PUBLIC)**

**REQUIRED BUFFERVEGETATION FOR R-1 (280' F)**

**REQUIRED BUFFERVEGETATION FOR R-2 (280' F)**

**NOTE: ALL LANDSCAPING SHALL BE MAINTAINED IN ACCORDANCE WITH SECTION 9.2.4 OF THE UDO.**

**NOTE: BUFFERVEGETATION "A" HAS BEEN REDUCED FROM 10' TO 5' PER SECTION 9.2.4 OF THE UDO. PROPERTY AREA OF 3.575 IS LESS THAN 6.558 ACRES.**

**NOTE: EXISTING WOODS AREA WITHIN FLOODWAY TO BE MAINTAINED FOR ST. BUFFERVEGETATION "C".**

Material Type	Minimum Plant Size at Installation	Minimum Mature Size
Large tree	12" in height, 2" caliper	40" in height, 10" crown diameter
Small tree, single stem	6" in height	20" in height, 2" crown diameter
Large shrub	18" in height, 1" caliper container, 12" spread	6" in height, 2" crown diameter
Medium shrub	12" in height, 1" caliper container, 12" spread	6" in height, 2" crown diameter
Small shrub	12" in height, 1" caliper container	6" in height, 2" crown diameter
Screening shrubbery	18" in height, 1" caliper container	6" in height, 2" crown diameter

Note: Caliper measurements for all trees shall be taken at the trunk above the ground. For the purpose of this Section, the minimum plant size shall be as specified, provided the trees of those dimensions are not containerized. Specimens used for screening purposes (Type B, C and D Shrub) must be in bare root (B) form in height at time of planting.

The amount of landscaping required is determined by the amount and intensity of the proposed impervious surface on the lot. The impervious surface ratio (ISR) is determined by the following formula:

- Total amount of impervious surface area on the lot including building area (sq. ft.) **69,000**
- Total lot area (sq. ft.) **124,133**
- ISR (Divide impervious surface area by total lot area) **0.556**

Impervious Surface Ratio	Required Surface Intensity
IF ISR is 0.85 to 1.00	ISR is high
IF ISR is 0.70 to 0.85	ISR is moderately high
IF ISR is 0.40 to 0.69	ISR is moderate
IF ISR is 0.20 to 0.39	ISR is low
IF ISR is less than 0.20	No landscaping is required

d. Total impervious surface area not including top building area (sq. ft.) **38,432**

Required Landscaping Calculation: Based on the ISR calculated on line c, above, choose the appropriate impervious surface intensity (ISI) to determine the amount of required landscaping

ISI Category	Total impervious surface area not including buildings (sq. ft.)	Factor	Tree Required
High	38,432	0.0003	11
Modestly high	38,432	0.0004	15
Modest	38,432	0.0005	19
Low	38,432	0.0007	27

b) Required Shade Calculation

Category	Total impervious surface area not including buildings (sq. ft.)	Factor	Shade Required
High	38,432	0.0043	165
Modestly high	38,432	0.0033	127
Modest	38,432	0.0023	92
Low	38,432	0.0013	46

Total Shade Required of VSA within 15 feet of edge of - **82**

Divide line (a) by 3

Total Shade Required in the sum of line (b) - **27**

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- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING PLANS AND SPECIFICATIONS, TO PROTECT ALL EXISTING UTILITIES.
- ALL IMPROVEMENTS, CONCRETE OR ASPHALT, ARE TO BE PLACED ACCORDING TO THE REQUIREMENTS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
- SHOWING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, IN PART 1926, SUBPART, OR AS AMENDED.



**SHEET 7 OF 8**  
**SITE VEGETATION PLAN**

**EASTERN REGIONAL PAIN SPECIALISTS**

LOT 11-8, MINOR SUBDIVISION OF LOT 11, SECTION 3, STONEY CREEK MEDICAL OFFICE COMPLEX, REFERENCE: PLAT CANNETT M, BLK 72-D OF THE WAYNE COUNTY REGISTER OF DEEDS STONEY CREEK TOWNSHIP, WAYNE COUNTY, N.C.

OWNER: EMERGENT INVESTMENTS, LLC  
ADDRESS: 803 MILL ROAD  
LOCAL 000000, NC 27754  
PHONE: 919-781-6444

**Baldwin Design Consultants, PA**  
DESIGNED: JF  
APPROVED: JF  
DRAWN: JF  
DATE: 04/13/2020  
CHECKED: JF  
SCALE: 1" = 50'





**CITY OF GOLDSBORO  
AGENDA MEMORANDUM  
MAY 4, 2020 COUNCIL MEETING**

**SUBJECT:** SITE-5-20 JBA Properties, LLC (Contractor's Office and Storage Yard)

**BACKGROUND:** The property is located on the south side of Arrington Bridge Road between S. John Street and Westbrook Road.

Frontage:	588 ft.
Average Depth:	629 ft.
Area:	358,037 sq. ft. or 8.2 acres
Zoning:	I-2 (General Industry)

Existing use: The site is clear and vacant.

**DISCUSSION:** The submitted site plan indicates a single-story, 12,400 sq. ft. commercial building proposed for use as a contractor's office, workshop and warehouse storage facility. The proposed office will contain 4,000 sq. ft. The proposed workshop will contain 4,800 sq. ft. The Warehouse will contain 3,600 sq. ft.

A proposed storage yard with gravel surfaces is indicated at the rear of the site and will contain approximately 40,000 sq. ft. of storage area for commercial trucks and heavy equipment operation. A 6 ft. in height opaque, chain-link security fence will surround the storage yard.

Hours of Operation:	Monday-Friday 6:00am – 6:00 pm
---------------------	-----------------------------------

Number of Employees:	10
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Access: The site will be served by a 125 ft. wide curb cut proposed off Arrington Bridge Road and subject to NCDOT approval.

A 25 ft. wide paved access drive will extend westward approximately 240 ft. from Arrington Bridge Road to a terminus providing access to two parking lots located in front and along the southern side of the proposed facility.

Parking: Parking for the site requires 1 space per 350 sq. ft. of office area, 1 space per 2 employees on the maximum shift plus 1 space for each vehicle stored on site for warehousing and 1 space per working bay for automotive service, inspection and repair plus 1 space per employee. A total of 26 parking spaces have been provided including 1 handicap accessible parking space. 25 parking spaces are required. 22 spaces are proposed at the front of the commercial building and 4 are proposed along the southeast side.

Sidewalks and Pedestrian Access: According to the City's Unified Development Code, sidewalk construction is required for new commercial development. The submitted site plan does not indicate the installation of exterior sidewalks along Arrington Bridge Road. The applicant is requesting a modification of the requirement to install 463 linear feet of sidewalk along Arrington Bridge Road. If approved by City Council, the applicant will be required to pay \$8,334.00 in lieu of sidewalk construction to the City of Goldsboro.

6.5 ft. wide interior sidewalks have been provided for pedestrian access leading from the parking lots to the building entrances using private walkways and handicap ramps.

Landscaping: Since the subject property is zoned I-2 (General Industry), a Type A, 10 ft. wide landscape buffer is proposed along the southern and southeast property lines. The site plan indicates a required Type C, 20 ft. wide landscape buffer along the northwest property lines since the adjacent property is zoned O&I-1 (Office and Institutional). Existing woodlands located at the rear of the property along the southern property line are proposed as the required Type A, 10 ft. wide buffer yard.

A total of 13 street trees are proposed along Arrington Bridge Road. A total of 4 large trees will serve as parking lot trees.

Dry detention ponds and swales will serve as proposed BMP's for the site and will be located in the front and rear yards of the property subject to approval by City Engineering. Ponds shall be screened with evergreen shrubs in accordance with the City's landscape ordinance.

Commercial Lighting Plan: Commercial lighting plans have not been submitted, however, staff will work with the applicant to ensure that proposed lighting is compliant with the City's commercial lighting ordinance.

Engineering: Portions of the property are located within the City's Special Flood Hazard Areas known as the 100-year floodplain. Any proposed development within Special Flood Hazard Areas will require approval from City Engineering before construction permits can be issued.

City water is available to serve the property. City sewer is not available to serve the property, however, City sewer is located within 1,000 ft. of the subject property. According to the City's Unified Development Code, applicants shall connect to City water and sewer systems if proposed developments are within 1,000 ft. of City utilities.

Wayne County Environmental Health has been contacted to perform a septic evaluation for the site. The applicant desires to install an on-site septic system in lieu of connection to City sewer. As such, if the proposed site is suitable for on-site septic systems, a modification will be necessary.

Storm water calculations, grading and drainage plans have been submitted and are subject to approval by City Engineering.

Interconnectivity: Interconnectivity has not been shown on the submitted site plan. Applicant states interconnection will not be practical since the proposed use of the subject property and the existing use of properties adjacent to and along Arrington Bridge Road are incompatible.

Refuse collection: Commercial dumpsters are proposed at the rear of the property and screened from off-site views in accordance with City regulations.

Temporary Modular: If approved by City Council, the applicant proposes the placement of a temporary modular office unit to conduct business operations while the new office, workshop and warehouse facility is being constructed along Arrington Bridge Road.

The temporary modular office is proposed at 800 N. William Street directly across the street from the Wayne County Detention Center. The property is zoned I-2 (General Industry). Applicant intends to operate for a period not to exceed six (6) months until construction has been completed at the new site.

Modifications: The applicant is requesting the following modifications:

- 1) Modification to install City sidewalks and pay \$8,334.00 in lieu of sidewalk construction.
- 2) Modification to connect to City sewer.
- 3) Modification of interconnectivity.

The Planning Commission, at their meeting held on April 27, 2020, recommended approval of the Site and Landscape plan with the requested modifications.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and approve the site and landscape plans with the following modifications:

- 1) Modification to install City sidewalks and pay \$8,334.00 in lieu of sidewalk construction.
- 2) Modification to connect to City sewer.
- 3) Modification of interconnectivity.

Date: 4/28/20

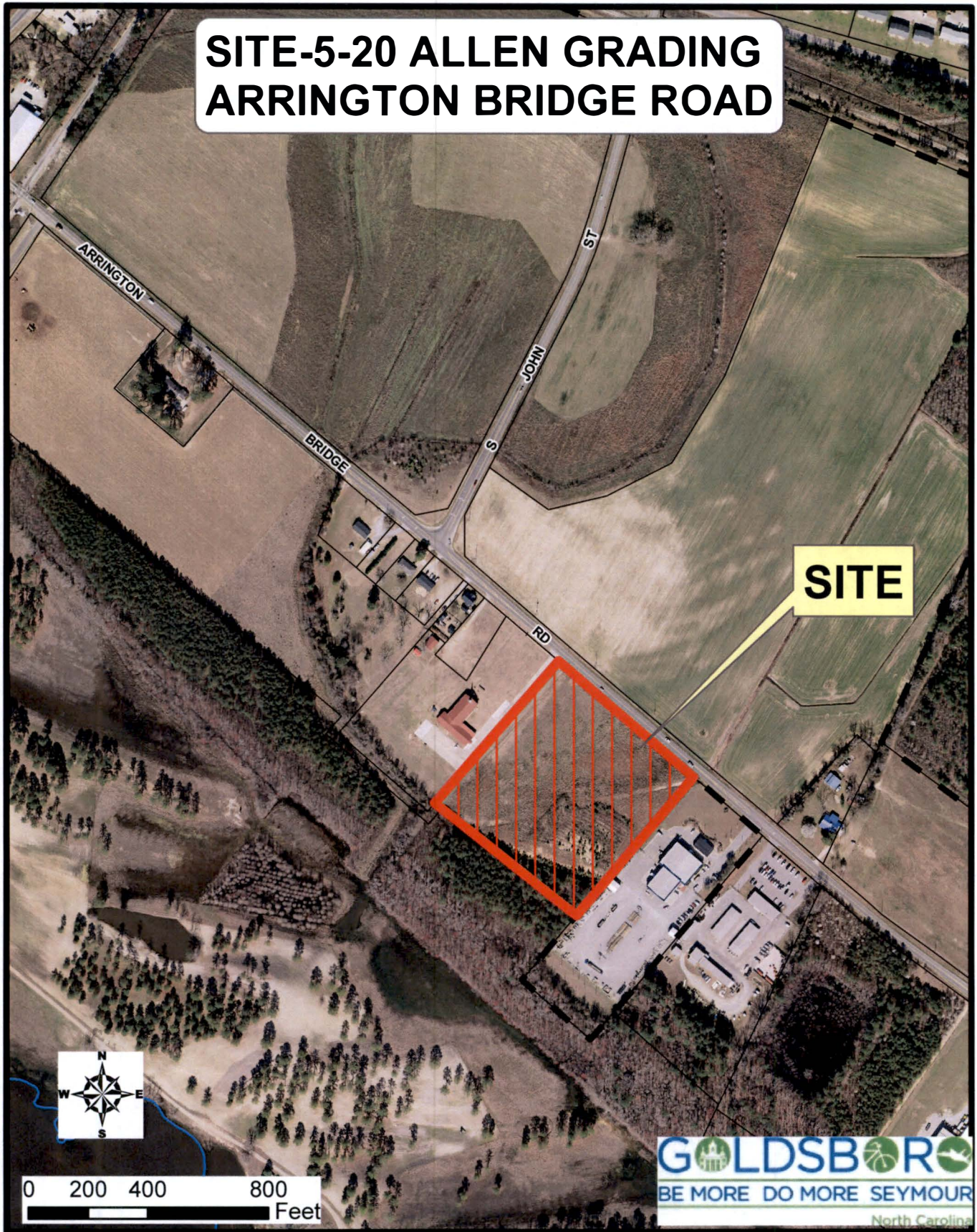
  
\_\_\_\_\_  
Planning Director

Date: 4/28/20

  
\_\_\_\_\_  
City Manager



# SITE-5-20 ALLEN GRADING ARRINGTON BRIDGE ROAD

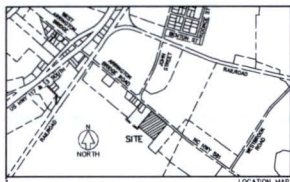


## SITE PLAN REQUEST

**CASE #:** SITE-5-20  
**APPLICANT:** JBA PROPERTIES, LLC  
**PIN #:** 2598-42-7606  
**LOCATION:** 0 ARRINGTON BRIDGE RD  
**PROPOSED USE:** CONTRACTOR OFFICE, GARAGE WITH STORAGE

The data represented on this map has been compiled by the best methods available. Accuracy is contingent upon the source information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map are hereby notified that the primary information sources should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data assume no legal responsibilities for the information or accuracy contained on this map. It is strictly forbidden to sell or reproduce these maps or data for any reason without the written consent of the City of Goldsboro.





CONTRACTOR'S OFFICE AND STORAGE YARD  
PROPERTY ZONED INDUSTRIAL DISTRICT I-2  
(CITY OF GOLDSBORO)

**MINIMUM SETBACK REQUIREMENTS**  
FRONT = 30 FEET  
REAR = 20 FEET  
SIDE = 15 FEET (SEE NOTE 1)  
RESIDENTIAL = 75 FEET (SEE NOTE 1)

**NOTE 3**  
THE MINIMUM SEPARATION DISTANCE BETWEEN ANY STRUCTURE, STORAGE OR LOADING AREA FROM A RESIDENTIALLY DEVELOPED OR ZONED LOT.  
PIN NUMBER 2588427605

**REFERENCE**  
OLD BOOK 2572 PAGE 445  
PLAT CARNET 18 SLOCE 63-1 PART OF TRACT NO. 5

**AREA**  
8,573 SQUARE FEET INCLUDING HIGHWAY RIGHT-OF-WAY  
8,188 SQUARE FEET EXCLUDING HIGHWAY RIGHT-OF-WAY

**NOTE FLOOD HAZARD**  
THE PROPERTY IS LOCATED WITHIN A 100 YEAR FLOOD HAZARD AREA. FOR FLOOD HAZARD DATA REFER TO FIRM FLOOD INSURANCE RATE MAP NORTH CAROLINA MAP NUMBER 372025800K EFFECTIVE DATE JUNE 2016.

**FLOOD ZONE** AE

**BASE FLOOD ELEVATION** = 72.5 HAVD 88

**PERMITS**  
OFFICES - BUSINESS AND PROFESSIONAL EXCLUDING RETAIL TRADE AND HOME OCCUPATIONS 1 SPACE PER 300 SQ. FT. OF GROSS FLOOR AREA  
4,000 SQ. FT. / 300 SQ. FT. = 13.33 (11 SPACES)

**WAREHOUSING** - 1 SPACE PER 2 EMPLOYEES ON THE MAXIMUM SHIFT; PLUS 1 SPACE FOR EACH VEHICLE STORED ON SITE

**1 SPACE** - 1 EMPLOYEE IN WAREHOUSE  
**6 SPACES** - VEHICLES STORED ON SITE

**9 SPACES**  
AUTOMOTIVE INSPECTION, REPAIR AND SERVICE - 1 SPACE PER WORKING BAY, PLUS ONE PER EMPLOYEE  
4 SPACES 4 WORKING BAYS  
1 SPACE 1 EMPLOYEE  
5 SPACES

**TOTAL PARKING REQUIRED**  
24 SPACES  
1 VAN ACCESSIBLE HANDICAP SPACE  
25 TOTAL SPACES

**TOTAL PARKING PROPOSED**  
26 SPACES  
1 VAN ACCESSIBLE HANDICAP SPACE  
27 TOTAL SPACES

**NOTICE COLLECTED**  
DUMPSTER IS SERVED BY PRIVATE CARRIER.

**BULKY WASTE**  
PROPERTY WILL BE SERVED BY THE CITY OF GOLDSBORO PUBLIC WASTE SYSTEM THAT HAS BEEN APPROVED BY THE NORTH CAROLINA DEPARTMENT OF HUMAN RESOURCES DIVISION OF HEALTH SERVICES.

**SEWER SERVICE**  
WAYNE COUNTY ENVIRONMENTAL IMPROVEMENT FUND TO BE OBTAIN FROM WAYNE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT ON SITE INDIVIDUAL INFILTRATION FIELD AND SEPTIC TANK.

LEGEND	EXISTING	PROPOSED
PAYMENT		
MAIN WATER LINE	—W—	—WS—
WATER SERVICE LINE	—S—	—SS—
SANITARY SEWER LINE	—S—	—SS—
SANITARY SEWER SERVICE LINE	—S—	—SS—
STORM DRAINAGE LINE	—SD—	—SSD—
CHAIN LINK OPAQUE PRIVACY FENCE	—CL—	—CL—
TREE LINE (WOODS)	—T—	—T—
IRON STAKE FOUND	—IS—	—IS—
CONCRETE MONUMENT FOUND	—CM—	—CM—
SON	—S—	—S—
AERIAL LIGHT	—AL—	—AL—
UTILITY POLE	—UP—	—UP—
OUT WIRE	—OW—	—OW—
SANITARY SEWER MANHOLE	—SM—	—SM—
HYDRANT	—H—	—H—
VALVE	—V—	—V—
DROP INLET	—DI—	—DI—
CONTOURS	—C—	—C—
ELEVATIONS	—E—	—E—
WATER METER	—WM—	—WM—
CONCRETE WHEEL STOP	—WS—	—WS—
FLARED END SECTION	—FES—	—FES—
FINISHED FLOOR ELEVATION	—FLE—	—FLE—
GRAVEL AREA	—GA—	—GA—
HEAVY DUTY PAVEMENT	—HDP—	—HDP—



NO.	REVISION	DATE



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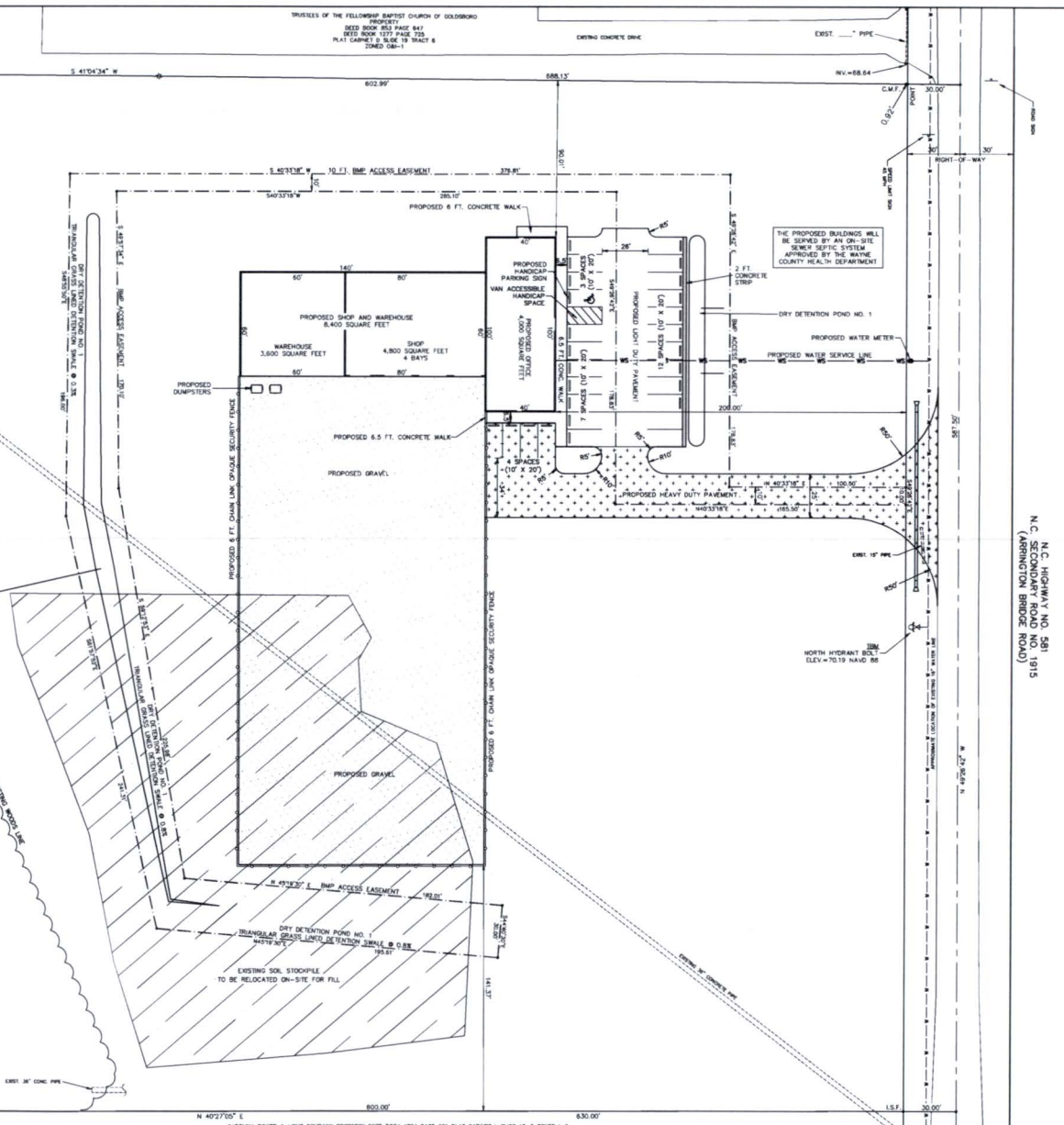


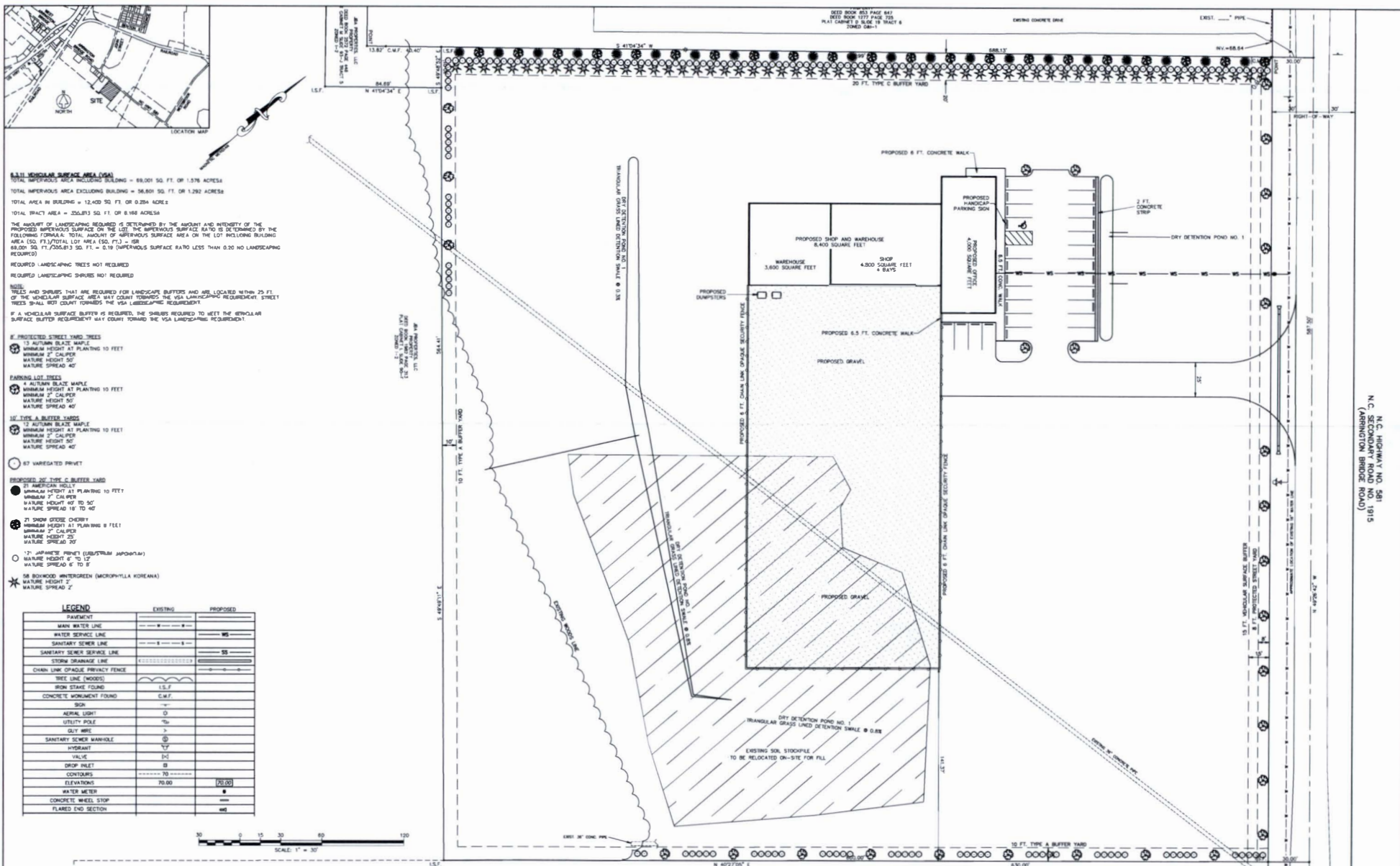
ARRINGTON BRIDGE ROAD  
**SITE PLAN**  
PART OF LOT NO. 5 COBBLESTONE PLACE, LLC  
GOLDSBORO TOWNSHIP  
WAYNE COUNTY, N.C.

DRAWN BY: TSB  
DESIGNED BY: J.K.  
DATE: 4-8-2020  
SCALE: 1" = 30'

PROPERTY OF  
**JBA PROPERTIES, LLC**  
P.O. DRAWER 1838  
GOLDSBORO, NORTH CAROLINA 27533-1838

SHEET:  
**2**  
OF: 8  
WORK ORDER:  
200042  
CADD DWG:  
200042





NO.	REVISION	DATE



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ARRINGTON BRIDGE ROAD  
**LANDSCAPE PLAN**  
PART OF LOT NO. 5 CORBELLSTONE PLACE, LLC  
GOLDSBORO TOWNSHIP  
WAYNE COUNTY, N.C.

DRAWN BY: TSB  
DESIGNED BY: J.K.  
DATE: 4-8-2020  
SCALE: 1" = 30'

PROPERTY OF  
**JBA PROPERTIES, LLC**  
P.O. DRAWER 1838  
GOLDSBORO, NORTH CAROLINA 27533-1838

SHEET: **3**  
OF: 8  
WORK ORDER: 200042  
CADD DWG: 200042





# City of Goldsboro

P.O. Drawer A  
North Carolina  
27533-9701

## ***PEACE OFFICERS' MEMORIAL DAY PROCLAMATION***

*WHEREAS*, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day and the week in which May 15 falls as National Police Week; and

*WHEREAS*, The members of the law enforcement agency of the City of Goldsboro play an essential role in safeguarding the rights and freedoms of the citizens of Goldsboro; and

*WHEREAS*, It is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency; and

*WHEREAS*, Members of the Goldsboro Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

*WHEREAS*, The men and women of the law enforcement agency of the City of Goldsboro unceasingly provide a vital public service.

*NOW, THEREFORE*, I, Chuck Allen, Mayor of the City of Goldsboro, North Carolina, call upon the citizens of the City of Goldsboro and upon all patriotic, civic and educational organizations to observe the week of May 10 through May 16, 2020 as Police Week with appropriate ceremonies and observances in which everyone may join in commemorating law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their community and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. I further call upon all citizens to observe May 15, 2020 as

## ***PEACE OFFICERS' MEMORIAL DAY***

in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

*IN WITNESS THEREOF*, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this 4<sup>th</sup> day of May, 2020.



Chuck Allen, Mayor



# City of Goldsboro

J.O. Drawer A  
North Carolina  
27533-9701

*Office of the Mayor*

## ***NATIONAL DAY OF PRAYER PROCLAMATION***

**WHEREAS**, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

**WHEREAS**, The Declaration of Independence, our first statement as Americans of national purpose and identity, made "the Laws of Nature and Nature's God" the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

**WHEREAS**, Created in 1952 by a joint resolution of the United States Congress, and signed into law by President Harry S. Truman, the mission and purpose is to encourage prayer for our country and personal repentance; and

**WHEREAS**, In 1988, legislation setting aside the first Thursday in May of each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

**WHEREAS**, The Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

**WHEREAS**, This year, Wayne County United in Prayer is hosting its annual local National Day of Prayer event; and

**WHEREAS**, The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens.

**NOW, THEREFORE, I, Chuck Allen, Mayor of the City of Goldsboro, North Carolina, do hereby proclaim Thursday, May 7, 2020 as**

## ***A NATIONAL DAY OF PRAYER***

in observance of the National Day of Prayer in the City of Goldsboro, North Carolina, and commend this observance to our citizens.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the Seal of the City of Goldsboro, North Carolina, this 4<sup>th</sup> day of May, 2020.



  
Chuck Allen  
Mayor



## City of Goldsboro

P.O. Drawer A  
North Carolina  
27533-9701

*Office of the Mayor*

### MENTAL HEALTH MONTH PROCLAMATION

**WHEREAS**, Mental health is essential to everyone's overall health and well-being; and

**WHEREAS**, All Americans experience times of difficulty and stress in their lives; and

**WHEREAS**, Prevention is an effective way to reduce the burden of mental health conditions; and

**WHEREAS**, There is a strong body of research that supports specific tools that all Americans can use to better handle challenges and protect their health and well-being; and

**WHEREAS**, Mental health conditions are real and prevalent in our nation; and

**WHEREAS**, With effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

**WHEREAS**, Each business, school, government agency, health care provider, organization and citizen shares the burden of mental health problems and has responsibility to promote mental wellness and support prevention efforts.

**NOW, THEREFORE**, I, Mayor Chuck Allen, do hereby proclaim May 2020 as

### MENTAL HEALTH MONTH

in Goldsboro, North Carolina. As Mayor, I call upon the citizens, government agencies, public and private institutions, businesses and schools in Goldsboro to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Goldsboro, North Carolina, to be affixed on this 4<sup>th</sup> day of May, 2020.



  
\_\_\_\_\_  
Chuck Allen, Mayor



## City of Goldsboro

P.O. Drawer A  
North Carolina  
27533-9701

*Office of the Mayor*

### **DRINKING WATER WEEK PROCLAMATION**

**WHEREAS,** Water is our most valuable natural resource; and

**WHEREAS,** Only tap water delivers public health protection, fire protection, support for our economy and the quality of life we enjoy; and

**WHEREAS,** Any measure of a successful society — including economic growth, productivity and public safety — is in some way related to access to safe water; and

**WHEREAS,** We are all stewards of the water infrastructure upon which future generations depend; and

**WHEREAS,** Each citizen of our city is called upon to help protect our source waters from pollution and to get involved in local water issues by getting to know their water.

**NOW, THEREFORE,** I, Chuck Allen, Mayor of the City of Goldsboro, do hereby proclaim May 3-9, 2020 as Drinking Water Week and encourage all citizens to recognize the efforts of the many hardworking individuals in our Public Utilities and Public Works departments who ensure that we always have safe, clean drinking water.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of Goldsboro, North Carolina, to be affixed on this 4<sup>th</sup> day of May, 2020.



Chuck Allen  
Mayor





## City of Goldsboro

P.O. Drawer A  
North Carolina  
27533-9701

*Office of the Mayor*

### ***MUNICIPAL CLERKS WEEK PROCLAMATION***

**WHEREAS**, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**WHEREAS**, The Office of the Municipal Clerk is the oldest among public servants; and

**WHEREAS**, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

**WHEREAS**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

**WHEREAS**, The Municipal Clerk serves as the information center on functions of local government and community; and

**WHEREAS**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

**WHEREAS**, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**NOW, THEREFORE, I**, Chuck Allen, Mayor of the City of Goldsboro, North Carolina, do recognize the week of May 3-9, 2020, as

### ***MUNICIPAL CLERKS WEEK***

and further extend appreciation to our City Clerk Melissa Capps, our Deputy City Clerk Laura Getz and all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Goldsboro, North Carolina, to be affixed on this 4<sup>th</sup> day of May, 2020.



  
Chuck Allen, Mayor



## City of Goldsboro

P.O. Drawer A  
North Carolina  
27533-9701

*Office of the Mayor*

### COATS AND TIES OFF PROCLAMATION

**WHEREAS,** The southeastern region of the United States and especially our Sunbelt States experience hot, humid temperatures in the summer months of May through September; and

**WHEREAS,** Soaring temperatures will soon reach the Carolinas, and more specifically the Goldsboro area; and

**WHEREAS,** During this time, all citizens are encouraged to be good stewards of our energy sources; and

**WHEREAS,** While trying to keep their cool by wearing lightweight suits and ties, all men continue to swelter in the hot, humid weather; and

**WHEREAS,** It has become the tradition that we exchange our coats and ties for common sense and no longer deny ourselves some small degree of comfort and dignity.

**NOW, THEREFORE, I,** Chuck Allen, Mayor of the City of Goldsboro, North Carolina, by virtue of the powers vested in this office, do hereby proclaim reason above custom and urge all Goldsboro citizens to doff their coats and ties for the duration of the summer effective May 1, 2020 until September 30, 2020.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of Goldsboro, North Carolina, to be affixed on this 4<sup>th</sup> day of May, 2020.



Chuck Allen, Mayor