

October 24, 2023

The Alamance County Social Services Board met for its regular monthly meeting on this date. The meeting was held at HSC Building (1st Floor) 319 N. Graham Hopedale Rd., Burlington NC with the following in attendance were: Ms. Heidi Norwick, DSS Board Chair; Commissioner Craig S. Turner, DSS Board Member; Dr. Ernest Eason, Former DSS Board Member; Tyronna Hooker, DSS Board Member; Dr. Darrell Warner, DSS Board Member; Ms. Candice J. Gobble, DSS Director; Ms. Danae Pickard, Economic Services Division Director; Ms. Lynette Wellons, Assistant Director of Services; Ms. Jamie Hamlett, DSS Attorney; and Assistant Professor Kristi Nickodem of Public Law and Government, University of North Carolina – Chapel Hill were present.

Heidi Norwick, DSS Chair opened the meeting.

Public Comment:

None

Consent Agenda: Heidi Norwick, DSS Board Chair

September 2023 items on the consent agenda approved. Commissioner Craig S. Turner made motion to approve and seconded by Tyronna Hooker.

Board Presentation:

Director Candice Gobble presented Dr. Ernest Eason with plaque for his dedication and advocacy for Social Services from 2019- 2023. Dr. Eason stated he appreciated the insight and experience he gained as a board member of Social Services.

Staff Reports:

Fiscal: Director Candice Gobble

	SEPTEMBER 2023	% OF BUDGET	PRIOR YTD	% OF BUDGET
REVENUES	\$2,741,276.00	25%	\$1,980,667.00	17%
EXPENDITURES	\$4,918,562.00	20%	\$4,680,609.00	20%

Director Gobble reported on DSS FY24- 1st Quarter Financial Report –

Revenues		Expenditures	
Federal	\$2,466,969	Staffing	\$3,666,649
State	\$262,206	Operational	\$218,280
County	\$12,100	Services	\$1,033,632
Total	\$2,741,275	Total	\$4,918,561

Lapse Salary as of 9/30/2023	Comp time costs as of 9/30/2023	Overtime Paid Out as of 9/30/2023	Contract Employee Payout as of 9/30/2023
\$138,309	\$15,155	\$6,628	\$153,034

New Funding Allocations –

- APS Essential Funds - \$41,643.80
- FNS – ARPA - \$30,810.46

These amendments are scheduled for budget amendment at November County Commissioners meeting.

Funding Updates:

- Amendment to Foster Care Reinvestment Contract has been completed; extending reinvestment funding into FY24 (No County Funds)
- Effective September 30, 2023 – all federal funds available to NC for Family Reunification have been utilized.

Coming Soon!

- Kinship Room and Board payments begin on November 16, 2023.
- Kinship placements receive half room and board rate based on age of child.
- 50% State – 50% County

Fraud: See report –

Unit	September 2023	September 2022	Current YTD	Prior Fiscal Year
Fraud	\$18,279.18	\$3,918.00	\$60,586.63	\$16,645.34

Services – Ms. Lynette Wellons/Assistant Director of Services -

Adult and Family Services -

- No Report

Child Support – (Statistical Report Information) – see report.

Unit	September 2023	September 2022	Current YTD	Prior Fiscal Year
Child Support	\$904,581.00	\$891,946.71	\$2,635,867.03	\$2,644,685.02

Child Welfare –

- No Report

Economic Support: Ms. Danae Pickard

- No Report

Operations – Director Candice J. Gobble

Administrative Support/Personnel: Robert Ring

See Statistical Report – as of September 30, 2023

Vacancies	37
New Hires	3
Interagency Transfers	2
Resignations	3

Total = 36 Vacancies as of October 2023 –

We have promoted internal staff to supervisory positions which leads to other vacancies. We continue to interview and hire temporary staff to permanent for Economic Services.

Question: How many Social Worker vacancies do we have currently?

- *We have a total of 11 vacancies (8 Assessors and 3 on the back end).*

Director’s Report – Candice J. Gobble, Director–

Director Gobble shared with board members incident that occurred with two social workers that were assaulted in the field. Director Gobble shared we are working diligently with Burlington PD and County HR to assist with staff. Staff who were assaulted are currently experiencing trauma and we are working with County HR to schedule EAP assistance. DSS is currently working on coordinating advanced training for staff in the field. More to follow.

Question: Was the assault in the course of duties of their job?

- *Yes*

Question: Should we start contacting Law Enforcement before going in the field?

- *This scheduled visit was not for removal – this was a scheduled meeting to come up with plans for the children.*

Medicaid Expansion–

- The “Go Live” date is set for December 1, 2023 which is also the date for Energy Season to open up for LIEAP (Low Income Energy Assistance Program)
- DSS Director will present at upcoming County Commissioners Meeting in November
- DSS Director will ask for additional staff for expansion in presentation
- We are currently waiting on furniture to create space for Medicaid Expansion new staff

- We continue to watch for the increase in automation in NCFAST as it relates to expansion caseloads – the selection of cases that will be automated will be a small percentage of an actual caseload (30%).
- Training is scheduled to roll out from State (52 pages) – We worked with Guilford County DSS for training for all new staff
- Presentation was conducted at Community Council in October
- 1/3 of Alamance County are already enrolled with Medicaid – now those numbers will be expanded
- Medicaid is the highest rate of reimbursement (75%) for every case

New Business:

Ethics and Conflicts of Interest for Social Services Boards

Director Gobble introduced presenter from UNC School of Government – Mrs. Kristi Nickodem.

Ms. Nickodem is the Robert W. Bradshaw Jr. Distinguished Term Assistant Professor of Public Law and Government at UNC School of Government.

Ms., Nickodem teaches, consults and writes about human services law, including the organization and governance of local social services and consolidated human services agencies, the powers and duties of social services directors and consolidated human services directors, the responsibilities of social services and consolidated human services boards and the confidentiality of social services information. Ms. Nickodem's work also explores how local governments use and respond to technology, including legal issues associated with social media, artificial intelligence and the First Amendment.

Ms. Nickodem joined the School of Government in April 2021. Previously, she practiced employment law at K&L Gates, LLP, where she counseled employers on complex employee relations and compliance issues, conducted internal investigations and defended clients in litigation. Prior to entering private practice, Ms. Nickodem worked for an international nonprofit organization in Greensboro NC.

Ms. Nickodem is a member of the North Carolina State Bar. She earned a bachelor's degree, summa cum laude, from UNC-Greensboro and a J.D. with high honors., Order of the Coil from UNC-Chapel Hill.

Ethical Standards –

- Legal Requirements vs. Ethical Standards –
- Who decides if behavior is legal?
- Who decides if behavior is ethical?

Basic Principles -

1. Act in the public interest and for the public good, not for your own private benefit.
2. Avoid using position to promote partisan political platforms, parties or candidates.

Ethical Obligations to the Board and the Public -

- Devote adequate time and energy to board responsibilities
- Make fair, impartial decisions
- Don't use role on the board for self-benefit or the benefit of friends/family
- Exercise sound judgment and discretion
- Act honestly, courteously and collaboratively when working together as a board

Conflict of Interest -

When **personal** interests are in conflict with the interests of the **public** you serve

Legal Prohibitions –

Confidentiality of Social Services Information -

Unlawful to use or disclose any information regarding persons who have applied for or are receiving public assistance or social services (*G.S. 108-A-80*)

Confidentiality of Personnel Information -

Unlawful to disclose:

- Info regarding applicants for the director's position
- Info gathered through the application process, the interview process or the background check process
- Info related to the board's evaluation, discipline or dismissal of the director
 - (*G.S. 153A-98*)

Use of Confidential Information for Monetary Benefit -

- Insider Trading (*G.S. 14-234.1*)
- Use non-public information gained in official position
- Pecuniary benefit to you or someone else
 - **Class 1 Misdemeanor**

Conflicts of Interest Board Service -

Multiple Office Holding Limits -

- No person may concurrently hold more than:
 - Two appointive public offices or
 - One elective and one appointive public office
- Appointment of county commissioner by BOCC is "ex officio"

Incompatible Office Holding -

- May not hold two incompatible offices
- Incompatible if:
 - Conflict between functions or duties
 - One is subservient to other

Other Potential Conflicts-

- Board member who is a licensed foster parent
 - May not be supervised by or accept placements from resident county.
- Board member (or spouse) who owns or operates nursing or adult care home
 - May not receive Medicaid or Special Assistance payments
- Prior removal from public office by impeachment
- Being found guilty of corruption or malpractice in public office

What's Not a Conflict?

- Receiving public assistance or social services does not prohibit an individual from serving on the board.
- But Board members should abstain from being involved in board discussions, investigations, or hearings about a public assistance or social services case involving the board member or a relative of the board member.

Removal of a Board Member –

- Must be done by appointing authority (“5th” Member DSS Boards)
- Grounds not specified in state law (but should be for good cause)
- Look to (*G.S. 153A-77*) for examples

Grounds for Removal of Public Officials –

1. Failure to take the Oath of Office
2. Willful failure to discharge the duties of the office
3. Improper multiple office holding
4. Serving despite previously having been impeached from any public office
5. Serving despite having been found guilty of corruption or malpractice in any public office

DSS Boards can develop “Rules of Procedures”.

Conflicts of Interest: Gifts, Benefits and Contracts -

Making or Administering a Contract (G.S. 14-234(a1) (2)-(3) -

A public officer or employee is involved in **making or administering** a contract if:

1. He or she oversees the performance of the contract; or
2. He or she has the authority to make decisions regarding the contract or interpret the contract; or
3. He or she participates in the development of terms or in the preparation or award of the contract

Prohibited Self-Dealing in Contracts (G.S. 14-234(a)(1)-(2) -

- You are involved in making or administering contract **(Prohibited Action)**
- Direct benefit to you or your spouse

- **Class 1 Misdemeanor and Void Contract**

- Direct benefit to you or your spouse
- Attempt to influence **(Prohibited Action)**
- Someone involved in making or administering contract

- **Class 1 Misdemeanor**

What's a "Direct Benefit" –

A board member derives a direct benefit from a contract if the member or their spouse:

- Has more than a ten percent (10%) ownership or other interest in an entity that is a party to the contract;
- Derives any income or commission directly from the contract; or
- Acquires property under the contract.

Gifts in Exchange for Influence Prohibited (G.S. 14-234(a)(3) –

- Solicit or receive a gift or favor
- Attempt to Influence
- Someone involved in making or administering a contract
 - **Class 1 Misdemeanor**

Be Careful with Contracts (G.S. 14-234(a) -

- You are involved in making or administering a contract
- Direct benefit to you or your spouse
 - **Class 1 Misdemeanor and Void Contract**
- **Direct** benefit to you or your spouse
- Attempt to influence
- Someone involved in making or administering a contract
 - **Class 1 Misdemeanor**
- **Solicit** or receive a gift or favor
- Attempt to influence
- Someone involved in making or administering a contract
 - **Class 1 Misdemeanor**

Improper Influence -

- **Unethical to:** Influence the DSS Director to hire, promote or provide preferential treatment to any family member or friend.
- **Unlawful to:** influence or attempt to influence the DSS Director to hire, promote the board member's spouse. (G.S. 14-234(a)(2))

- **Unlawful to:** solicit or receive a gift, favor, reward, service in exchange for influence over employment decision. (*G.S. 14-234(a)(3)*)

Key Takeaways –

It is unlawful to:

1. Directly benefit from contract if involved in making or administering contract
2. Attempt to influence person making or administering a contract for your benefit
3. Solicit or receive a gift or reward for recommending or influencing award of contract by public agency

Potential Criminal Liability –

1. Unlawfully disclosing confidential social services information
2. Disrupting an official meeting of the board
3. Threatening or assaulting other board members, the DSS Director, or DSS employees
4. Embezzling county funds
5. Willfully failing to discharge duties as a board member
6. Unlawfully receiving a direct benefit from a contract that involves DSS

Contact Information:

- Kristi Nickodem
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Announcements:

None

Adjournment -

The next board meeting is 12:00 noon **Tuesday, November 28, 2023** at DSS – Professional Board Room located on the 1st Floor at 319 N. Graham Hopedale Rd., Burlington NC.

There being no further business the meeting was adjourned at 1:18pm.

Respectfully Submitted:

Carmen L. Morrow

Date Approved: _____