

Chowan County Board of Commissioners
Special Meeting
Monday May 5, 2008
9:00am
1767 Chowan County Courthouse
117 East King Street

The Chowan County Board of Commissioners their regular meeting on Monday, May 5, 2008, at 9:00 am in the panel room of the 1767 Chowan County Courthouse, 117 East King St.

Present: Jimmy Alligood, Bill Gardner, Kenny Goodwin, Louis Belfield, Harry Lee Winslow, Ralph Cole and Jerry Downum. Also present was County Manager, Cliff Copeland.

Chairman Cole called the meeting to order and Commissioner Winslow offered the invocation.

Consent Agenda

Commissioner Gardner moved that the Consent Agenda be approved including the minutes from the April 7 Special and Regular meetings and the following budget amendments:

b. Budget Amendments

5352 DSS	increase	\$5000	Increase in Domestic Violence Funds
4268 Sr Ctr.	Increase	\$1850	4 th Quarter Grant

c. Tax Release

Bass,B	\$138.25	Vehicle Sold
Davenport, R.	\$122.56	Not enough info to price
Dunn, J.	\$122.55	SITUS Northampton Co.
Gavigan, M.	\$145.16	SITUS Colorado
Steinberg, R.	\$186.71	Lease Expired

d. Minutes amendment

An amendment to the minutes of the September 11, 2006 meeting. At that meeting Attorney Peter Rascoe presented a grant for a drainage study that was unanimously adopted by the Board of Commissioners. The minutes did not reflect the adoption as required by North Carolina Clean Water Management Trust Fund Grant. (Book 13 p. 238-a)

Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

Sandy Point Preliminary Plat Extension

Planner, Elizabeth Bryant presented a request from the Sandy Point Developer, Sam Young for a 1-year extension of the previously approved preliminary plat for Sandy Point.

Mr. Young noted that he has secured all state and federal permits and has commenced required work such as the Archeological Survey, Historic Home Exchange and the SAV Mitigation. He said the Planner plans to begin excavation of the harbor channels in November of 2008, upland development can begin once the channels have been established. He noted that the new house will be built for the owners of the mansion and that building will be used as offices during construction. Commissioner Alligood moved that the preliminary plat be extended for one year. Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

Flood Maps Update

Planner, Elizabeth Bryant provided the Board with an update on the new flood maps and the adoption process that will be required prior to October 2008.

FY 07 NCHFA-SFR Contract and Loan Awards & Final Preliminary Award

The County's consultant, Chris Hilbert with Holland Consulting Planners is administering the 2007 NCHFA (North Carolina Housing Finance Agency) Single Family Rehab program for Chowan County. He presented contract and loan awards for rehabilitation for property at 1323 West Queen Street, Edenton to Dudley Construction in the amount of \$46,375 and Eastern Environmental in the amount of \$14,100. He also presented a contract and loan award for the property located at 1521 Paradise Rd, Edenton to Dudley Construction in the amount of \$49,900 and Eastern Environmental in the amount of \$14,850. Finally Mr. Hilbert requested an award for the unit located at 604 North Granville Street.

The Board questioned the costs of the lead paint abatement.

Mr. Hilbert noted that because the funding is federal, lead paint abatement is a requirement of all rehabs and that the costs were very typical of such work.

Commissioner Goodwin moved that Chowan County award the two bids to Eastern Environmental. Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

Commissioner Downum moved that the award be given to the unit at 604 North Granville Street.

Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

CDBG Budget Amendment

Ms. Bryant presented an amendment to the CDBG Budget. She said that Carolyn Morris requested her to note that as a result of title search information, Annie M. Elliott on Walton Ln. in Tyner must be removed from the CDBG program since she no longer owns her home. She said that Ms. Morris also notes that the \$5,000 will be moved to another project to assist with housing replacement for Roy Nixon in Arrowhead Beach. Adding that due to zoning, Mr. Nixon is required to install a modular home the doublewide that was listed in the original application is no longer allowed with the zoning requirements.

Commissioner Goodwin moved that Ms. Elliott be removed from the program and he added to his motion that the monies for Mr. Nixon be put on hold until at which time that staff may review all applications requesting assistance, noting that any monies will be put on hold and not designated for any one applicant at that time. Chairman Cole asked for all in favor, the motion carried unanimously, (7-0).

Land Use Plan Update

Ms. Bryant provided the Board with a status report on the Land Use Plan update. She added that a joint public hearing of the Board of Commissioners and Edenton Town Council is scheduled for Monday, June 23, 2008. She said this meeting will be held in the Town Council chambers.

Mr. Rascoe noted that the current plan is in conflict with the county zoning map which could create a conflict with subdivision requests. He said that staff is in the process of developing language for policy statements that recognized the conflict with the Land Use Plan Map.

CEDS Committee

Mr. Copeland presented a request from the Albemarle Commission's Planner, Morgan Jethro that Chowan County appoint a Commissioner to serve on the Comprehensive Economic Development Strategies (CEDs) committee as required by the EDA. He said that this CED update is due in September. This committee will meet with the Workforce Development Board which meets the third Tuesday of every month at 5:30pm.

Commissioner Goodwin volunteered to serve on this committee.

Motor Fleet Safety and Procedure Program

Kurt Fickling, Chowan County's insurance consultant presented the revised Motor Fleet Safety and Procedure Program to the Board. The original program was adopted in August 1992. A Policy Making Committee in conjunction with Kurt has reviewed and revised the original plan and the revised copy is attached for your review. The Committee and the Consultant requested that the Board of Commissioners adopt the revised policy.

The policy is inserted into the minutes:

MOTOR FLEET

SAFETY
and

PROCEDURE PROGRAM

for

CHOWAN COUNTY



ORIGINAL: AUGUST 3, 1992

REVISED: MAY 5, 2008

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RECORD OF CHANGES

Change Number	Date of Change	Description of Change	Entered By:	Date Entered

**COUNTY OF CHOWAN
MOTOR FLEET POLICY and PROCEDURE STATEMENT**

The efficiency of any operation can be measured by its ability to control loss. Accidents resulting in personal injury and damage to property and equipment result in needless suffering and waste. Management's responsibility is to provide the safest conditions and equipment for all employees. The County policy on safety is:

The safety of all employees, the public, and the operation is paramount and every attempt will be made to reduce the possibility of accidental occurrence.

Safety will take precedence over expediency and shortcuts.

The County intends to comply with all Federal, State, and Local safety laws and ordinances.

Every employee will be expected to demonstrate an attitude that reflects this policy as outlined in the County safety program.

Luther C Copeland
Chowan County Manager

DATE

Ralph V Cole, Sr
Chairman, Chowan County
Board of Commissioners

DATE

Motor Fleet Safety Coordinator

- (1) Chowan County fully intends to comply with applicable Federal, State and Local regulations that govern our vehicular operations. To this end, the duty of Motor Fleet Safety Coordinator is assigned to the County's Safety Manager, so the program outlined in this document can be implemented and monitored.
- (2) Chowan County's Safety Manager has the full authority to implement and monitor each aspect of the safety program for the County as outlined in this plan or as amended in the future.
- (3) The responsibilities of the Motor Fleet Safety Coordinator will include but not be limited to:
 - Reports to the County Manager on how the program is working, or special reports in serious situations, including suggestions for affirmation of management support, information on modifications made in the program, and recommendations for major changes requiring executive action.
 - Investigating, recording and analyzing accidents and injuries, both as to cause and cost, so that effective steps can be taken to reduce them.
 - Developing a County wide system of inspections and other procedures for identifying and reporting existing and potential hazards and in devising counter measures.
 - Establishing County safety rules, and safe equipment standards for each fleet function, including all applicable regulations of the Department of Transportation, the Occupational Health and Safety Administration, and Other Federal, State, and Local agencies.

- Arranging a report system, by telephone or in writing, depending on accidents will quickly reach all concerned management levels and the County Safety Manager, and recommendations for medical attention or corrective action can pass speedily back to the County personnel on the scene.

DRIVER SELECTION, QUALIFICATIONS AND TRAINING

The following guidelines shall be used for the governing of all County vehicle drivers:

(1) All personnel, full-time/volunteer, utilizing county vehicles are required to be authorized by the Department Head to operate a motor vehicle prior to actually operating a vehicle:

- Current motor vehicle report of driver's license.
 - Updated MVR to be reviewed each January
 - Valid CDL, if required
- Assessment of driving skills, which may include a driver's road test and driver's written test may be requested or required by law.
- Check of references of previous employers (if new employee).
- Medical checks if requested or if required by law.
- Any additional background checks that may be necessary and as indicated by the job.

(2) All required logs, maintenance forms and other paperwork, as determined by the County Safety Manager will be filled out in a timely manner and turned-in to the Department Head.

(3) Any equipment that may be placed in the vehicles to monitor the trips will not be damaged or disconnected by any person unless specifically instructed to do so by the County Safety Manager.

- (4) All preventive maintenance requested will be performed at the appropriate times as directed by the Department Head or designee.

All County personnel are to attend all Motor Fleet Safety meetings. Attendance at these meetings is required.

- (5) Driver training for employees will be given on an as needed basis, however, all employees involved in a moving violation, or accident will be required to attend driver education classes set forth by NCDMV laws, Court Order or requests made by Department head after consultation with County Manager. (Utilize Attachment 5-Chowan County Training Record)
- (6) Written records of driving authorization, qualifications, training, accidents and other pertinent data will be maintained by the Department Head.
- (7) Each department will provide the County Safety Manager with a list of authorized vehicle/equipment operators. This list will be updated by June 1st each year and new personnel be added to list as approved by the Department Head. (Utilize Attachment 1 – Chowan County Motor Fleet Vehicle/Equipment Authorization List)
- (8) Any employee cited for a moving or involved in an accident will appear before the Peer Review Committee to determine “fault” or “not at fault” status.

MOTOR VEHICLE ACCIDENT INVESTIGATION PROCEDURES

An investigation of all accidents or near-miss incidents is made by the Department Head and Chowan County Safety Manager with a report of the accident being made available to the County Manager, along with Peer Review Committee findings. The level of detail being included in the report will vary; however, in all cases where a report is made to the bureau of Motor Carrier Safety and/or State regulatory agencies, the accident is to be thoroughly investigated. The following accidents are of this nature:

- 1) Fatalities and/or personal injuries
- 2) Extensive property damage
- 3) Unusual circumstances
- 4) Recurrent circumstances
- 5) Transportation of hazardous materials, such as explosives or hazardous chemicals, especially where the chemical may have contributed to the seriousness of the accident.
- 6) Vehicles or loads of abnormal dimensions or weights.

An accident investigation kit will be placed in all vehicles, and at the time of the accident, the driver should make all attempts to secure as much information about the accident as possible. This information should include but not be limited to the following:

- 1) Time of accident
- 2) Location of accident
- 3) Accident involvement (with others)
- 4) Type of accident
- 5) Identity of all drivers
- 6) Identity of all vehicles
- 7) Identity of all witnesses
- 8) Identity of and scope of any injuries
- 9) Movement of vehicle(s) prior to accident.
- 10) Conditions of driver(s), vehicles, weather, and roadway
- 11) Contributing factors, such as speed, the length of trip, etc.
- 12) Diagram of accident scene.
- 13) Written account from all drivers concerned
- 14) Photographs of accident scene (if available)

The attached accident investigation sheet is to be used in all accident cases that involve loss of property or any injury. (Utilize Attachment 2- Chowan County Motor Vehicle Accident Investigation Report)

If accident is investigated by a Law Enforcement Official, the completed accident report [Form DMV-349] will be attached to Chowan County's fleet accident report.

MOTOR VEHICLE OPERATIONS

The requirements for the safe operation of a motor vehicle are:

Good mechanical condition of the vehicle.

Recognition of road hazards.

The possession by the driver of normal driving skills, knowledge, and experience.

The driver's continuous attention to the job of driving.

Employees who are designated as drivers of County vehicles shall observe the following rules, regulations and practices:

(1) A Motor Vehicle Log Report will be filled out by the driver at the beginning of each shift or change of drivers with the exception of Sheriff's Department with vehicles regularly assigned.

(2) Maintain a valid North Carolina driver's license of the appropriate class for the vehicle.

(3) Give written permission for the Department Head or County Safety Manager to obtain MVR annually with the exception of Sheriff Deputies, Class I Officers.

(4) Operate the motor vehicle in such a manner as to avoid hazards, injury to persons, or damage to property.

(5) Operate the motor vehicle in accordance with Local, State and Federal laws and regulations, and in accordance with County practices.

(6) Speeds shall be maintained within the limits which are reasonable and prudent for conditions, and in any event not to exceed the posted speed limit unless law allows certain emergency vehicles this privilege.

The only vehicles allowed to exceed the posted speed limits are emergency vehicles equipped with Blue and/or Red emergency lights. In order to exceed the posted speed limit the vehicle must be in an emergency situation with proper supervisory or management notification, and the Blue and/or Red lights must be engaged.

In no event are vehicles with Yellow warning lights allowed to exceed the posted speed limit.

(7) Fines and legal fees resulting from traffic violations or "at fault" accidents not covered by the County's insurance program will be paid by the employees.

(8) County vehicles shall not be used for personal use at any time unless approval has been granted by the Department Head. Also approval must be granted by the County Manager for Department Heads to use County vehicles for personal use. Non-employee passengers shall not be transported in vehicles provided by the County unless it is the interest of County business in the case of an emergency or unless approved by the Department Head. Employee-operators authorized to take county vehicles home may engage in short inadvertent stops for "de minimus" personal business along a direct route between home and work. Each Department Head may develop a department specific policy not inconsistent or less stringent than this countywide policy and approved by the County Manager.

In all cases, the employee's personal vehicle must be used, rather than a county vehicle, if there is reasonable accessibility to the employee's personal vehicle.

(9) Drivers of county vehicles who violate county policy pertaining to the use and/or possession of alcoholic beverages or controlled substances will be terminated for inappropriate personal conduct.

(10) Any driver who receives a DWI while in a county vehicle will be terminated.

(11) No person shall occupy a moving county vehicle unless properly seated in a place designated for a person to sit and is wearing a properly secured seatbelt, unless the specific department or vehicle is exempt from State of North Carolina Seat Belt Law.

(12) Traffic accidents and/or any property damage to the county vehicle shall be reported immediately to the Department Head.

(13) Departments that are charged with emergency response driving will develop a more detailed standard operating procedure that must be approved by Department Head. County Safety Manager must be notified of any changes made by Department Head so revision may be made to program manual.

Since many accidents involving vehicles occur while backing the vehicle, employees are to adhere to the following:

- (a) Whenever possible, park the vehicle where backing will not be required.
- (b) When it is necessary to back, it is safer to back upon arrival than when leaving.
- (c) Avoid the use of personal driveways, if possible.
- (d) When two or more employees are in the same vehicle (other than a private passenger type vehicle), one employee must get out and assist the driver should it be necessary to back the vehicle. (This action will release the driver of any responsibility so long as the driver follows the backer's instruction.)

Before backing a "walk around" must be conducted to observe or remove obstacles. The walk around must be done by the backer (if available) or driver if no backer is available.

- (e) In all locations, a "walk around" safety check shall be made by the driver before entering the vehicle to depart. Items to be checked should include at least that all doors, bins, and loads are securely closed or tied down, and when necessary that all loads are covered.

- (f) Whenever the assigned destination is overrun, drivers should not stop and back up. It is best to circle the block or to proceed to a place where a safe turn around can be accomplished.
- (g) When parking the vehicle, the emergency brake shall be properly engaged with motor shut off. Vehicles with automatic transmissions shall be in "park" and those vehicles with manual transmissions shall be placed in low or reverse gear (Wheel locks or chocks shall be used when there is danger of "roll off").

In addition to the above general operational rules, the following precautions are to be followed:

The bulk and weight capacity of any vehicle or licensed weight of vehicle is not to be exceeded at any time.

Loads that may shift are to be blocked or lashed. Tie downs are to be tightened from the right side of the vehicle or from the top of the vehicle.

If the load extends beyond the body of the vehicle, a red flag (or lamp for night time) is to be fastened to end of the load.

The brakes are to be set before loading or unloading and/or the wheels must be blocked.

Vehicles are not to be moved until all occupants are properly seated and restrained. All occupants must occupy a seat designated for passenger travel with proper seatbelt restraint engaged.

Employees are to remain alert for pinch points when loads are being pushed, pulled, hauled or lifted.

All safe practices of material handling, such as using mechanical handling equipment, getting help, etc, are to be observed.

Only employees that have been properly instructed are to handle hazardous cargo, such as flammables, corrosives, radioactive materials.

SAFE DRIVER PROGRAM

The safe driver program pertains to all employees who drive a County vehicle in the normal course of their employment. It involves the assignment of points for improper motor vehicle operation, conviction of traffic violations, and corresponding action by the Department Head after consultation with County Manager.

The point assignable and the manner assignment are contained in the Safety Committee Manual and Rules of Operation.

MOTOR VEHICLE MAINTENANCE PROCEDURES

The objectives of the Preventive Maintenance Program are to:

- Prevent accidents or delays
- Minimize the number of vehicles down for repair
- Stabilize the work load of the maintenance department
- Save money by preventing excessive wear and breakdown of equipment.

In order to accomplish these goals, each driver of a county vehicle is to perform an inspection of his/her vehicle. This inspection is to cover all the basic operating systems of the vehicle and should include at least the following systems: (Utilize Attachment 3 - Chowan County Vehicle Check List). Employees with permanently assigned vehicles are to perform a weekly inspection of his/her vehicle. Employees not with permanently assigned vehicles should complete a vehicle inspection before use of such vehicle.

1. Service brakes (including trailer brake connections)
2. Parking (hand) brake
3. Steering mechanisms
4. Headlights, tail lights, brake lights, all running lights, and turn signals
5. Horn
6. Tires
7. Windshield wipers
8. Exhaust system and muffler(s)
9. Rear vision mirror
10. Coupling devises (if any)
11. Emergency equipment

If one of these systems is found to be defective in any manner, the defect is to be brought to the attention of the department head or designee for a determination of the "usability", of the vehicle. (Utilize Attachment 4 - Chowan County Service Request)

The emergency equipment in the vehicle is to be checked to ensure the equipment is in a functional and usable state of repair.

The use of the vehicle inspection form will facilitate the visual inspection and turned in weekly. (Utilize the Chowan County Vehicle Check List)

General maintenance of the vehicles is to be established by schedules established by the Department Head. The maintenance schedule is not to exceed the vehicle manufacturer's specified maintenance periods.

Records of all fleet maintenance and service requests are to be maintained for each County vehicle under a separate folder within each department.

**MOTOR FLEET VEHICLE/EQUIPMENT
Authorized Drivers**

This list must be updated annually

DEPARTMENT NAME: _____ DATE: _____

<u>FULL NAME (LAST, FIRST, MIDDLE)</u>	<u>DATE OF (BIRTH)</u>	<u>DRIVER LICENSE #</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
7. _____	_____	_____
8. _____	_____	_____
9. _____	_____	_____
10. _____	_____	_____
11. _____	_____	_____
12. _____	_____	_____
13. _____	_____	_____
14. _____	_____	_____
15. _____	_____	_____
16. _____	_____	_____
17. _____	_____	_____
18. _____	_____	_____

MOTOR VEHICLE ACCIDENT INVESTIGATION REPORT

DATE OF ACCIDENT: _____ TIME OF ACCIDENT: _____

LOCATION OF ACCIDENT: _____

ACCIDENT INVOLVEMENT: _____
 (WITH OTHERS) _____

TYPE OF ACCIDENT: _____

IDENTITY OF ALL DRIVERS: _____

IDENTITY OF ALL VEHICLES: _____

IDENTIFY ALL PASSENGERS AND THEIR LOCATION IN THE VEHICLE: _____

WERE SEAT BELTS PROPERLY ENGAGED ON ALL OCCUPANTS: _____

IDENTITY OF ALL WITNESSES: _____

IDENTITY AND SCOPE OF BODILY INJURY AND PROPERTY DAMAGE TO:
 COUNTY VEHICLE _____
 OTHER VEHICLE _____

MOVEMENT OF VEHICLES: _____
 (PRIOR TO ACCIDENT) _____

CONDITIONS OF DRIVERS,; _____
(VEHICLES, WEATHER,) _____
(AND ROADWAY) _____

**MOTOR VEHICLE ACCIDENT INVESTIGATION REPORT
(CONTINUED)**

CONTRIBUTING FACTORS: _____
(SUCH AS SPEED, THE) _____
(LENGTH OF TRIP) _____
(ETC.) _____

WRITTEN ACCOUNT FROM ALL: _____
(COUNTY PERSONNEL AND) _____
(DRIVERS CONCERNED) _____

PHOTOGRAPHS OF ACCIDENT: YES: _____ NO: _____
(IF AVAILABLE)

ACCIDENT REPORT FROM: YES: _____ NO: _____
(LAW ENFORCEMENT)

DIAGRAM OF ACCIDENT:
(SCENE)



Brake Fluid			
Transmission Fluid			
Windshield Wiper			
Antifreeze			

Vehicle Lights	Working	Need Replacement	Remarks
Headlights			
Parking Lights			
Directional Lights			
Reverse Lights			
Break Lights			
Emergency / Warning Lights			

Tires	Rt. Front	Lt. Front	Rt. Rear	Lt. Rear
Tread				
Sidewall				
Tire Pressure				

Body: _____

Other Comments: _____

Signature: _____

SERVICE REQUEST

DATE _____ **TIME** _____ **AM/PM**

P. O. NUMBER _____ **MILEAGE OF VEHICLE** _____

SERVICE DUE MILEAGE _____

VEHICLE NUMBER _____ **MAKE** _____

DESCRIPTION OF THE PROBLEM _____

SERVICE TIME REQUESTED _____ **AM/PM**

SERVICE PERSON _____

DATE _____ **TIME** _____ **AM/PM**

SPECIAL INSTRUCTIONS AND DIRECTIONS _____

REPAIRS _____

DATE CORRECTED _____ **TOTAL COST** _____

NEXT SERVICE DUE MILEAGE _____

REQUESTED BY _____

APPROVED BY _____

TRAINING REPORT FOR MOTOR FLEET SAFETY PROGRAM

DATE SUBMITTED _____

TYPE OF TRAINING _____

DATE OF TRAINING _____ **HOURS** _____

INSTRUCTOR _____

BRIEF SUMMARY OF TRAINING _____

KEY POINTS OF INFORMATION _____

MEMBERS ATTENDING: 11. _____

1. _____

3. _____

2. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

21. _____

SUBMITTED BY: _____ DEPARTMENT HEAD

**MOTOR FLEET SAFETY PROGRAM
POINT ASSIGNMENT
NOTIFICATION OF DRIVING PRIVILEGES FORM**

NAME: _____

SOCIAL SECURITY #: _____

DEPARTMENT: _____

TYPE OF CONVICTION: _____

DATE OF CONVICTION: _____

DATE COUNTY SAFETY MANAGER
NOTIFIED: _____

POINTS ASSIGNED: _____ DATE: _____

ACTION TAKEN: _____

EMPLOYEE: _____ DATE: _____

DEPT. HEAD: _____ DATE: _____

COUNTY MGR.: _____ DATE: _____

NOTIFICATION FORM RECEIVED AT
SAFETY OFFICE BY: _____

COUNTY SAFETY MANAGER

DATE

**POLICY: PROPER RESPONSE OF COUNTY VEHICLES ASSIGNED TO
THE
EMS/RESCUE, EMERGENCY MANAGEMENT SERVICES AND SAFETY
OFFICE
OF CHOWAN COUNTY**

Purpose: This information is set forth to better define the roles and responsibilities of EMS/Rescue, Emergency Management and Safety Office personnel who are responding to emergency or non-emergency calls utilizing vehicles provided by Chowan County.

General

- 1- County vehicles assigned to the EMS/Rescue, Emergency Management Department, and Safety office are to be operated only by personnel assigned to the department or other approved emergency response or law enforcement personnel.
- 2- County vehicles shall not to be used for personal use unless approved by the corresponding Department Head. See Permissive Use section on page 10.
- 3- Vehicles are to be operated at all times in a defensive manner, to protect patients, personnel and general public.

Emergency Response:

- 1- County vehicles assigned to EMS/Rescue, Emergency Management Department and Safety Office when responding to and from emergency calls or emergency transfers will utilize the red lights and siren.
- 2- Red lights will be utilized from beginning to end of call.
- 3- Siren when necessary may be utilized continuously. Siren will definitely be utilized in the following situation:
 - A. A minimum of 1,000 feet before and through intersections.
 - B. When approaching and attempting to over take another vehicle.
 - C. Unforeseen situation that require audible tones to be made.
- 4- The use of red lights and siren does not guarantee RIGHT-OF-WAY, it is only a request for RIGHT-OF-WAY.
- 5- State law permits emergency vehicles to exceed speed limit only when it is responsible and prudent to do so, but in no event are the EMS/Emergency vehicles to exceed 15 mph over the posted speed limit.

- 6- No vehicle will be driven at a dangerous rate of speed or reckless manner.
- 7- No vehicle will be driven at a rate of speed in excess of limitation established by existing road conditions, weather conditions and traffic congestion.
- 8- No vehicle is to exceed the posted speed limit by more than 15 miles per hour.
- 9- When approaching intersections vehicles will be operated at a rate of speed that would enable the driver to make a complete stop if necessary.
- 10- Seat belts will be worn by driver, additional personnel and passenger riding in front compartment.
- 11- Once call is completed and returning to station, vehicles shall be governed by state laws and city ordinances in regarding speed, right of way, traffic signals and signs as well as all safety rules in this manual.
- 12- Cell Phone Use: There will be no personal cell phone use during a call. If cell phone use is necessary to facilitate the emergency response, the county provided cell phone must be used and all such calls are to be made by the attendant, not the driver.

Non-Emergency Response

- 1- County vehicles assigned to EMS/Rescue department when responding to non-emergency calls, scheduled transfers or other related calls will utilize the use of head lights being turned on while transporting a patient.
- 2- Only if the patient's condition deteriorates would red lights and sirens and excessive speed is used as defined in emergency call section.
- 3- When personnel are on non-emergency calls the vehicle responding to/from call and returning to quarters shall be governed by state laws and city ordinances in regard to speed, right of way, traffic signals and signs as well as all safety rules in this manual.
- 4- Seat belts will be worn by driver, additional personnel and passenger riding in front seat.

Accidents:

- 1- If and county vehicle is involved in an accident, the first priority is to check on the safety and well being of patients, personnel and passengers.
- 2- If there are further injuries additional medical assistance may be requested.

- 3- All accidents involving county vehicles assigned to the EMS/Rescue and Emergency Management departments will be reported to the Emergency Services Director or his designate as soon as possible.
- 4- All accident procedures outlined on page 7 of this manual will be followed as well as utilizing the Accident Investigation Form on page 15.
- 5- All accidents /incidents will be reported regardless of how minor, to the proper authorities.
- 6- Personnel involved in the accident will complete all required paper work as soon as possible.

NOTE: When personnel are responding to the scene of an emergency call or in their personal vehicle, extreme caution should be taken. Individuals may be held responsible for actions taken and any results of such actions.

This policy was revised May 5, 2008.

Angela Toppin, Director
Chowan County Emergency Medical Services

Patricia S. Madry, Coordinator
Chowan County Emergency Management

Douglas L. Belch, Safety Manager
Chowan County Safety Office

**POLICY: PROPER RESPONSE OF COUNTY VEHICLES ASSIGNED TO THE
SHERIFF'S OFFICE OF CHOWAN COUNTY**

Policy:

The purpose of this policy and procedure is to establish guidelines for the proper use, care and maintenance of all vehicles assigned to the Chowan County Sheriff's Office.

Procedures:

I. Operation of County Vehicles

A. County vehicles assigned to the Sheriff's Office shall not be used for personal use unless approval has been granted by the Sheriff. Non-employee passengers shall not be transported in vehicles provided by the County unless it is the interest of County business, in the case of an emergency, or unless approved by the Sheriff. Sheriff's Office employees authorized to take County vehicles home may engage in short inadvertent stops for "de minimus" personal business along a direct route between home and work. This is a Sheriff's Office specific policy.

B. Vehicles will be operated by Sheriff's Office employees only and other persons authorized by the Sheriff, except as necessary by mechanics or other service personnel performing maintenance or other work on the vehicle. Mechanics or other service personnel will not use any emergency equipment, emergency lights or sirens when operating the vehicle. For the purpose of this policy and procedure, Reserve Officers, when performing duties for and at the request of the Sheriff's Office, shall be considered an employee.

C. Unless an exception is granted, the operator of a Sheriff's Office vehicle shall notify the telecommunicator via radio whenever the vehicle is in use and being operated for any purpose. The operator will provide name/call number to the telecommunicator and will provide any other information required by proper radio procedure.

D. Sheriff's Office vehicles will be operated at all times in accordance with all State traffic laws, County and City ordinances and policies and procedures of the Chowan County Sheriff's Office. All operators and front seat passengers shall wear seat belts and shoulder straps. Prisoners will be strapped in with seat belts whenever possible.

E. Except under extreme emergencies, keys shall be removed from the ignition and doors locked on any unattended vehicle.

F. Deputies who are assigned vehicles on a 24 hour a day basis will arrange with their supervisor for the vehicle to be available for use by others when the deputy is on vacation or other wise away from the job for extended periods of time.

II. Inspection and Maintenance of County Vehicles

A. Deputies will search their vehicles at the beginning and end of their shifts for weapons, evidence, contraband, or other property left by prisoners or others.

B. A Motor Vehicle Log Report will be filled out by the driver at the beginning of each shift or change of drivers. Operators shall examine their vehicles at the beginning and end of their shift for damage. Any damage observed will be reported immediately to the supervisor. Any damage reported after the vehicle has been inspected and placed into service shall be considered to have occurred during the operator's tour of duty.

1. Any vehicle that is unsafe or in need of mechanical repairs shall be reported immediately to the supervisor who shall take appropriate corrective action.

2. Employee's assigned vehicles are responsible for scheduling routine maintenance and service of the vehicle, including cleaning and washing of the vehicle.

3. Employees shall not undertake any mechanical work on their own and shall not alter or otherwise tamper with any of the vehicles safety features.

NOTE: This policy is for internal use only and does not enlarge a deputy's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in non-judicial administrative setting.

III. Emergency Vehicle Operation

Policy:

The purpose of this policy and procedure is to provide general guidelines to the employee of the Chowan County Sheriff's Office for the situation in which emergency operations of vehicles is warranted to state the obligations to public safety of individual officers responding to emergency situations.

Some law enforcement situations present such a high potential of death or serious injury to innocent citizens that immediate and rapid response is needed. However, this need is balanced by the obligation to protect the general public from any unnecessary risks caused by the vehicle responding to such a situation.

G.S. 20-156 – Provides that drivers of vehicles upon highways shall yield right-of-way to police vehicles on official business and which are giving a warning signal by appropriate light and audible siren. This provision shall not operate to relieve the driver of police vehicle from the duty to drive with due regard for the safety of all persons using the highway nor shall it protect the driver of any vehicle from the consequences of any arbitrary exercise of such right-of-way.

Definitions:

Emergency: Any situation needing immediate law enforcement attention due to a present danger to public safety, a need for the immediate apprehension of a violator or a serious crime in progress.

Emergency Vehicle: An authorized law enforcement vehicle equipped with emergency lights and siren that is used to respond to emergencies. The deputy will, however, operate this vehicle in due regard for the safety of others.

Emergency Operations: Any operation of an emergency vehicle in which the operator, in the performance of a law enforcement duty, may exceed the normal speed limit or deviate from the other traffic laws normally applicable to non-emergency vehicles.

Procedures:

A. Deputies will not intentionally exceed the speed limit or deviate from traffic laws normally applicable to non-emergency vehicles unless they are responding to an emergency, or

unless the deputy is attempting to apprehend a suspected violator of the law to the vehicle pursuit policy.

B. Any deputy initiating emergency operations of a Sheriff's Office vehicle will immediately notify the telecommunicator and provide current location and destination or direction of travel as appropriate.

C. Vehicles engaged in emergency operations are required to use headlights and both blue lights and siren. Any time either the blue light or siren has been discontinued, emergency operation will be terminated and all speed and traffic laws will be observed.

D. This section does not apply to deputies "pacing" a vehicle to establish a speeding violation, or to deputies conducting surveillance on a suspect vehicle, or when a deputy believes a vehicle is being operated and/or occupied by a suspect dangerous person(s) and such use would present an imminent danger to the deputy or aid in the case of a dangerous wanted person(s).

E. Any time a vehicle operator attempts to elude a deputy, the vehicle Pursuits policy will be followed.

It shall be the responsibility of any supervisor to direct the responding deputy, through the telecommunicator, to cease emergency operations if it appears that the emergency operations is unwanted or that the risk to the general public by the emergency operations over weights the risk of terminating the emergency operations.

Deputies engaged in emergency operation of shall cease exceeding the speed limit and/or deviating from traffic laws normally applicable to non-emergency vehicles when:

A. A supervisor directs a deputy to terminate the emergency operation;

B. The deputy learns that the emergency situation warranting emergency operation no longer exists or that other units have arrived on scene insufficient numbers to handle the situation.

C. Traffic, weather, visibility or other conditions increase the risk to the public using the highways to such a degree that the emergency operations in no longer authorized under the provisions of this policy

NOTE: This policy is for internal use only and does not enlarge a deputy's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in non-judicial administrative setting.

IV. Vehicle Pursuits

Policy:

Before engaging in the pursuit of a motor vehicle, deputies must balance the need to pursue or apprehend a violator against the risk of damage to property or Injury to persons that could result. Deputies involved in conducting or supervising a pursuit must always be aware that their first obligation is to protect the public.

G.S. 20-145 – When Speed Limit is Not Applicable

The speed limitations set forth in Chapter 20 of the NC General Statutes, shall not apply to vehicles when operated with due regard for safety under the direction of law enforcement officer in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation. This exemption shall not, however, protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others.

G.S. 20-156 – Exceptions to the Right-of-Way Rule

The driver of a vehicle upon the highway shall yield the right-of-way to police vehicles when the operators of said vehicles are giving a warning signal by appropriate light and bell, siren or exhaust whistle audible under normal conditions from a distance not less than 1,000 feet. When appropriate warning signals are being given, as provided in this subsection, an emergency vehicle may proceed through an intersection or other place when the emergency vehicle is facing a stop sign, a yield sign or a traffic light which is emitting a flashing strobe signal or a beam of steady or flashing light. This provision shall not operate to relieve the driver of the police vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequence of any arbitrary exercise of such right-of-way.

G.S. 20-141.5 – Speeding to Elude Arrest

- (a) It shall be unlawful for any person to operate a motor vehicle on a street, highway or public vehicular area while fleeing or attempting to elude a law enforcement officer whom in the lawful performance of his duties. Except as provided in subsection (b) of this section, violation of this section be a Class I misdemeanor.
- (b) If two or more of the following aggravating factors are present at the time the violation occurs, violations of this section shall be a Class H felony.
 - Speeding in excess of 15 miles per hour over the legal speed limit
 - Gross impairment of the person's faculties while driving due to
 - Consumption of an impairing substance: or
 - A blood alcohol concentration of 0.14 or more within a relevant time after the driving
 - Reckless driving as proscribed by G.S. 20-140
 - Negligent driving leading to an accident causing
 - Property damage in excess of one thousand dollars (\$1,000): or
 - Personal injury
 - Driving when the person's license is revoked

- Driving in excess of the posted speed limit, during the days and hours when the posted limit is in effect, on school property or in an area designated as a school zone pursuant to G.S. 20-141.1 or in a highway work zone as defined in G.S. 20-141(j2)

- Passing a stopped school bus as proscribed by G.S. 20-217

- Driving with a child under 12 years of age in the vehicle

(c) Whenever evidence is presented in any court or administrative hearing of the fact that a vehicle was operated in violation of this section, it shall be prima facie evidence that the vehicle was operated by the person in whose name the vehicle was registered at the time of the violation, according to the Division's records. If the vehicle is rented, then proof of that rental shall be prima facie evidence that the vehicle was being operated by the renter of the vehicle at the time of the violation.

Definitions:

Pursuit: A vehicle pursuit is an active attempt by the deputy to apprehend any driver of a motor vehicle who refuses to stop his vehicle or who flees from the deputy after being directed to stop with both blue light and siren.

Termination of Pursuit: Termination of pursuit means that the deputies stop emergency operation of their vehicles and bring their vehicles into compliance with all traffic regulations.

PROCEDURES:

I. Vehicle pursuits are emergency operations. When initiating the pursuit of a motor vehicle, deputies must:

A. Evaluate the circumstances including:

1. Visibility and weather conditions;
2. Traffic volume and road conditions;
3. Seriousness of the suspected violation;
4. Danger presented to the public if suspect is not immediately apprehended;
5. Danger to the public caused by the pursuit;
6. The performance capabilities of the pursuit vehicle.

B. Activate the blue light and siren and notify the telecommunicator of the pursuit, including location and direction of travel and the nature of the violation. The blue light and siren will be in continuous operation throughout the pursuit:

C. Give updated location and direction of travel to the telecommunicator as often as possible while still maintaining control of the vehicle. When a second unit assigned to the pursuit reaches the initiating deputies location, he is responsible for handling all radio

communications as long as he is close enough to and is able to observe the lead unit's actions; and

- D. Terminate the pursuit if at any time it appears that the danger to the public because of the pursuit outweighs the danger to the public by allowing the violator to escape.

II. Telecommunicator's Responsibilities

- A. Immediately after being notified that a deputy is in pursuit of a vehicle, the telecommunicator will broadcast an alert on all frequencies providing the following information:
 - 1. The fact that a pursuit is underway;
 - 2. The identification of the pursuing unit;
 - 3. The nature of the violation or offense; and
 - 4. Location and direction of travel of the vehicle being pursued.
- B. Notify the Sheriff or other available on duty supervisor of the pursuit.
- C. Advise additional back-unit to assist in the pursuit. No more than two units may be involved in the pursuit at any given time unless the Sheriff or senior deputy in charge authorizes additional units or circumstances require additional units.
- D. Notify other law enforcement agencies if appropriate.

III. Senior Deputies Responsibilities

- A. Senior Deputies are responsible for monitoring any pursuit involving deputies from the Chowan County Sheriff's Office.
- B. A supervisor may authorize additional units to respond, but will be held strictly accountable for the judgment.
- C. Supervisors will evaluate the nature of the pursuit in light of its danger and make a judgment whenever necessary to terminate the pursuit.

IV. Termination of Pursuit

- A. The lead unit must end the pursuit if at any time it appears that the danger to the public because of the pursuit outweighs the danger of allowing the suspect to escape.
- B. The pursuit should also be terminated if, at any time, the deputy feels that his ability to maintain control of his vehicle is jeopardized.
- C. In many pursuit situations it is possible for deputies to positively identify the suspect through their personal knowledge, the vehicle registration, description of the driver, or some combination of these factors. When a deputy feels that he can positively identify

the fleeing suspect, the pursuit should be ended for safety reasons unless there is a greater danger to the public if the suspect is not immediately apprehended.

- D. Ranking and/or senior deputies are responsible for ordering that a pursuit be terminated if, at any time, the danger of continuing the pursuit is greater than the danger to the public if the suspect is not apprehended immediately.

V. Other Requirements

- A. Ramming, stationary roadblocks and other forced vehicle stops may be deadly force, depending on the likelihood that seriously injury will be inflicted. Shooting at a moving vehicle is the use of deadly force. Deadly force should never be used to stop a pursuit unless the fleeing suspect has created an immediate and substantial danger of death or serious bodily injury to the public at large or to other officers and no practical and effective alternative exists for ending the threat. Positioning cars in the travel lane to deter or channel a fleeing suspect is allowed but must not create an undue risk of collision unless deadly force is authorized.
- B. Unmarked units involved in pursuits will be replaced by marked units whenever possible based on the availability of marked units. When two marked units have become involved in the pursuit, unmarked units will terminate their involvement.
- C. Deputies will not become involved or will terminate their involvement in pursuits with other law enforcement agencies when the total number of units in the pursuit or other conditions violates the requirements of this policy.

VI. Required Reports

- A. In addition to any other reports that may be required because of the pursuit, the officer in charge of the pursuit will complete will complete a Vehicle Pursuit Report prior to the end of his tour of duty.

NOTE: *This policy is for internal use only and does not enlarge a deputy's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by this agency, and then only in non-judicial administrative setting.*

This policy was revised May 5, 2008.

Dwayne L Goodwin, Sheriff
Chowan County

**POLICY: PROPER RESPONSE OF COUNTY VEHICLES ASSIGNED TO
THE
CENTER HILL-CROSSROADS FIRE DEPARTMENT**

Purpose: This information is set forth to better define the roles and responsibilities of Firefighter personnel who are responding to emergency or non-emergency calls utilizing vehicles provided by Chowan County.

General

- 1- County vehicles assigned to the Center Hill-Crossroads Fire Department are to be operated only by personnel assigned to the department and approved to operate the vehicle.
- 2- County vehicles shall not to be used for personal use unless approved by the Department Chief.
- 3- Vehicles are to be operated at all times in a defensive manner, to protect personnel and the general public.

Emergency Response

- 1- County vehicles assigned to Center Hill-Crossroads Fire Department when responding to an alarm shall have the electric siren, flashing emergency Red warning lights and vehicle head lamps operating at all times.
- 2- Red lights will be utilized from beginning to end of call.
- 3- Siren when necessary may be utilized continuously. Siren must be utilized in the following situation:
 - A. A minimum of 1,000 feet before and through intersections.
 - B. When approaching and attempting to over take another vehicle.
 - C. Unforeseen situation that require audible tones to be made.
- 4- The use of red lights and siren does not guarantee RIGHT-OF-WAY, it is only a request for RIGHT-OF-WAY.
- 5- Emergency vehicles are allowed to exceed the posted speed limit only when it is responsible and prudent to do so, but in no event are the Center Hill-Crossroads Fire Department emergency vehicles to exceed 15 mph over the posted speed limit.

This includes Volunteer Fire Fighters traveling to an emergency in their personal vehicles while using their Red warning lights.

- 6- No vehicle will be driven at a dangerous rate of speed or reckless manner.

7- No vehicle will be driven at a rate of speed in excess of limitation established by existing road conditions, weather conditions and traffic congestion.

8- When approaching intersections vehicles will be operated at a rate of speed that would enable the driver to make a complete stop if necessary.

9- Seat belts will be worn by driver and any additional personnel riding in vehicle. All persons riding in a vehicle must occupy a seat or space designated for a passenger and wear a properly attached seat belt.

10- Once call is completed and returning to station, vehicles shall be governed by state laws and city ordinances in regarding speed, right of way, traffic signals and signs.

Non-Emergency Response

1- When personnel are on non-emergency alarms the vehicle responding to/from alarm and returning to quarters shall be governed by state laws and cite Ordinances in regard to speed, right of way, traffic signals and signs.

2- Only if the alarm's situation deteriorates would red lights, sirens and excessive speed is used as defined in emergency response section.

3- Seat belts will be worn by driver. All persons riding in a vehicle must occupy a seat or space designated for a passenger and wear a properly attached seat belt.

Accidents

1- If a county vehicle, or Volunteer Fire Fighter personal vehicle while being used for official duty of the Center Hill Crossroad Fire Department, is involved in an accident, the first priority is to check on the safety and well being of firefighters and other individuals involved.

2- If there are injuries medical assistance may be requested.

3- All accident procedures outlined on page 7 of this manual will be followed as well as utilizing the Accident Investigation Form on page 15. All accidents involving county vehicles assigned to the Center Hill Crossroads Fire Department or Volunteer Fire Fighter personal vehicle while being used for official duty of the Center Hill Crossroads Fire Department will be reported to the Fire Chief or his designate as soon as possible.

4- All accidents/incidents will be reported regardless of how minor, to the proper authorities.

5- Personnel involved in the accident will complete all required paper work as soon as possible.

NOTE: When personnel are responding to the scene of an emergency call or to the Fire Station in their personal vehicle, extreme caution should be taken. Individuals may be held responsible for actions taken and any results of such actions.

Engineer Road Test

- 1- Engineer ability to handle road test.
- 2- Engineer attitude toward motor vehicles and traffic rules when driving fire engine.
- 3- Engineer ability to smoothly shift gears during operation.
- 4- Engineer ability to stop fire engine on fire site out of traffic.
- 5- Engineer treatment of fire engine, does he respect the equipment of the Department during the road test.
- 6- Engineer ability when backing fire engine.
- 7- Does Engineer use caution when backing fire engine and does he make sure that he has a fireman at rear of truck during the backing procedure.
- 8- Engineer attitude towards fire engine and driving responsibility. All engineers of fire engine shall be held responsible for the safety of their passengers
- 9- All members operating fire engine must pass the Engineer road test as given by the Chief or the Officer he assigns to give the test.

This policy was revised May 5, 2008.

Louis Nixon, Chief
Center Hill-Crossroads Fire Department

Mr. Fickling also presented the following document

Chowan County
Safety Committee
Peer Review Committee
Point Assignments

I. Safety Committee

A. Make Up (15 people)

- One total person selected from the following departments (initial term- 3 yrs)

- Elections
- Land Records
- Register of Deeds – Sue Rountree
- Data Processing
- Emergency Management

- One person from each of the following departments

- Administration – Kim Smith (3yr)
- Tax – Lynda Hendricks (1 yr)
- Maintenance – Orville Mason (3 yr)
- Senior Center – Phyllis Ashley (2 yr)
- Sheriff / Jail/Central Communications – Andy Bunch (2 yr)
- Inspections / Planning – Kent Pierce (2 yr)
- Animal Shelter – Ginny Canady (1yr)
- DSS – Ben Rose (3 yr)
- EMS – Colin Ryan (3 yr)
- Recreation – Mary Sawyer (2 yr)
- Agriculture Extension – Mike Williams (1 yr)
- Edenton-Chowan School Representative – Karen Tynch
- Water – Merrill Perry (1 yr)

- The County Safety Manager will be the permanent chairperson of the committee
- Each committee member will serve a three year term after his/her initial term expires
- Each Department Head will designate a member to serve at the Department Head's discretion; however no one member shall serve longer than a three year term.

B. Reporting Authority

The Safety Committee will report directly to the County Safety Manager

C. Responsibility

- Committee is responsible for all safety recommendations made by Insurance Company loss control personnel, investigation of on premises accidents, and over-all safety procedures for the County (see the Key Risk “Integrated Action Plan” for example).
- Safety Committee is responsible for appointing a five members (5) Peer Review Sub-Committee and their oversight.
 - This will include selection of members,
 - Setting Accident and Incident Point Values and penalties
 - The Safety Committee will act as an appeals committee for actions taken against an employee by the Peer Review Sub-Committee.
- Workers Compensation accidents and Tort Liability incidents or occurrences are to be reviewed by the Safety Committee and those the committee deem “Preventable” will be assigned to the Peer Review Sub-Committee for investigation and assignment of points if deemed “Preventable”.

II. Peer Review Committee

A. Make Up

- The Peer Review Sub-Committee of the Safety Committee will have five members (who are not members of the Safety Committee) with no more than two members being in a supervisory or management position.

B. Reporting Authority

- The Peer Review Sub-Committee will report to the Safety Committee all actions taken.

C. Responsibilities

- The Peer Review Sub-Committee will investigate all automobile accidents, Workers Compensation accidents, and Tort Liability incidents or occurrences as assigned by the Safety committee, and may assign points to the parties involved. Accidents are to be reviewed on a “Preventable or Not Preventable” basis rather than on a “Fault not at Fault” basis.
- The Peer Review Committee may request any employee involved in an accident to present his or her interpretation of the accident.
- The Peer Review Sub-Committee may assign points in accordance with the points chart approved and attached hereto.

IV. Schedule of Points

Violation	# Points
Failure to complete Motor Vehicle Maintenance Log at beginning of shift or Driver change	2
DWI in County vehicle	Termination
Passing a stopped school bus loading or unloading children	12-16
Hit and run involving bodily injury or property damage	6
Manslaughter/death by motor vehicle	12-16
Reckless driving	8
Speeding through school zone	8
Running through red light	4
No drivers license or expired more than one year	4
Illegal passing	4
Driving on wrong side of road	4
Speeding more than 5 MPH above posted speed limit	4
Speeding less than 5 mph above posted speed limit	2
Following too close	4
Running through stop sign	6
Speeding through safety zone	6
Failure to yield right of way	4
Failure to stop for siren/blue lights	6
No liability insurance	6
Failure to report an accident	6
Backing accidents: <div style="margin-left: 40px;">Failure to use backer when available</div> <div style="margin-left: 40px;">Failure to secure area when no backer available</div> <div style="margin-left: 40px;">Backer fails to give proper instruction's, backer receives points</div> <div style="margin-left: 40px;">Driver fails to follow backers directions</div>	4
Failure to properly park, chock, or contain vehicle	2
Accident <div style="margin-left: 40px;">less than \$ 999.00 in damage</div>	2
<div style="margin-left: 40px;">more than \$1,000 in damage</div>	4

Failure to complete accident investigation report within 3 working days	2
Gross Negligence	Up to Termination
Tort with Bodily Injury	4-8
Tort Property Damage Accident	4
Workers Compensation Accident	
Major (causing injury to others)	6
Minor (self inflicted injury)	4
Administrative Point Assignment	
Failure to report an accident or incident within 5 days of event	2
Failure to attend mandatory safety meeting without prior permission	2
Unauthorized use of Emergency Lights (Blue or Red) and / or Siren on a Emergency Vehicle	6

Penalties' for Excessive Points

- Point Accumulation Warnings (Constitutes Unsatisfactory Job Performance in accordance with the County Personnel Policy) within a 3 year period
 - Accumulation of 4 points will result in a written warning
 - Accumulation of 11 up to 19 points will result in a final written warning
 - Accumulation of 20 points or more will result in termination
 - One Half (1/2) of points per violation drop after 12 months

- Assignment of 12 points regarding one incident (constitutes Unacceptable Personal Conduct in accordance with the County Personnel Policy) within a 3 year period
 - Disciplinary process will be implemented up to termination
 - One Half (1/2) of points per violation drop after 12 months
- Assignment of 16 or more points regarding one incident (constitutes Grossly Inefficient Job Performance in accordance with the County Personnel Policy) within a 3 year period
 - Disciplinary process will be implemented up to termination
 - One Half (1/2) of points per violation drop after 12 months

Special Note:

- Notwithstanding the penalties outlined in the point chart, the disciplinary measures outlined in the Disciplinary Process (Section 4) of the County Personnel Policy shall be superior to these penalties.

Commissioner Winslow noted his concern about regular drivers having to maintain a full inspection daily. He said that he felt regular drivers of County vehicles should not have to check all equipment daily, such as transmission fluid etc.

Mr. Copeland said that the committee could look into amending the policy to allow some flexibility for regular drivers who have the same vehicle each day.

Commissioner Gardner moved that the policy be adopted with revisions. Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

Human Services Committee Update

The Human Services Committee met on Wednesday April 30th. Commissioner Gardner provided a review of the items discussed.

Request for Proposals for County Attorney

Attorney and County Manager select, Peter Rascoe presented the Board with an RFP for County Attorney. He noted that RFP's may be received from outside of the County if it is submitted.

Commissioner Belfield moved that the County put out the following RFP. Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

Request for Proposals
to provide legal services
as the
Chowan County Attorney

Chowan County, North Carolina is seeking Proposals for a contract position of County Attorney to be appointed pursuant to NCGS §153A-114. The position will provide legal counsel to the Board of Commissioners, County Manager, and all county departments, boards, and agencies. The County Attorney will advise county officials on issues with legal implications for the county, and represent the county before courts of law and administrative bodies as necessary. The position is expected to handle and advise on a broad range of legal matters including contracts and bidding, all types of financial transactions for revenue funding, real and personal property acquisitions and divestitures, ordinance preparation, personnel and employment, worker's compensation, property valuations and tax (assessment only), land use regulation, emergency management, public records, open meetings, and parliamentary procedures. The County Attorney will investigate legal claims for and against the county, negotiate tentative settlement of claims, prepare legal opinions and briefs, and conduct litigation.

The County Attorney must maintain a working familiarity with all county ordinances and written policies, including the Chowan County Development Codes, nuisance ordinance, abandoned and junk car ordinance, unsafe structures ordinance and personnel and employee safety policies. The County Attorney must possess knowledge of state and federal laws applicable to local governments and have the ability to interpret and apply statutes, administrative rules and regulations, court decisions and other precedents. The County Attorney will be present at all meetings of the Board of Commissioners, and at all other meetings of County boards and agencies as requested.

[Chowan County currently contracts for outside legal representation of the Department of Social Services and for all matters of collection of taxes and assessments. The contracts for these legal services will remain in place.]

Proposals should include the following for consideration:

1. Attorney's capability to respond to immediate inquiries and provide on-site – "face-to-face" representation when needed.
2. Attorney's availability to be present during the workday and evenings for meetings with staff, the Board of Commissioners, and the other boards and agencies of the County.
3. Attorney's capability and willingness to litigate in court or before administrative agencies.
4. Attorney's capability to address any potential conflicts of interest which may exist or arise in the legal representing of other counties, municipalities, or other agencies or entities.
5. Attorney's experience in land use planning and enforcement of land use regulations and ordinances.
6. If a proposal is submitted by a multiple attorney firm, identification of each primary attorney which the Board of Commissioners, staff, and other agencies and boards may rely on for representation.
7. Proposed plan of compensation, including both a method of time computation and a plan for reimbursement of expected expenses.

Proposals will be accepted at the Chowan County Manager's Office, 115 East King Street, Edenton, NC 27932, through June 30, 2008 after which time they will be evaluated by the Board of Commissioners.

Manager's Report

Mr. Copeland gave the Manager's report noting that the Finance Committee will begin budget review in the next 2-3 weeks.

Public Comment

Chairman Cole asked for public comment.

County resident, Rosalind Smith of 725 River Cottage Rd. expressed concern on behalf of herself and her neighbors on the existing zoning of their lots.

Mr. Copeland suggested that Ms. Smith speak with Elizabeth Bryant and the Planning Department to discuss the options for rezoning the parcels.

There was no further comment.

There being no further business, Chairman Cole declared the regular meeting adjourned. He noted a 5 minute recess before the convening of the Board of Equalization and Review, Lynda Hendricks served as clerk. Ms. Stallings, Clerk administered the oath to the Board prior to the hearing.

May 5, 2008

Minutes

County of Chowan Board of Equalization and Review

Board members present: A. F. Downum, Ralph Cole, Kenneth Goodwin, Jimmy Alligood, Louis Belfield, William Gardner

The Chowan County Board of Equalization and Review convened on May 5, 2008. Steven Karl appeared before the Board to request a reduction in the value of his property located at 219 East Queen Street. The Board was presented a copy of an appraisal for the property and told that corrections had been made, lowering the assessment from \$359,524 to \$343,231 Mr. Karl requested the value to be lowered to \$325,000, value on the appraisal. However, the Board voted to accept the tax value-no change was made.

The Board was adjourned for 2008.

Respectfully submitted,



Lynda Hendricks

Clerk, Chowan County Board of Equalization and Review

There being no further business before the Board, the meeting was adjourned.

Ralph Cole
Chairman

L. Susanne Stallings
Clerk to the Board

(SEAL)