

**2017 Annual New Clerks Institute and Master Clerks Academies
For City and County Clerks
Sheraton Imperial Hotel and Convention Center, Research Triangle Park, North Carolina
UNC School of Government**

**Master Clerks Academy II
Thursday, January 19, 2017**

Agenda

- 7:45 **Registration & Deluxe Continental Breakfast (Breakfast is located outside Imperial Rooms I&2)**
- 8:45 **Welcome and Course Overview (Imperial Rooms 1&2&3)**
Trey Allen, Assistant Professor of Public Law and Government, UNC School of Government
- 9:00 **Special Guest Speaker (Imperial Rooms 1&2&3)**
The Honorable Barbara Jackson, Associate Justice, Supreme Court of North Carolina
Justice Jackson will provide clerks with insights into the state’s judicial and executive branches by sharing experiences from her service as a member of the state’s highest court, as a judge on the North Carolina Court of Appeals, as General Counsel to the North Carolina Department of Labor, and as Associate General Counsel to Governor James B. Martin.
- 9:30-10:30 **Water and Sewer Fee Authority for Capital Expenses (Imperial Rooms 1&2&3)**
Kara Millonzi, Associate Professor of Public Law and Government, UNC School of Government
This session will provide an overview of a county’s and municipality’s authority to charge impact fees, capacity fees, system development fees, tap fees, and other similar charges assessed to fund water and sewer systems. We will discuss the holding of the recent North Carolina Supreme Court decision in Quality Built Homes, Inc. v. Town of Carthage, as well as other relevant case law.
- 10:30 **Break**
- 11:00 **Government Employees, Free Speech, and Social Media (Imperial Rooms 1&2&3)**
Robert P. Joyce, Charles Edwin Hinsdale Professor of Public Law and Government, UNC School of Government
Local government employers have legitimate concerns about what their employees are saying and showing, and what applicants for employment have said and shown, on social media. Employees and applicants have legitimate

concerns about privacy and free speech. In this session we will look at the clash of these concerns.

- 12:00 **Lunch (Imperial Rooms 4&5)**
- 1:00 **Flag Etiquette
(Imperial Rooms 1&2&3)**
Gunnery Sergeant Carlos Aguilar, U.S. Marine Corps, Assistant Marine Officer Instructor, UNC NROTC
Staff Sergeant Jonathan Kelly, U.S. Air Force, Non-Commissioned Officer in Charge, Administration Management, AFROTC Detachment 590, UNC Chapel Hill
Clerks are often charged with the handling, display, and care of their unit's flags. This session will cover flag-related topics, including flag placement when more than one flag is being displayed, the proper procedures for raising and lowering the flag, the rules concerning when the flag should or should not flown outdoors, and circumstances in which the flag must or may be lowered to half-staff.
- 2:00 **Quasi-Judicial Proceedings: What Clerks Need to Know
(Imperial Rooms 1&2&3)**
David Owens, Gladys Coates Professor of Public Law and Government, UNC School of Government
For many clerks, quasi-judicial hearings are a frequent part of life. They prepare their boards to conduct the hearings and ensure that hearing records are properly preserved. This session will aid clerks in (a) distinguishing which decisions are classified by the law as "quasi-judicial" as opposed to legislative, administrative, or advisory decisions, (b) understanding how to provide notice for and conduct evidentiary hearings, (c) understanding the legal requirements for decision documents on quasi- judicial matters, (d) applying rules for quasi-judicial decisions when there are vacancies or conflicts of interest by board members, and (e) understanding preparation of the hearing record for quasi-judicial matters.
- 3:00-3:30 Break
- 3:30-4:15 **Quasi-Judicial Proceedings: What Clerks Need to Know (continued)
(Imperial Rooms 1&2&3)**
David Owens
- 4:15 **Concurrent Business Meetings
(N.C. Association of Municipal Clerks: Imperial Rooms 1&2&3)
(N.C. Association of County Clerks: Imperial Rooms 6&7)**
- 5:15 **Academy II Adjourns for the Day**

Master Clerks Academy II (continued)
Friday, January 20, 2017

Agenda

- 7:45 **Registration & Continental Breakfast (located outside Imperial Rooms 1&2&3)**
Time Allowed for Hotel Check Out
- 9:00 **Upcoming Programs for Elected Officials**
(Imperial Rooms 1&2&3)
Donna Warner, Director, Local Elected Leaders Academy, UNC School of Government
Elected board members often rely on their unit's clerk to inform them of continuing education opportunities. Donna Warner will brief clerks on the SOG's upcoming programs for elected officials.
- 9:15 **Conflicts of Interest and Local Government Officials**
(Imperial Rooms 1&2&3)
Norma Houston, Albert and Gladys Coates Term Distinguished Lecturer for Teaching Excellence
This session will provide an overview of legal prohibitions against conflicts of interest in public contracting, gifts and favors, and misuse of confidential information. Clerks will understand legal prohibitions against conflicts of interest and be aware of special conflicts of interest issues relevant to clerks and their governing board members.
- 10:45 **Break**
- 11:15 **2017 City and County Legislative Goals**
(Municipal Clerks: Imperial Rooms 1&2&3)
(County Clerks: Imperial Rooms 6&7)
Rose Williams, Director of Public and Government Affairs, NC League of Municipalities
Johanna H. Reese, Director of Government Relations, NC Association of County Commissioners
Both the NC League of Municipalities and the NC Association of County Commissioners have adopted legislative goals that they will be pursuing during that 2017 session of the NC General Assembly. In these concurrent sessions, clerks will be briefed on those goals, especially those that could have a direct impact on clerks. Clerks will also learn about the process by which the goals were formulated.
- 12:00 **Academy II Adjourns**

Master Municipal Clerks Academy II
Thursday, January 19, & Friday, January 20, 2017

Instructor Biographies

Carlos Aguilar is a Gunnery Sergeant in the United States Marine Corps. He currently serves as Assistant Marine Officer Instructor in the Naval Reserve Officers Training Corps at the University of North Carolina at Chapel Hill.

Trey Allen joined the School of Government as Assistant Professor of Public Law and Government in 2013. He was previously an attorney at Tharrington Smith LLP in Raleigh, where he represented local school boards. Prior to that Trey served as a law clerk for Justice Paul M. Newby of the North Carolina Supreme Court and as a judge advocate in the United States Marine Corps. Trey earned a bachelor's degree from the University of North Carolina at Pembroke and a law degree from the University of North Carolina at Chapel Hill, where he was a published staff member of the *North Carolina Law Review*. Trey serves as the School of Government's advisor to municipal and county clerks.

Norma Houston joined the School of Government in 2006. Prior to that, she served as chief of staff and general counsel to State Senate President Pro Tempore Marc Basnight. She has also served as Dare County attorney, assistant attorney general in the NC Department of Justice, and staff attorney for NC Prisoners Legal Services. Houston earned a BS in criminal justice and psychology and a JD from the University of North Carolina at Chapel Hill. She is a member of the North Carolina State Bar and serves on the boards of several organizations. Houston is an adjunct faculty member at the UNC-Chapel Hill School of Law and also teaches state government in the School's graduate program in public administration.

Barbara Jackson is an Associate Justice on the Supreme Court of North Carolina. She has previously served as a judge on the North Carolina Court of Appeals, General Counsel for the North Carolina Department of Labor, and Associate General Counsel to Governor James G. Martin. Justice Jackson obtained her bachelor's degree and law degree from the University of North Carolina at Chapel Hill. She has also earned a master of laws from Duke University.

Bob Joyce joined the School of Government (then the Institute of Government) in 1980. He previously practiced law with Chadbourne & Parke in New York and with Barber & Joyce in Pittsboro, NC. He is a past member of the executive committees of the Education Law Section of the North Carolina Bar Association and the North Carolina Council of School Attorneys. He has served as editor of the School of Government's Legislative Reporting Service, *School Law Bulletin*, and *Popular Government*. His publications include *The Law of Employment in North Carolina's Public Schools*, *The Precinct Manual*, and chapters in *Education Law in North Carolina*. Joyce earned a BA from the University of North Carolina at Chapel Hill and a JD from Harvard Law School.

Jonathan Kelly is a Staff Sergeant in the United States Air Force. He currently serves as the Non-Commissioned Officer in Charge, Administration Management, for Detachment 590, Air Force Reserve Officer Training Corps, at the University of North Carolina at Chapel Hill.

Kara Millonzi joined the School of Government in 2006. She previously practiced law with Testa, Hurwitz & Thibeault, LLP in Boston and clerked for the Honorable Louis F. Oberdorfer, United States District Court for the District of Columbia. She is a member of the North Carolina State Bar and the Bar of the Commonwealth of Massachusetts. Millonzi earned a BA in economics, summa cum laude, Phi Beta Kappa, from the University at Buffalo and an MA in economics from the University of Maryland at College Park. She earned a JD, with highest honors, Order of the Coif, from the University of North Carolina at Chapel Hill, where she served as editor in chief of the *North Carolina Law Review*.

Johanna H. Reese is the Director of Government Relations for the North Carolina Association of County Commissioners.

Donna Warner is director of the Local Elected Leaders Academy at the UNC School of Government. In this capacity, she works with faculty to design and implement education and training programs for city and county elected officials. Warner brings expertise in budget and management analysis, strategic planning, human resource administration, and retreat facilitation. She has conducted planning and board retreats for multiple North Carolina municipalities and counties, helping boards plan and work together to solve public problems. Warner earned a BA from the University of Virginia and an MPA from the University of North Carolina at Chapel Hill.

Rose Williams is the Director of Public and Government Affairs for the North Carolina League of Municipalities.

Credit for Successful Completion of Institute and Academies

The School of Government of The University of North Carolina at Chapel Hill is the International Institute of Municipal Clerks' recognized provider of city and county clerks' educational programming in North Carolina. The School's Clerks Institutes and Academies may be used for credit towards the IIMC's designations of Certified Municipal Clerk (CMC) and Master Municipal Clerk (MMC).

The School also works cooperatively with the North Carolina Association of County Clerks and the North Carolina Association of Municipal Clerks in providing educational classes for clerks pursuing the designations of North Carolina Certified County Clerk (NCCCC) and North Carolina Certified Municipal Clerk (NCCMC).

The School awards points for successfully completing the 2017 New Clerks Institute, Master Clerks Academy I, and Master Clerks Academy II. **Points are awarded separately for the Institute and for each Academy. To receive credit for the Institute or for an Academy, the student must attend all sessions as shown by the School's electronic attendance monitoring system and must complete and submit an on-line evaluation form for that event.**

No partial credit can be awarded.

Amounts of Credit Awarded

1. Persons successfully completing the New Clerks Institute will receive 2.75 CMC points (5.5 hours).
2. Persons successfully completing Master Clerks Academy I will receive 3.0 CMC/MMC points (6.0 hours).
3. Persons successfully completing Master Clerks Academy II will receive 3.75 CMC/MMC points (7.5 hours)
4. Credit allowed towards NCACC and NCAMC designations is decided by each state association in accordance with its own rules. Generally, the amount of credit allowed is based on the number of classroom hours attended.