

SECTION II.

GOVERNANCE, MANAGEMENT AND ADMINISTRATION

CUMBERLAND COUNTY MH/DD/SAS

April 1, 2003

Local Business Plan: Strategic Plan Matrix

Area Program(s)/County Program	Cumberland County Mental Health, Developmental Disabilities and Substance Abuse Center
Contact	Hank Debnam, Phone 910-323-0601, Fax 910-323-0096, areadirector@mail.ccmentalhealth.org
Submission Date	April 1, 2003

Item: II. Governance, Management and Administration

Goal: 1. The Local Business Plan conforms to a governance structure as described in N.C. General Statute 122-C amended. (non-weighted)

Effective Date: April 1, 2003 and ongoing

Steps Taken	Steps Planned	Barriers
<p>a) The Area Board recommended that the area program assume the role of the LME and operate as a Single County Area Authority in December 2001.</p> <p>1. The County Commissioners unanimously approved recommending that the Mental Health Center operate under a Single County Area Authority Model for Governance in March 2002. A letter was sent to Secretary Carmen Hooker Odom in March 2002 outlining this recommendation.</p> <p>2. The Secretary approved the County's recommendation and sent a letter to the</p>		

Board of County Commissioners in March 2002.

3. The model of governance recommended and approved conforms to a governance structured as outlined in N.C. General Statute 122-C.

See Attachments: II. 1(a-i): Letter to Chairman of County Commissioner re: governance;

II. 1(a-ii) Minutes from County Commissioners Meeting dated March 11, 2002

II. 1 (a-iii) Letter from Chair of County Commissioners to Secy. Odom

II. 1(a-iv) Letter from Secy. Odom accepting governance recommended by the County

b) Not Applicable

- c) The Area Board by-laws were amended in December 2002 to reflect changes in the composition of the Area Board, per the Local Business Plan guidelines. The Area Board Composition compiles with membership as outlined in the State Plan.

See Attachments II.1 (c-i) Minutes from Executive Committee dated 5/8/02, 9/11/02 and 11/13/02

Attachment II.1 (c-ii) Policy on Area Board By-Laws- Section 1

Attachment II.1 (c-iii) Area Board Directory

Reviewers Comments:

activities between the two area programs.	need for consolidation of any functions or activities with another program, such as Lee-Harnett MHC, to enhance the delivery of services to consumers and family members and maximize community resources.	
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Reviewers Comments:

Local Business Plan: Strategic Plan Matrix

Area Program(s)/County Program	Cumberland County MH/DD/SAS
Contact	Hank Debnam, Phone 910-323-0601, Fax 910-323-0096, areadirector@mail.ccmentalhealth.org
Submission Date	April 1, 2003

Item: II. Governance, Management and Administration

Goal: 3. The Local Business Plan outlines an administrative and organizational structure adequate to meet the needs of the community that is being served by the LME. (NW)

Effective Date: January 2004 and ongoing

Steps Taken	Steps Planned	Barriers
<p>a)</p> <ol style="list-style-type: none"> 1. The Local Business Plan Core Committee has been reviewing duties and responsibilities of an LME and comparing this to the current organizational structure of the Agency. 2. The Core Committee and Senior Management Teams have been reviewing organizational structures of other area programs and those proposed by Phase I programs for implementation as they become an LME. 3. Extensive review of the credentials of existing staff is occurring to determine strengths 	<p>A formal organizational structure will be adopted and implemented prior to January 2004 to be operational prior to July 2004 when we begin to operate as an LME. Preliminary organizational structure based on functions is being developed.</p> <p>Training of all staff in areas of responsibility will occur.</p>	<p>It is difficult to develop an organizational structure for the LME without knowing the funds that will be available for assuming these duties.</p> <p>Our catchment area also has a large number of providers who are not serving consumers from our area but instead are serving out of county consumers. It is critical that we know the funds available to the area authority for monitoring those in the provider network of the LME as well as those who will receive monitoring due to being in our geographic area.</p> <p>The impact of monitoring for SB 163 is not known as this time or when the implementation</p>

<p>and weaknesses within our current agency re: personnel needed to operate effectively as an LME.</p> <p>4. The new organizational structure being discussed will include staff in the following areas: Area Director, Management Information Systems, Financial Management, Medical Services, Utilization Management and Review, Provider Network Development, Quality Improvement and Management, Planning, Service Monitoring and Core Services. The organizational structure will also include a section on Clinical Services to cover staff providing services funded with non-public mental health monies and those staff providing direct services as approved by the Secretary.</p> <p>b) The Area Director of the Area Authority meets the qualifications of an Executive Director as specified in N.C. General Statute 122C-121.</p> <p>c) Staff are being considered for various positions but final decisions have not been made. Decisions have been made about the Area Director, Administrative Services/Finance Director and Director of Management Information Systems.</p>	<p>Curriculum vitae of all staff selected for the LME will be provided when decisions are made.</p>	<p>of the monitoring for this will occur. It is anticipated that we will begin monitoring for SB 163 prior to becoming a fully operational LME, which again will necessitate we know funds available in order to develop needed components of our new organizational structure</p>
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<p><i>Attachments: Preliminary Organization Chart For LME Curriculum vitae for Area Director, Administrative Services/Finance Director and MIS Director.</i></p>		
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Reviewers Comments:

Local Business Plan: Strategic Plan Matrix

Area Program(s)/County Program	Cumberland County MH/DD/SAS
Contact	Hank Debnam, Phone 910-323-0601, Fax 910-323-0096, areadirector@mail.ccmentalhealth.org
Submission Date	April 1, 2003

Item: II. Governance, Management and Administration

Goal: 4. The Local Business Plan complies with the State Plan requirements regarding administrative and management policy and procedures. (NW)

Effective Date: July 2004 and ongoing

Steps Taken	Steps Planned	Barriers
<p>a) A policy has been adopted by the Area Board ensuring that there are opportunities for stakeholder and community input and involvement in policy formulation.</p> <p>The policy ensures that stakeholder input is used to improve policy and operations of the LME in ensuring the delivery of quality and culturally competent services in Cumberland County.</p>	<p>Guidelines outlined in the policy will continue to be followed.</p> <p>Obtain Area Board Approval</p>	
<p>b) The Local Business Planning process has included representatives from advocacy</p>	<p>Local Business Plan committee meetings will continue to be held and will include all</p>	

<p>groups, consumers, family members, providers, other human services agencies (DSS, Health Department, Schools, juvenile justice, community corrections), the Partnership for Children, district court judges, AHEC, the faith based community, county management, etc. Discussions continue to occur on ways to involve other stakeholders in the community in the process.</p> <p>Three public meetings/forums on mental health reform have been held and articles have been written for the newspaper. There is also media coverage for area board meetings.</p> <p>Mental health reform and the local business planning process have been featured on the community channel on the Focus on Mental Health program as well as Dimensions of Justice (with our Chief District Court Judge and a former District Court Judge who is now on the Court of Appeals).</p> <p>Several radio shows have been done on mental health reform, again encouraging community involvement in the planning and implementation process.</p> <p>c) Names of key local individual advocates and advocacy groups providing stakeholder input are available upon request.</p> <p>d) Cumberland County Area Authority will continue to involve these stakeholders</p>	<p>stakeholders.</p> <p>Committees continue to evaluate who is not at the table and what types of outreach efforts need to be taken to get those under-represented or not represented involved.</p> <p>Public meetings will be held on a quarterly basis and will be advertised in the newspaper, on the community channel, on the radio, and in meetings. Flyers will be posted in all agencies with requests from all involved in the business planning process to also post and circulate the announcements in the community.</p>	
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<p>with the operational implementation of the Local Business Plan and the transition of the Area Authority into an LME.</p> <p><i>Attachment II-4 (a): Stakeholder/Community Input in Policy – Section 77</i></p>		
<p>Reviewers Comments:</p>		



THOMAS F. MIRIELLO CCAS
AREA DIRECTOR

Telephone: (910) 323-0601
Fax: (910) 323-0096

COUNTY of CUMBERLAND

Mental Health Center

ACCREDITED



COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.

December 14, 2001

Commissioner Breeden Blackwell, Chairman
Cumberland County Board of County Commissioners
PO Box 1829
Fayetteville, NC 28302

Dear Chairman Blackwell,

Recently the General Assembly passed Mental Health reform legislation requiring all Boards of County Commissioners to submit to the Secretary of Health & Human Services letters of intent on a local Mental Health governance model. Specifically, the legislation provides a local option for Commissioners to select an Area Board model or a County governance model which can be single or multi county.

As evidenced in your State of the County 2001 publication (attached), our agency is considered a model program by top State officials, was the first nationally accredited Area Program in the State and has achieved the distinction of being the most award-winning area program in North Carolina. Obviously, the existing form of governance has produced an extraordinarily well-run and fiscally-sound mental health center.

In response to this legislation, our Area Board at its December 5, 2001 monthly meeting unanimously passed a motion "requesting the Board of Commissioners continue with the Area Board model of governance." We would greatly appreciate your support in continuing the proven model of governance which has served our citizens extremely well during our 32-year history.

P.O. Box 3069 • 711 Executive Place • Fayetteville, North Carolina 28302-3069

Additional locations where caring people provide mental health, developmental disabilities, and substance abuse services for the community:

Adult Services Center

Child & Family Services

Fuller Center

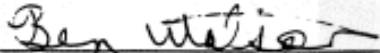
Russell Avenue Center

Spartanburg Center

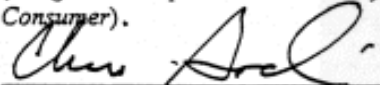
Spring Lake Center

If you have any questions with regard to this matter, please feel free to contact us at your earliest convenience.

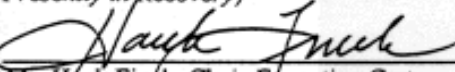
Sincerely yours,



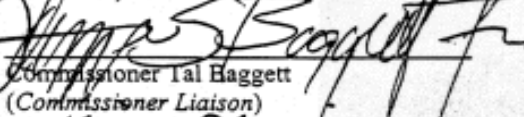
Mr. Ben Watson, Chairman
(Drug Abuse Representative-Family Consumer).



Mr. Chris Godwin, Vice-Chairman
(Drug Abuse, Primary Consumer, Presently in Recovery)



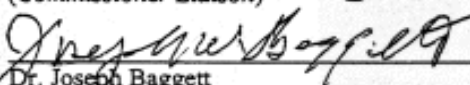
Mr. Hank Finch, Chair-Executive Cmte.
(Dev. Disabilities Representative from Citizen's Organization or Primary Consumer)



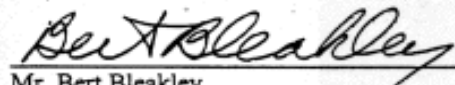
Commissioner Tal Baggett
(Commissioner Liaison)



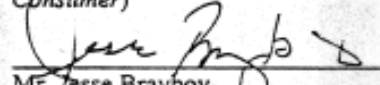
Commissioner Billy King
(Commissioner Liaison)



Dr. Joseph Baggett
(Licensed Physician)



Mr. Bert Bleakley
(Mental Health Representative-Family Consumer)



Mr. Jesse Brayboy
(Alcoholism-Family Consumer)



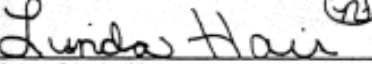
Mr. Doug Brisson
(At-Large)



Mr. A. Johnson Chestnutt
(Finance-Fiscal Representative)



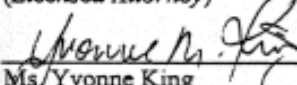
Mrs. Evelyn Esworthy
(Developmental Disabilities-Family Consumer)



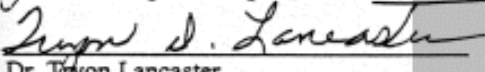
Mrs. Linda Hair
(At-Large)



Mr. Benner Jones
(Licensed Attorney)



Ms. Yvonne King
(Professional Rep.-Psychology, Social Work, Nursing, or Religion)



Dr. Vyvon Lancaster
(MH Rep. From Citizens' Organization or Primary Consumer)



Mr. Nat Taylor
(MH Representative-Family Consumer)

cc: Members of the Cumberland County Board of Commissioners
James Martin, County Manager
Tom Miriello, Area Director

Agenda
Cumberland County Board of Commissioners
Courthouse - Room 118
March 11, 2002
7:00 p.m.

[Back](#)

INVOCATION: Commissioner Jeannette Council

Pastor Addie Peterson - Haymount Presbyterian Church

1. Joint Meeting with Cape Fear Valley Health System Board of Trustees to Consider the Sublease of 4th Floor of Highsmith-Rainey Memorial Hospital for Operation of a Long-Term Acute Care Hospital.
2. Consent Agenda
 - A. Approval of minutes for the February 25, 2002 regular meeting.
 - B. Approval of Additions to the State Secondary Road System:

<u>Harris Place</u> <u>Subdivision:</u>	Issac Dock Drive, Our Street, Wigwam Drive, Tibs Run Drive, Egypt Road, Tin Lizza Drive
<u>Hubbard Commercial</u> <u>Tract:</u>	Santa Fe Drive, Meed Court, Starpoint Drive
 - C. Approval of PWC Easement for Water, Sewer & Electric Utilities at the Cumberland Industrial Center.
 - D. Approval of Request for Bad-Debt Write-Off for the Cumberland County Health Department.
 - E. Approval of the Appointment of a Deputy Finance Officer for the Civic Center.
 - F. Budget Revisions:
 - (1) Mental Health
 - Revision in the amount of \$1,093 to fully budget and benefits for the Medical Records Assistant IV. (B02-327) Funding Source - Reallocation of Budgeted Expenditures
 - (2) Sheriff
 - Revisions in the net amount of \$57,692 to move

Career Development Pay from Recertification to Salaries. (B02-324 through B02-326) Funding Source - Reallocation of Budgeted Expenditures

(3) Community Development - Public Services

Revision in the amount of \$23,084 to budget additional funds to sub-recipient for continuation of the Youth Leadership Development Initiative Program in Spring Lake. (B02-328) Funding Source - Federal

(4) FTCC Construction Bond Fund

Revision in the amount of \$235,000 to budget remaining funds in the FTCC Bond Fund to be expended on the Boiler Chiller Project for Cumberland Hall. (B02-323) Funding Source - Capital Project Fund Balance Appropriated and Interest Income

(5) JCPC Programs/General Government Other

Revision in the amount of \$48,820 to withdraw funding from the Big Brothers/Big Sisters program based on the recommendation from the JCPC Council. (B02-331 and B02-331A) Funding Source - Fund Balance and State

(6) Eastover Water System Project

Revision in the amount of \$45,138 to properly budget transfer of TAP fees from Eastover Operating Fund. (B02-335) Funding Source - Reallocation of Budgeted Revenue

Items of Business

3. Nominations to Boards and Committees

- A. Adult Care Home Community Advisory Committee (2 Vacancies)
- B. Board of Adjustment - Alternate Member (1 Vacancy)
- C. Community Health Care Council (9 Vacancies)

4. Appointments to Boards and Committees

- A. Equalization and Review Board (1 Vacancy)

Nominee:

Real Estate Agent Position: Curt Alexander

B. Tourism Development Authority (5 Vacancies)

Representatives from Hotels/Motels in Excess of 100 Rooms (2 Positions)

(Note: Appoint 1 Member to a 3 Year Term and 1 Member to a 2 Year Term)

Cameron W. Stout
William S. Wellons, Jr.

Representatives from Hotels/Motels w/Less Than 100 Rooms (2 Positions)

(Note: Appoint 1 Member to a 3 Year Term and 1 Member to a 2 Year Term)

Gene S. Ammons, Jr.
Katherine K. Jensen
Vivek Tanden

One Member of the Public Not Affiliated with Travel/Tourism (1 Position)

(Note: 3 Year Term)
Gwen Holloman

C. Designate a Member of the Tourism Development Authority as Chairman and Define the Term of Chairmanship.

5. Consideration of the County Policy Committee Report and Recommendations:
 - A. Presentation of the County Rural Water Study.
6. Consideration of the County Personnel Committee Report and Recommendations:
 - A. Proposed Career Progression Plan for Inspectors
7. Consideration of Postponing A Decision to Alter the Distribution of Sales Tax Proceeds.
8. Consideration of Mental Health Board Recommendation of Single County Area Authority Model for Local Mental Health Governance.
9. Presentation of Special Review of Civic Center Bartering Transactions - Appearing: Mr. Eddie ~~Burke~~ - Cherry, Bekaert & Holland.

ADJOURN

THIS MEETING WILL BE BROADCAST LIVE ON TIME WARNER COMMUNITY CHANNEL 7.

MEETINGS:

March 18, 2002 - (Monday) - 7:00 PM

April 1, 2002 - (Monday) - 9:00 AM
April 15, 2002 - (Monday) - 7:00 PM

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Page last updated 03/03/02



COUNTY of CUMBERLAND

Board of County Commissioners



ASHA S. [unclear]
CLERK TO BOARD
KHONDA R. BRITT
DEPUTY CLERK

J. BREEDEN BLACKWELL
CHAIRMAN

TALMAGE S. BAGGETT, JR.
VICE CHAIRMAN

JEANNETTE M. COUNCIL
KENNETH S. EDGE
JOHN T. HENLEY, JR.
BILLY R. KING
J. LEE WARREN, JR.

March 12, 2002

Ms. Carmen Hooker Odom
Secretary of Health and Human Service
2001 Mail Service Center
Raleigh, North Carolina 27699-2001

Dear Ms. Hooker Odom:

The Cumberland County Board of Commissioners met on Monday, March 11, 2002 and unanimously selected the Single-County Area Authority Board Model of Governance for the Cumberland County Mental Health Center.

If additional information is needed, please contact Juanita Pilgrim, Deputy County Manager at the address below or you may phone her at 910-678-7726.

Sincerely,

J. Breeden Blackwell, Chairman
Board of Commissioners

JBB/rrb

Pc: James Martin, County Manager
Juanita Pilgrim, Deputy County Manager
Tom Miriello, Director, CCMH



North Carolina Department of Health and Human Services
 2001 Mail Service Center • Raleigh, North Carolina 27699-2001
 Tel 919-733-4534 • Fax 919-715-4645



Michael F. Easley, Governor

Carmen Hooker Odom, Secretary

March 25, 2002

The Honorable J. Breeden Blackwell, Chairman
 Cumberland County Board of Commissioners
 P.O. Box 1829
 Fayetteville, NC 28302-1829

Dear Mr. Breeden:

Thank you for your recent letter notifying the Department of your intention to continue with the Area Authority model. I appreciate your commitment to our Mental Health System Reform effort, and I look forward to hearing about the broad-based planning effort you are about to begin in order to develop your Local Business Plan.

I have forwarded your letter to Dr. Richard Visingardi, Director of the Division of Mental Health, Developmental Disabilities and Substance Abuse Services. His staff will be in contact with Cumberland County Mental Health Center, and will be pleased to assist with the development of the Local Business Plan.

Thank you again for your letter of intent. With my very best wishes to you and the Board of Commissioners.

Sincerely yours,

Carmen Hooker Odom

CHO/trl

cc: Richard J. Visingardi, Ph.D.
 Tara R. Larson
 Cliff Strassenburg, Cumberland County Manager
 Thomas Miriello, Director, Cumberland County Mental Health Center





HANK DEBNAM, M.P.H.
AREA DIRECTOR

Telephone: (910) 323-0601
Fax: (910) 323-0096

COUNTY of CUMBERLAND

Mental Health Center

ACCREDITED



COUNCIL ON ACCREDITATION
OF SERVICES FOR FAMILIES
AND CHILDREN, INC.

September 30, 2002

Richard J. Visingardi, Ph.D.
Director- Division of MH/DD/SAS
3001 Mail Service Center
Raleigh, N.C. 27699-3001

Re: Designation as Phase III for certification as an LME

Dear Dr. Visingardi,

This is to officially request that Cumberland County MH/DD/SA Area Authority be designated as a Phase III program for certification as a Local Management Entity. We have been working hard with our consumers, advocates, providers and other community partners as we develop the local business plan. We are identifying gaps, needs, strengths and in some areas an overabundance of particular resources. These areas will need to be addressed by all involved in order for us to successfully implement our local business plan and provide a smooth transition for all parties.

Should you have any questions or need further information, please advise.

Thank you for your cooperation.

Sincerely,

Hank Debnam, MPH
Area Director

P.O. Box 3069 • 711 Executive Place • Fayetteville, North Carolina 28302-3069

Additional locations where caring people provide mental health, developmental disabilities, and substance abuse services for the community:

Adult Services Center
323-0601

Child & Family Services
323-2311

Fuller Center
822-5066

Rossie Avenue Center
484-1212

Spainhour Center
483-7283

Spring Lake Center
321-6413



cc. Denise
Abbott



North Carolina Department of Health and Human Services
Division of Mental Health, Developmental Disabilities and Substance Abuse Services
3001 Mail Service Center • Raleigh, North Carolina 27699-3001
Tel 919-733-7011 • Fax 919-733-1221

Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Richard J. Visingardi, Ph.D., Director

October 2, 2002

Mr Hank Debnam, MPH, Area Director
Cumberland County Mental Health Center
PO Box 3069
Fayetteville, NC 28302-3069

Dear Mr. Debnam:

Secretary Carmen Hooker Odom has forwarded your recent letter requesting to be a Phase III Local Management Entity. She asked that I express our appreciation for your commitment to our Mental Health System Reform effort, and to let you know that your request has been approved.

We look forward to hearing about the broad-based planning effort the Cumberland County Mental Health Center is developing. Please let me know if my staff can help in any way.

Thank you again for your letter. Please extend my best wishes to your staff, the Area Board and the County Commissioners.

Sincerely,

Richard J. Visingardi, Ph.D.

CHO/sm

cc: Secretary Carmen Hooker Odom
Tara R. Larson
Ben Watson, Board Chair
Ed Melvin, Chairman, Cumberland County Commissioners
Cliff Strassenburg, County Manager, Cumberland County Commissioners

POLICY

CUMBERLAND COUNTY MENTAL HEALTH CENTER	Section 1 Page 23 of 10
Subject: <u>Area Board By-Laws</u> Effective Date: December 11, 2002 Responsible Official: Clerk to the Area Board	Supersedes: Area Board By-Laws Dated: December 1, 1999
Approved by the Area Board on December 11, 2002. Recorded in Area Board Minutes dated December 11, 2002, paragraph 6F, page 3.	

ARTICLE I

SECTION 1 NAME

The name of this body shall be the Cumberland County Area Mental Health, Developmental Disabilities, and Substance Abuse Services Board, hereinafter referred to as the Area Board.

ARTICLE II

SECTION 1 APPOINTING AUTHORITY

In compliance with N.C. G.S. 122C-118.1, the Cumberland County Board of Commissioners appoints the Area Board.

ARTICLE III

SECTION 1 POWERS AND DUTIES

The powers and duties of the Area Board are as defined by North Carolina General Statute 122C-117:

1. Engage in comprehensive planning, budgeting, implementing, and monitoring of community-based mental health, developmental disabilities, and substance abuse services.
2. Ensure the provision of services to clients in the catchment area including clients committed to the custody of the Department of Juvenile Justice and Delinquency Prevention.
3. Determine the needs of the Area Authority's clients and coordinate with the Secretary of the Department of Health and Human Services and with the Department of Juvenile Justice and Delinquency Prevention the provision of services to clients through Area and State facilities.

4. Develop plans and budgets for the Area Authority subject to the approval of the Secretary of the Department of Health and Human Services. The Area Authority shall submit the approved budget to the Board of County Commissioners and the County Manager and provide quarterly reports on the financial status of the program in accordance with GS 122C-117(c).
5. Assure that the services provided by the County through the Area Authority meet the rules of the Commission and Secretary of the Department of Health and Human Services.
6. Comply with federal requirements as a condition of receipt of federal grants.
7. Appoint an Area Director in accordance with GS 122C-121(d). The appointment is subject to the approval of the Board of County Commissioners. The appointment shall be based on a selection by a search committee of the Area Authority Board. The Search Committee shall include consumer board members, the County Manager, and one or more County Commissioners. The Secretary of the Department of Health and Human Services shall have the option to appoint one member to the Search Committee.
8. Develop and submit to the Board of County Commissioners for approval the Business Plan required under GS 122C-155.2.
9. Perform public relations and community advocacy functions.
10. Recommend to the Board of County Commissioners the creation of local program services.
11. Submit to the Secretary of the Department of Health and Human Services and the Board of County Commissioners service delivery reports, on a quarterly basis, that assess the quality and availability of public services within the Area Authority's catchment area. The service delivery reports shall include the types of services delivered, number of recipients served, and services requested but not delivered due to staffing, financial, or other constraints. In addition, at least annually, a progress report shall be submitted to the Secretary of the Department of Health and Human Services and the Board of County Commissioners. The progress report shall include an assessment of the progress in implementing local service plans, goals, and outcomes. All reports shall be in a format and shall contain any additional information required by the Secretary of the Department of Health and Human Services or Board of County Commissioners.
12. Comply with Article 4 of GS 122C, and Rules adopted by the Secretary of the Department of Health and Human Services for the development and submission of and compliance with the Area Authority Business Plan.

13. Coordinate with Treatment Accountability for Safer Communities for the provision of services to criminal justice clients.
14. The Area Authority may contract to provide services to governmental or private entities, including Employee Assistance Programs.
15. The governing unit of the Area Authority is the Area Board. All powers, duties, functions, rights, privileges, or immunities conferred on the Area Authority may be exercised by the Area Board.

ARTICLE IV

SECTION 1 AREA BOARD COMPOSITION

The Area Board shall consist of at least eighteen (18) members and shall include:

1. A physician.
2. A clinical professional.
3. Two persons each who have a family member, or represent a citizen's organization who advocates for persons:
 - a. with a mental illness;
 - b. with a recovery from addiction; and
 - c. with a developmental disability.
4. An openly declared consumer with:
 - a. mental illness;
 - b. recovery from addiction; and
 - c. developmental disability.
5. An individual with financial expertise.
6. An individual with management or business expertise.
7. An individual representing the interest of children.
8. Two County Commissioners.
9. Two at-large members.

SECTION 2 VACANCIES

The Nominating Committee of the Area Board, with recommendations from the existing Board, shall submit the name/names of a person or persons willing to fill each vacancy on the Area Board (having maintained the professional criteria spelled out in G.S. 122C-118.1). These names shall be forwarded to the Board of County Commissioners for their consideration.

Any Area Board members failing to attend three (3) consecutive Area Board meetings without notifying the Chairman of the Board or the Area Director or his representative, shall be expected to vacate his or her membership.

SECTION 3 TERM OF OFFICE

The County Commissioners and County Finance Director serving on the Area Board shall be deemed to be serving in an ex-officio capacity to their public office. As an ex-officio member he/she shall serve until the end of his/her respective terms as a public official, and is entitled to have all the rights and privileges accorded to any other member of the Board. The other members of the Area Board shall serve four (4) year terms and shall serve no more than two consecutive terms on the Area Board. If a person is appointed to fill someone's unexpired term and serves less than half of a full term, he/she is eligible to serve two additional full terms.

SECTION 4 RESIDENCY

All Area Board members shall be residents of Cumberland County. Should any Area Board member remove his legal residence from Cumberland County, his Area Board membership shall be automatically terminated.

SECTION 5 AREA BOARD OFFICERS

The officers for the Area Board shall be a Chairman and a Vice-Chairman. The Chairman shall perform the following duties:

1. Preside over all Area Board meetings and perform other such duties as directed by the Area Board.
2. Appoint all Committees and their Chairman.
3. Serve as ex-officio member of all Committees.
4. Sign all legal documents on behalf of the Area Board, after the documents have been approved by resolution of the Board.

The Vice-Chairman shall perform all the duties of the Chairman in the absence of the Chairman.

SECTION 6 FINANCE OFFICER

Per agreement with the Cumberland County Board of Commissioners, the County Finance Director will function as the Finance Officer for the Area Board.

SECTION 7 SECRETARY

The Area Director of the Cumberland County Mental Health Center shall serve as Secretary to the Area Board.

SECTION 8 ELECTIONS

Officers shall be elected annually by the Area Board no later than the December meeting and assume their respective duties on the first day of January.

SECTION 9 COMMITTEES

It is required that as a duty of each Area Board member they must agree to serve on an Area Board Committee. The exception being the County Commissioner appointees.

The Chair of the Mental Health Area Board will make all the Committee appointments at the beginning of each year.

1. **Executive Committee:** Appointed by the Area Board Chairman, shall consist of the Chairman, Vice-Chairman, and a minimum of four (4) other Area Board members.

2. **Nominating Committee:** Appointed by the Area Board Chairman, shall consist of a Chairman and a minimum of three (3) Area Board members. This committee shall recommend candidates to fill each vacancy existing on the Board and present a slate of candidates for officers of their Board.

3. **Program Services/Finance Committee:** Appointed by the Area Board Chairman, shall consist of a minimum of seven (7) Area Board members, including a Chairman. At least two of the members will have expertise in budgeting and fiscal control and the County Finance Director will serve as an ex officio member. The Committee will represent the interests of the five major disability groups (adult mentally ill, emotionally disturbed children, developmental disabilities, alcohol abuse and drug abuse) served by the Area Board. This Committee shall meet as needed, but a minimum of once every two (2) months. The purpose of this Committee is to facilitate planning for client services, review quality improvement, provide the protection, promotion and monitoring of client rights, assist in budget planning and make recommendations to the Area Board and the County Finance Officer.

4. **Ad Hoc Committees:** Consisting of Area Board members may be appointed by the Chairman as deemed necessary.

SECTION 10 MEETINGS

1. **Minimum** of six (6) per year which shall be held monthly at a time and place determined by the members.
2. Special meetings may be called by the Board Chairman or by three (3) Board members.
3. Roberts Rules of Order shall prevail.
4. **Quorum:** Action may be taken if a majority of the Area Board members are present and voting at any meeting called, pursuant to the By-Laws. If a quorum is present, a simple majority will determine the acceptance or rejection of business brought before the meeting.

SECTION 11 AGENDA

In collaboration with the Area Board Chairman, the Area Director shall prepare an Agenda five (5) days prior to the scheduled meeting. Non-Agenda items shall be discussed with the permission of the Chairman.

SECTION 12 CONFLICT OF INTEREST

Area Board members and their immediate families shall not accrue personal benefit in the areas of financial gain or employment due to the membership of the Area Board member.

ARTICLE V

AREA PROGRAM ADMINISTRATION

SECTION 1 EMPLOYEES

The Area Board shall appoint an Area Director fully qualified pursuant to GS 122C-121, and under the rules of the State Personnel Commission and the Department of Health and Human Services. The Area Director must receive the approval of the Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services, Department of Human Resources.

Should the position of Area Director become vacant, the Area Board will designate an Interim Director and follow recruitment procedures which include appointing an executive Search Committee who will review applications, design interview questions, and interview applicants along with the assistance of the Human Resources Director.

SECTION 2 DUTIES OF AREA DIRECTORS

The Area Director shall recruit, appoint and terminate all personnel and perform other duties pursuant to G.S. 122C-121. He shall be responsible to the Area Board for the implementation of policies and programs of the Board. He shall maintain compliance with standards of the Commission of Mental Health, Developmental Disabilities, and Substance Abuse Services, supervise all staff and service programs, and shall attend all Area Board meetings and Executive Committee meetings, in so far as possible.

The Area Director will delegate temporary authority to the Assistant Area Director or other senior manager during periods of his absence.

SECTION 3 SALARY PLAN

The salary plan for the Area Authority employees shall be set by the Area Board and implemented by the Area Director based on the budget approval, and shall not exceed the Cumberland County salary plan without permission of the County Commissioners.

SECTION 4 FEE FOR SERVICE

The Area Board shall make every reasonable effort to collect appropriate reimbursements for its costs in providing mental health, developmental disabilities, and substance abuse services to persons able to pay for services, including insurance or third party payments. The Area Board will prepare a schedule of fees for its services, designed to cover the reasonable cost of providing such services.

SECTION 5 POLICIES AND PROCEDURES

The Area Authority shall approve all policies for The Center. The Area Director shall approve all Operating Procedures for The Center. The policies of the Area Authority shall contain the following sections:

1. Area Board By-Laws.
2. Administration.
3. Personnel.
4. Programs and Services.

SECTION 6 DEFENSE OF AGENTS, EMPLOYEES, AND BOARD MEMBERS

The Area Authority may provide for the defense of employees, administrators, and board members against legal claims arising from actions or omissions related to the business of the Cumberland County Area Authority pursuant to Section 122C-153 of the General Statutes and contingent with the following stipulations:

1. The Area Authority will not provide for the defense of any employee, administrator, or board member if the Area Authority, in its sole discretion, determines that the employee, administrator, or board member is guilty of fraud, corruption, malice, or gross negligence in the commission or omission of the act for which he or she has been sued.
2. In such cases in which the Area Authority elects to provide for the defense of an employee, administrator, or board member, if the Area Authority determines, in its sole discretion, that fraud, corruption, malice, or gross negligence was in fact involved, the Area Authority will cease to provide for further defense, and the Area Authority can seek to recover money it contributed to that individual's defense.
3. The Area Authority may budget funds to cover payment of part or all of a claim or judgment against any of its employees, administrators, or board members, provided that such claims or judgments are not satisfied by insurance. The Area Authority's decision to pay claims or judgments in a specific case will not constitute a precedent-actual decisions will be made on a case-by-case basis and based on the facts connected with each individual case.
4. The Area Authority can, so far as is economically feasible, purchase insurance coverage to protect employees, administrators, or board members against loss arising from such suits. Purchase of such insurance, however, shall not be construed as an assumption of liability for claims not covered by the insurance contracts, nor for losses incurred when an insurance company for any reason refuses to honor such claims.
5. In the event that insurance coverage is not available for certain risks, the Area Authority may employ legal counsel to defend employees, administrators, or board members if the Area Authority, in its sole discretion, so chooses.
6. The Chairman of the Area Authority shall appoint an Area Authority Investigating Committee composed of the Area Authority Legal Counsel and an attorney member of the Area Authority. Membership of the committee will be updated as needed.
7. It shall be the duty of the Area Director, after receipt of actual notice, of any legal action in process against an employee, an administrator, or board member relative to his/her duties as an employee, administrator, or board member, to promptly notify the Chairman of the Area Authority and the Area Authority Investigating Committee, and at the next meeting of the Area Authority to notify the members of the Area Authority.
8. The Area Authority Investigating Committee will, as expeditiously as practical, gather as much information about the case as it can and report its findings, along

with recommendation(s) for Board Action, as soon as possible to the Area Authority.

9. The recommendation(s) shall be based upon such standards as the Area Authority may, from time to time, promulgate and upon whether it appears after such investigation that the employee, administrator, or board member acted in good faith exercising the degree of care which would be expected of such employee, administrator, or board member in such instances.
10. Pending a decision by the Area Authority, the Area Authority's Legal Counsel is authorized to prepare extensions of time and request continuances for the person or persons who had legal proceedings instituted against them.
11. The Area Authority, upon receipt of the Investigating Committee's report and recommendation(s), may: (1) accept the recommendation(s) and authorize the appropriate action; (2) reject the recommendation(s) and take other action; (3) return the report and recommendation(s) to the Area Authority Investigating Committee with a request for further study. All documents and discussions relating to the case will be confidential as provided by law.
12. Insofar as is economically feasible and provided such coverage continues to be available, the Area Authority can carry the following types of insurance: (1) Director's and Officer's Liability Insurance; (2) Professional Liability Insurance for all employees with professional duties, and (3) Liability Insurance to provide defense for employees, administrators, or board members for claims and judgments arising out of their performance in their official capacities.

ARTICLE VI

AMENDMENTS TO THE BY-LAWS

These By-Laws can be amended by a majority vote of the Area Board present at any regularly scheduled or special meeting provided a copy of the proposed amendment shall have been sent to each Board member at least (10) days in advance of such meeting.

ARTICLE VII

OPEN MEETING LAW

The Area Board shall comply with all aspects of the North Carolina Open Meeting Law. The Open Meeting Law assures that in North Carolina each official meeting of a public body shall be open to the public, and any person is entitled to attend such a meeting except in specifically exempted circumstances. Public body is defined as any elected or appointed

authority that is (i) composed of two or more members and (ii) exercises or is authorized to exercise a legislative, policy-making, quasi-judicial, administrative or advisory function. The Area Board and each of its standing Ad Hoc Committees shall be defined as public bodies.

Minutes must be kept for all Closed Sessions. Those minutes must be made public unless public inspection would frustrate the purpose of the Closed Session. The Open Meetings Law provides the following circumstances under which the Area Board and its Committees can hold a closed meeting.

1. To prevent disclosure of confidential information.
2. To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award.
3. To preserve the attorney-client privilege between the attorney and the public body.
4. To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body.
5. To instruct staff in negotiating contracts for the purchase of real property, or to instruct staff in negotiating employment contracts.
6. To assess the performance of an administrator, including hiring and firing decisions.
7. To investigate alleged criminal misconduct.

2003 Area Board Directory

(Revised January 29, 2003)

Mr. Albert Bleakley

3018 Ravenhill Drive
Fayetteville, NC 28303
Home: (910) 484-9406

Position on Board: Mental Health Representative (Family Consumer)

Mr. Jesse Brayboy

1013 Fontana Street
Fayetteville, NC 28301
Home: (910) 323-4970

Office: (910) 486-0738 (ALCO Club)
Position on Board: Alcoholism-Family Consumer (Minority)

Mr. Doug Brisson

Post Office Box 87496
Fayetteville, NC 28304
Home: (910) 860-9192

Office: (910) 323-2404
Fax: (910) 323-8734
Position on Board: At-Large

Ms. Nancy Capps

1343 Devonshire Drive
Fayetteville, NC 28304
Home: (910) 425-1300

Position on the Board: An Openly Declared Consumer with Mental Illness (Minority)

Mr. Johnson Chestnutt

Post Office Box 2543
Fayetteville, NC 28302
Home: (910) 484-6365
Office: (910) 323-1040
Fax: (910) 323-3351

Position on Board: Individual with Financial Expertise

Ms. Jeanette Council

3310 Lake bend Drive
Fayetteville, NC 28311
Home: (910) 488-0691

Position on Board: Commissioner Liaison (Minority)

Mr. Weyher Dawson

119 Dobbin Avenue
Fayetteville, NC 28305
Home: (910) 484-9138
Office: (910) 323-2602

Position on Board: Developmental Disabilities (Family Consumer)

Ms. Anna Finch

3 Skye Place
Fayetteville, NC 28303
Home: (910) 485-1179

Office: (910)
Position on Board: Representative with a Family Member or from a Citizen's Organization Who Advocates for Persons with a Developmental Disability

Mrs. Linda Hair

2103 Fordham Drive
Fayetteville, NC 28304
Home: (910) 485-7347

Office: (910) 485-7854 (also fax)
Position on Board: An Individual Representing the Interest of Children

Dr. Melvin Henderson

132 Great Oaks
Fayetteville, NC 28303
Home: (910) 487-9785

Office: (910) 286-2899
Position on Board: Licensed Physician (Minority)

Mr. Benner Jones

Post Office Box 565
Fayetteville, NC 28302
Home: (910) 323-0313

Office: (910) 485-5171
Fax: (910) 485-2950
Position on Board: An Individual with Management or Business Expertise

Mr. Billy King

739 Ashfield Drive
Fayetteville, NC 28311
Home: (910) 822-0892

Office: (910) 822-6676
Fax: (910) 822-6086
Position on Board: Commissioner Liaison (Minority)

Ms. Yvonne King

2300 Ramsey Street
Fayetteville, NC 28301
Home: (910) 482-0717

Office: (910) 822-7068
Position on Board: Professional Representative (Psychology, Social Work, Nursing, or Religion) (Minority)

Dr. Tryon D. Lancaster

3213 Kentyre Drive
Fayetteville, NC 28303
Home: (910) 484-7053

Work: (910) 630-7006
Position on Board: Mental Health Representative From Citizens Organization or Primary Consumer

Mr. John C. Tally (Board Attorney)

Post Office Box 1660
Fayetteville, NC 28302
Office: (910) 483-4175
Fax: (910) 485-4878

Mr. Nathan Taylor

6819 Mangrove Drive
Fayetteville, NC 28314
Home: (910) 864-8742

Position on Board: Mental Health Representative (Family Consumer) (Minority)

Mr. Ben Watson, Chairman

1916 Swann Street
Fayetteville, NC 28303
Home: (910) 630-2155

Office: (910) 678-8385
Fax: (910) 678-8407
Position on Board: Drug Abuse Representative-Family Consumer (Minority)

Mr. Gene Watts

308 Sherman Drive
Fayetteville, NC 28301
Home: (910) 488-0225

Office: (910) 822-7051
Fax: (910) 822-7944
Position on Board: Drug Abuse, Primary Consumer, Presently in Recovery

Mr. Craig Wilkins

104 Samuel Street
Fayetteville, NC 28301
Home: (910) 483-7248

Work: (910) 826-4699, ext 226
Position on Board: An Openly Declared Consumer with a Developmental Disability

Family Members: 5

Consumers: 3

Minorities: 8

County of Cumberland

