Serving on the **County Board** *of* **Social Services**

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Serving on the County Board of Social Services

As the governing board of the county department of social services, the county board of social services is responsible for supervision of the county social services director and oversight of the county department.[1] Each year state and county officials identify and appoint hundreds of qualified, capable, and committed North Carolinians to serve as members of county social services boards.

This publication is written especially for those citizens, civic-minded North Carolinians who are thinking about sharing their time, energy, and skills as members of their county social services board. Its purpose is to help them decide whether to seek or accept such an appointment and, if the decision is yes, to inform them of what their roles and responsibilities will be.

What Does the County Board of Social Services Do?

The social services board

- hires the county social services director;
- determines the director's salary (subject to approval of the board of county commissioners);
- advises and consults with the director;
- evaluates the director's job performance;
- dismisses the director if his or her job performance is unsatisfactory or if his or her personal conduct is unacceptable;
- appoints the third or fifth member of the social services board;
- assists the county social services director in planning the department's proposed budget;

- establishes county policies for public assistance and social services programs (consistent with applicable federal and state laws, regulations, and policies);
- determines whether a family may receive Work First assistance for more than twenty-four months as well as the length of the extension being granted (subject to state and federal limitations);
- approves "purchase of services" contracts between the county department of social services and public or private agencies;
- advises county and municipal authorities on the development of policies and plans designed to improve social conditions in the community; and
- carries out other duties and responsibilities as assigned by the General Assembly, the state Social Services Commission, the state Department of Health and Human Services, and the board of county commissioners.

How Many Members Does Each Board Have?

Most county social services boards have five members. A few have three.[2]

Who Appoints Their Members?

The state Social Services Commission and the board of county commissioners each appoints *two* members to a *five*-member social services board. The *fifth* member is selected by a majority of the other four members of the board.

The state Social Services Commission and the board of county commissioners each appoints *one* member to a *three*-member social services board. The *third* member is chosen by the other two members of the board.

If a majority of the deciding board members cannot agree on the appointment of the fifth (or third) member, the senior resident superior court judge for the county makes the appointment.

May a County Commissioner Serve on the County Social Services Board?

Yes. In many counties it is customary for the board of county commissioners to select a county commissioner as one of its appointees to the social services board. In some counties, both of its appointees are county commissioners. State law does not *require*, however, that one or more members of the county social services board be a county commissioner.

What Qualifications Should I Possess?

State law requires that every social services board member be a bona fide resident of the county in which he or she serves.

Although the following qualifications are not legally required, appointees should also be

- public-spirited, motivated by a sincere and demonstrated concern for the welfare of the citizens of their community;
- impartial, fair, open-minded, objective, and willing to listen to other points of view;
- critical and practical thinkers who can act independently, engage in creative problem-solving, and provide leadership and a sense of vision and direction for the county department of social services;
- able communicators who can work effectively and cooperatively with other board members, the county director of social services, the county commissioners, community groups, citizens, and state and local government agencies; and
- honest individuals with unquestioned integrity who are willing to act honestly in all their dealings with one another, the county director of social services, the county commissioners, and the public.

Before agreeing to serve on the social services board, a potential appointee should

- understand the expectations and responsibilities of service,
- express a willingness to serve, and

- make a sincere commitment to devote the time and effort necessary to fulfill the responsibilities of a board member.

What Conflicts of Interest Might Disqualify Me from Serving?

A conflict of interest between an individual's personal, familial, financial, or business interests and the public duties of a social services board member may preclude that person from serving on the county social services board. The following examples illustrate some—but not all—of the circumstances that might disqualify someone from serving.

An individual is disqualified from serving on the county social services board if the individual (or his or her spouse) owns or operates a nursing home or adult-care home that receives Medicaid or State–County Special Assistance payments.[3]

However, an individual who receives payments from the county social services department for providing goods, services, or assistance to needy persons (other than the Medicaid or Special Assistance payments discussed in the preceding paragraph) is not legally disqualified from serving on the county social services board *if*:

1. the social services program under which the payments are made is open to general participation on a nondiscriminatory basis by other suppliers or providers engaged in the same profession or occupation;
2. the county social services board, the county director of social services, and county social services employees have no control over which provider of goods, services, or assistance is selected by the individual or family receiving the goods, services, or assistance;
3. the social services board member receives the same payment for goods, services, or assistance as do other providers of the same goods, services, or assistance; and
4. the social services board member takes no part in approving his or her own bill or claim for payment.[4]

For example, grocers whose stores accept Food Stamps and physicians and pharmacists who treat Medicaid patients generally are *not* disqualified from serving on the social services board.

State law also may disqualify a person from serving on the county social services board if that person contracts with or is interested in or may profit from a contract with the county social services department.[5] Such a contractual interest, however, does not disqualify a physician, pharmacist, dentist, optometrist, veterinarian, or nurse from serving on the county social services board *if*

1. the amount of the contract does not exceed $10,000 for medically related services or $15,000 for other goods or services within a twelve-month period;
2. the county in which the social services board member serves does not include an incorporated town with a population greater than 7,500;
3. the social services board member does not vote or participate with respect to the contract; and
4. other statutory requirements are met.[6]

A close family relationship between an individual and a person employed by the county social services department (other than the county social services director) does not necessarily preclude the individual from being appointed or serving as a social services board member.

Individuals whose appointment to or service on the county social services board might involve a conflict of interest should seek legal advice to determine whether they are disqualified from serving on the county social services board.

May a Social Services Board Member Also Hold Another Public Office?

Because state law prohibits an individual from simultaneously holding (a) more than one elective public office and one appointed public office *or* (b) more than two appointed public offices,[7] a social services board member (other than a county commissioner appointed *ex officio* to the social services board[8]) may hold only one

additional elective or appointed public office while serving on the social services board. This means that a social services board member may serve simultaneously as an elected school board member *or* as an appointed member of the local public health board but may *not* serve on the social services board, the school board, *and* the local public health board at the same time.

Holders of more than one appointed public office and elected officials who also hold an appointed public office should seek legal advice to determine whether their appointment to the county social services board would violate North Carolina's multiple office-holding restrictions as well as the potential effect of the appointment on their other public offices.

How Long Do Social Services Board Members Serve?

Social services board members are appointed for three-year terms, beginning July 1 and ending June 30.[9]

On five-member social services boards, terms are staggered so that the terms of two members (one appointed by the Social Services Commission, the other by the board of county commissioners) expire in one year, the terms of two members (one appointed by the Social Services Commission, the other by the board of county commissioners) expire the following year, and the term of the fifth member (appointed by the other social services board members) expires the next year. On three-member social services boards, terms are staggered such that one board member is appointed each year over a three-year cycle.

A social services board member who is not a county commissioner may not serve more than two consecutive, three-year terms.

What Circumstances Can Lead to Expulsion from the Social Services Board?

A social services board member can be removed from the board if the public body that appointed the member (the board of county

commissioners, the state Social Services Commission, or the other members of the board) determines that there is "good cause" to remove him or her from the board.

The following actions may constitute good cause for removing a member from the county social services board:

- failure to remain a bona fide county resident;
- persistent, unexcused absences from board meetings;
- violation of state laws regarding confidentiality of social services records;
- violation of state laws regarding conflicts of interest;
- conviction of a felony or crime involving moral turpitude;
- neglect, inefficiency, incompetence, or an incapacity to perform one's duties; or
- any other act or omission that significantly and detrimentally affects the ability of the social services board, the county director of social services, or other governmental agencies to carry out their responsibilities with respect to the administration of social services programs.

Do Social Services Board Members Receive Compensation?

Social services board members are entitled to receive a *per diem* payment for the time they spend attending board meetings and for performing other duties as board members. County social services board members are entitled to receive reimbursement also for subsistence and travel expenses incurred as a result of their service as board members. The amounts of the *per diem*, travel, and subsistence payments that county social services board members receive are determined by the board of county commissioners.

How Often Does the County Social Services Board Meet?

State law requires county social services boards to meet at least once a month. The board chair may call additional board meetings

if necessary. Some boards also schedule special meetings or half-day or full-day board retreats or planning sessions once or twice a year. Each board determines the date, time, and place of its monthly meeting.

What Happens at Social Services Board Meetings?

In most counties, the monthly social services board meeting lasts from one to two hours. Board members usually receive a proposed agenda and materials before the meeting.

At its meetings, a social services board might

- adopt a mission statement for the county department of social services, establish agency goals and objectives for the coming year, review the annual report of the department's activities, and assess the department's success in meeting its goals;
- review the department's fiscal and personnel needs and develop a strategy for meeting them;
- assist the social services director in preparing the department's annual budget request to the board of county commissioners;
- develop a procedure for evaluating the director's job performance and conduct an annual performance evaluation (in closed session);
- receive reports from the social services director and staff about the department's work and programs and learn more about the services provided by the department;
- receive reports from board members about their involvement as members of the county Work First advisory committee and as part of the community child protection team;
- act (in closed session) on cases involving requests for extension of the Work First time limits or suspected public assistance fraud;
- discuss social and economic problems in the community, such as poverty, unemployment, homelessness, and child abuse; ask the county social services director to report on

how the department is addressing these problems; meet with county commissioners, other public officials, and community groups to discuss what other local government and community agencies might do;
- listen and respond to public input regarding the county social services department;
- elect one of its members as the board chair, adopt or revise the board's rules of procedure, evaluate the board's performance, and appoint the fifth (or third) social services board member.

What Will Be Expected of Me as a Social Services Board Member?

Social services board members should expect to

- devote the time, attention, and effort necessary to fulfill their duties as board members;
- attend all board meetings (unless unable to do so because of illness or other compelling reasons);
- be prepared;
- be punctual;
- participate actively, respectfully, thoughtfully, and constructively;
- attend and participate in additional board meetings, board retreats, and meetings with the public and public officials when necessary;
- become familiar with the role and responsibilities of social services boards;
- develop their skills and experiences as social services board members by taking advantage of available training resources and by attending local or statewide conferences and training sessions;
- become informed about the social and economic needs of their communities; and
- serve as a liaison between the county department of social services, public officials, and the public.

Why Should I Serve on the County Social Services Board?

Listen to what some of your neighbors have to say.

"Serving on the county social services board was one of the most rewarding and eye-opening experiences of my life. As a social services board member I became intimately aware of the social and economic conditions of my community and the importance of social services programs to children, families, and the elderly. I was impressed and gratified by the professionalism and caliber of the county and state social services staff with whom I had the opportunity to work. The knowledge, insights, understanding, and experience that I gained as a social services board member continue to be valuable to me in my service as a state legislator."

Carolyn B. Russell, Representative
North Carolina General Assembly
(former Member, Wayne County Board of Social Services)

"Serving as a member of the county social services board presents a dual opportunity—and a dual responsibility. The first is to understand and see firsthand the many necessary and vital services that the county department of social services provides to the community. The second is to communicate the purpose of these social services programs to the community and serve as an advocate for children, the elderly, and families in need. Social services board members are most effective in fulfilling this dual responsibility when they understand their roles as board members, when they understand the programs and services provided by the social services department, when they know the community they serve, and when they work together with each other, the social services director, and agency staff."

Jeanette Pittman, Past-President
North Carolina Association of
County Boards of Social Services
(former Member, Nash County Board of Social Services)

"I have always believed that public service is a calling and that serving the public through social services agencies is the highest calling. As former director of the state Division of Social Services, I was privileged to have the opportunity to play a role in influencing public policies that positively impacted the lives of children and families in North Carolina. Retirement did not dampen my commitment and I welcomed the opportunity to serve as a member of my county social services board. I believe that, as a social services board member, I can continue to make a difference in the lives of children and families in my community."

Mary Deyampert, Member
Cumberland County Board of Social Services (former Director, North Carolina Division of Social Services)

"The business of county social services agencies is to help build strong communities. These agencies protect vulnerable children and adults and work with families to assure economic independence through work, child support, child care, medical insurance, and other supportive services. This is very important work. The county social services board contributes to this work by serving as a primary link between the agency and the community. Board members are important advocates for the families we serve, making sure their stories are known.

Kevin FitzGerald, Director
North Carolina Division of Social Services
(former Assistant County Manager, Forsyth County)

"Have you ever reminisced about the 'good old days' when neighbors cared about and helped each other? There are good people in every county of this great state who continue to practice that kind of 'neighborliness,' making our communities better places to live. They put their caring to work and make a difference in all of our lives. I know. Since 1972, I've worked with and for dozens of them. They are my 'bosses'—members of the county social services board."

Wayne Morris, Director
New Hanover County Department of Social Services

Where Can I Get More Information?

For additional information about social services, the county social services department, and the county social services board, contact your county director of social services, the chair or members of your county social services board, the North Carolina Division of Social Services (919-733-3055), or the Institute of Government (919-966-5381). The DSS Web site (http://www.dhhs.state.nc.us/dss) contains information about social services programs and agencies as well as links to the Web pages of about a dozen county departments of social services.

Notes

This publication is a revised and expanded version of the pamphlet *Serving on a County Board of Social Services*, which was jointly published in 1989 by the Institute of Government of The University of North Carolina at Chapel Hill and the North Carolina Division of Social Services.

1. State law requires all North Carolina counties to have a county board of social services. A special state law allows the board of county commissioners to act as the county social services board for Mecklenburg County and allows the board of county commissioners in Wake County to appoint a consolidated human services board for social services, public health, and mental health.

2. The board of county commissioners is responsible for determining whether the social services board will consist of three or five members.

3. North Carolina General Statutes, Sections 108A-47 and 108A-55(d).

4. North Carolina General Statutes, Section 14-234(b).

5. North Carolina General Statutes, Section 14-234. North Carolina's conflict-of-interest laws, and the exceptions to these laws, are discussed in more detail in *Ethics, Conflicts, and Offices: A Guide for Local Officials* by A. Fleming Bell, II (Chapel Hill, N.C.: Institute of Government, The University of North Carolina at Chapel Hill, 1997).

6. North Carolina General Statutes, Section 14-234(d1).

7. North Carolina General Statutes, Section 128-1.1.

8. North Carolina General Statutes, Section 128-1.2.

9. When a social services board member is appointed to fill a vacancy created by the death, resignation, or removal of another social services board member before the expiration of the other board member's term, the new board member's appointment is for the remainder of the unexpired term of the board member whom he or she is replacing.