

Buncombe County Juvenile Crime Prevention Council

Allocations Policies and Procedures

Policy

The Allocations Committee

The purpose of the Allocations Committee is to receive, review and evaluate eligible program applications and make recommendations for the release of NCDPS funds to area programs. In addition, the committee ensures that applications for NCDPS funding are received in the context of identified needs from the JCPC comprehensive strategies process as noted in the Request for Proposals (RFP).

Policy Changes

The JCPC Allocation Policies and Procedures may be amended, altered, or repealed by a majority of the JCPC. The notice of proposed changes must be in writing and contained in a regular meeting notice.

Procedure

The Allocations Committee Membership and Responsibilities

The JCPC appoints a chair and vice chair as well as committee members for the Allocations Committee.

The Allocations Committee consists of no more than 20 voting members and a minimum of 6 voting members.

Any employee affiliated with any agency or organization applying for NCDPS funds is ineligible to be a Committee member.

The Allocations Committee is responsible for the following:

- A. Submit an Allocations Calendar to the JCPC.
- B. Provide a mandatory applicant orientation meeting for potential applicants of NCDPS funds.
- C. Provide a mandatory orientation meeting for committee members in preparation for the Allocation Hearing.
- D. Review funding priorities established by the JCPC plan.
- E. Host an Allocation Hearing that consists of applicant presentations and a question and answer period, followed by committee member deliberation and funding recommendations.
- F. Address appeals by applicants.
- G. Report NCDPS funding recommendations to the JCPC for approval.

- H. Report JCPC NCDPS funding recommendations to the Buncombe County Board of Commissioners. The Allocations Chair and a representative from the JCPC presents the county plan to the commissioners for their approval.

The Allocations Chair or Vice Chair is responsible for the following:

- A. Develop, along with the JCPC coordinator, an RFP for NCDPS funding and ensure that it is published for 30 days prior to the application submission deadline. (see Article IX for JCPC coordinator job description)
- B. Ensure that applications for NCDPS funding are received in the context of identified needs from the JCPC comprehensive strategies process.
- C. Organize and conduct the Allocation Hearing.
- D. Receive review and evaluate all program applications that request JCPC funds.

Minutes are taken at all Allocations Committee meetings and are made available to the Area Consultant. All meetings are open to the public. Meetings are held on an as-needed basis to facilitate the allocation process.

Allocations Committee Orientation

Committee members are required to attend an orientation meeting prior to the Allocation Hearing. At the orientation meeting, committee members receive a copy of JCPC Allocations Policies and Procedures, selected handouts from the Area Consultant, risk factors and disposition options for Buncombe County, a copy of the Request for Proposals, a list of factors to be considered in the allocation process, the monitoring results from currently-funded NCDPS projects that are reapplying for NCDPS funds, and any additional input desired by the JCPC. The committee may also receive copies of current NCDPS applications at that time.

The orientation prepares committee members for the Allocation Hearing by training members in NCDPS funding guidelines and regulations, the diversity of services and needs of the county, and any other issues they need to consider. Committee members are allowed ample time to review all materials prior to the Allocation Hearing

JCPC Application Process

NCDPS funding shall be available to public and private non-profit organizations. These organizations are required:

- A) To select a Standardized Program Evaluation Protocol (SPEP) program type when applicable. (The executive committee of the JCPC will reevaluate the continued need for this requirement in FY 2020).
- B) To attend the Applicant Orientation meeting.
- C) To complete and submit the JCPC application, along with all supplemental materials, in NC Allies by the deadline specified on the Allocations Calendar.
- D) To make an oral presentation to the Allocations Committee at the Allocation Hearing and to address any questions.

Any question or concerns regarding the application process should be addressed to the Chair of the Allocations Committee.

The Request for Proposals

Public notice of the availability of NCDPS funds is made by advertisement in the local media, through a distribution on the JCPC website, and a specific mailing to public and private non-profit agencies and organizations that are involved with high-risk youth. This advertisement includes information from the Allocations Calendar such as, the date of the JCPC Applicant Orientation meeting, the deadline for applications, and the date of the JCPC Allocation Hearing.

Applicant Orientation

All applicants must attend the applicant orientation in order to be eligible to apply for NCDPS funds. Any applicant who fails to send a representative to this session shall be deemed ineligible for NCDPS funds. The executive directors of currently funded JCPC programs will be notified in advance of the orientation meeting and attendance will be recorded. At this meeting, the NCDPS allocations process is explained and technical assistance for completing the grant applications is provided. At minimum, the following information is shared at the applicant orientation:

- i. Statistical data concerning juveniles in the community, provided by the Area Consultant
- ii. JCPC and NCDPS guidelines and regulations
- iii. Information about JCPC
- iv. The Allocation Calendar
- v. NCDPS grant application
- vi. Presentation guidelines
- vii. Overview of court system

The JCPC Application

All applicants complete the application provided by the area consultant. All applicants must also include one copy of the information below by the application deadline:

- Statement of agency mission and goals
- Financial statement of entire agency that includes a summary of revenues and expenditures
- List of Board of Directors
- List of other services provided by the agency
- Other information if requested

All grant applications shall be certified as accurate by signature of the Program Manager. Applicants must submit the application in NC Allies by the deadline specified.

Upon receipt of the NCDPS applications, the Area Consultant shall review the applications to determine their eligibility for NCDPS funding. The Allocations Committee will screen applications which may be denied if incomplete, and will be denied if submitted after the deadline. Applicants who have submitted incomplete or late applications and have been deemed ineligible for funding will be notified. The Allocations Committee reserves the right to request additional reasonable information from any program applying for NCDPS funds, prior to the Allocation Hearing.

The Allocation Hearing

The Allocation Committee will hold an Allocation Hearing for potential applicants. The hearing is open to the public for observation. However, voting is limited to committee members. There must be a minimum of 6 voting members of the committee present before voting may commence. Committee members must declare any conflict of interest prior to the start of the Allocation Hearing. The Allocations Committee will then agree on a process to address disclosure of conflicts of interest.

At the Allocation Hearing, applicants will be given a time limit to present information about their proposals. During the time period, applicants will also be allowed to respond to questions committee members may have. Applicants will be allowed to distribute a handout and/or a brochure. At the conclusion of the question and answer period, the committee shall begin deliberation.

The Allocations Chair will direct the deliberations. During deliberations, committee members are allowed to ask applicants questions regarding their proposals. All questions for applicants can be made verbally to the committee chair. However, all requests from applicants to speak to the committee must be made in writing to the committee chair. It is at the discretion of the chair whether those requests will be heard. During deliberations, the committee will formulate a plan for the distribution of available NCDPS funds to programs by a majority vote. Preliminary voting may be done by signed paper ballots, by a show of hands, or another means established by the chair. However, the final vote must be written. Any paper ballots will be made available to the public upon request.

Approval by the JCPC Board

The NCDPS funding recommendations made by the Allocations Committee will be submitted to the JCPC for their approval. The JCPC must approve the NCDPS funding recommendations of the Allocations Committee by a majority vote. Once approved, the Allocations Chair and a JCPC representative will present the County Plan to the Buncombe County Commissioners for their final approval and adoption.

Appeals

An individual or program may appeal procedural error during any part of the application or allocation process. The right to appeal should be made known to all applicants as part of the application process. Appeals for application must be made in writing to the JCPC Chair and the

Allocations Chair within five (5) business days following the Application deadline. The Allocations Committee has the authority to render a decision on application appeals and will communicate decision to the applicant. Appeals for allocations must be made in writing to the JCPC Chair and the Allocations Chair within five (5) five business days following the Allocations Hearing. The Allocations Committee will give a notice in writing of receipt of appeal and appeal process to the applicant. The Allocation Committee will review the appeal and make recommendations to the JCPC within five (5) business days. A final decision will be rendered in writing within 30 days by the JCPC.

Procedures for Additional Funding

The JCPC Chair will notify the Allocation Committee of the availability of additional funds. The Allocation Committee will then notify all eligible applicants of additional funding and process of distribution of funds. The Committee may be reconvened to review and allocate funds.

Procedures for Discretionary Funds

The JCPC Chair will ensure all eligible applicants are aware of the availability of discretionary funds. In the interest of meeting DPS submission timelines the JCPC Chair, Allocations Chair and Allocations Vice Chair will review any requests for discretionary funds and submit a recommendation to the area consultant on behalf of the JCPC.

Procedures for Program Inventory

If a JCPC funded program has received funds to purchase equipment/inventory and then becomes a non-funded Buncombe County JCPC program then the sponsoring agency must release the equipment/inventory per JCPC Policy 9, Fiscal Accounting and Budgeting, Final Accounting Process. The JCPC Chair, the Allocations Chair and the Allocations Vice Chair will make the decision on what will happen to the equipment/inventory if the funds used are less than \$2,500. If the equipment/inventory purchased was more than \$2,500 then a decision will be made by the JCPC Executive Committee. Please see the policy below:

4. Transfer and Disposal of Equipment

a) Equipment no longer needed by a DPS JCPC funded program or that becomes available due to the closure of a program may be made available for use by other programs.

b) Upon recommendation of the JCPC and with the approval of DPS the County may:

i. Transfer the equipment to another DPS JCPC-funded program(s) within the County; or

ii. Transfer the equipment to another youth serving agency within the County provided the equipment is not needed by the JCPC or another DPS JCPC-funded program within the County;
or

iii. Sell the property and transfer revenue to another DPS JCPC funded program(s) within the County; or

iv. Take possession of the property for use by a non-DPS JCPC funded program and provide the fair market value of the property to another DPS JCPC funded program(s) within the County.

5. Surplus or non-operative equipment shall be disposed in accordance with the County's surplus equipment policy. Any revenue thus generated shall be returned to the program for which the equipment was purchased.

6. Each DPS JCPC-funded program shall abide by its sponsoring agency's policy for capital expenditures. If no sponsoring agency policy exists, then the County government shall establish a policy and the program shall abide by the County government's policy.

BYLAWS of
Buncombe County Juvenile Crime
Prevention Council

Article I. Name, Principal Office, and General Purpose

Section 1. Name.

Buncombe County Juvenile Crime Prevention Council (JCPC)

Section 2. Purposes. The purpose for the JCPC is to prevent juveniles who are at risk from becoming delinquent. North Carolina General Statute (143B-845) mandates the development of a local JCPC. The primary intent of the legislation is to develop community-based alternatives to Youth Development Centers and to provide community – based delinquency and substance abuse prevention strategies and programs. Additionally, it is the intent of the legislation to provide noninstitutional dispositional alternatives that will protect the community and the juveniles.

The legislation directs that these programs and services be planned and organized at the community level and developed in partnership with the State. Juvenile Crime Prevention Councils are the designated planning bodies at the local level, appointed by the Board of County Commissioners.

Article II. Members

Section I. Members.

The business and property of the JCPC shall be managed and controlled by the JCPC, who shall be appointed as set forth below.

Section 2. Appointment.

NCGS 143B-846 specifies that as a prerequisite for a county receiving funding for juvenile court services and delinquency prevention programs, the Board of County Commissioners shall appoint a JCPC.

Section 3. Number and Representation

The JCPC shall consist of a membership composition as set forth in GS 143B-846 with not more than 26 members. The Board of County Commissioners shall modify the JCPC membership as necessary to ensure that council members reflect the racial and socioeconomic diversity of the community and to minimize potential conflicts of interest by members.

Section 4. Officers.

Members of the council shall elect the Chair and Vice Chair annually.

- I. Membership designated by NCGS 143B-544
 1. Local school superintendent(s) or designee
 2. Chief of Police
 3. Local Sheriff or designee
 4. District Attorney or designee
 5. Chief Court Counselor or designee
 6. Director of area mental health, developmental disabilities, and substance abuse authority or designee
 7. Director of DSS, or consolidated human services agency or designee
 8. County Manager or designee
 9. A Substance Abuse Professional
 10. A Member of the Faith Community
 11. A County Commissioner
 12. Two persons under the age of 18 years, one of whom is a member of the State Youth Council.
 13. A Juvenile Defense Attorney
 14. Chief District Court Judge or a judge designated by the chief district court judge
 15. A member of the business community
 16. Health Director or designee
 17. Representative of United Way or other nonprofit or designee
 18. Representative of local parks and recreation
 19. Member of Public appointed by County Commissioners
 20. Member of Public appointed by County Commissioners
 21. Member of Public appointed by County Commissioners
 22. Member of Public appointed by County Commissioners
 23. Member of Public appointed by County Commissioners
 24. Member of Public appointed by County Commissioners
 25. Member of Public appointed by County Commissioners

Section 5. Terms.

As set forth in NCGS 143B-847 each member of the JCPC shall serve for terms of two years. Members may be reappointed. Terms of appointment begin January 1, 1999, and July 1 of years thereafter.

In order to provide for staggered terms, persons appointed for positions designated as (9) a substance abuse professional, (10) a member of the faith community, (12) a person under the age of 18, (15) a member of the business community (17) a representative of United Way or other nonprofit and (18) a representative of local parks and recreation, shall be for an initial one-year term and two-year terms thereafter.

Section 6. Vacancies.

As set forth in NCGS 143 B-848 appointments to all vacancies shall be for the remainder of the former member's term.

Section 7. Removal.

As set forth in NCGS 143 B-848 members shall only be removed for malfeasance (illegal act) or nonfeasance (not performing duties as required) as determined by the Board of County Commissioners.

Section 8. Meetings; Quorum.

As set forth in NCGS 143 B-849 the Council will meet at least bi-monthly. The council may meet more often if the Chair calls a special meeting.

A simple majority of members shall constitute a quorum. (Simple majority is 50%+1)

Section 9. Attendance

Any member who has two consecutive or three total unexplained absences in a one year period of their two-year term will be contacted by the coordinator to verify their commitment to continue as a board member.

Article III. Duties and Powers

As set forth in NCGS 143 B-851 the duties and powers of the JCPC are as follows:

Conduct an annual review of the needs of juveniles at risk of delinquency, adjudicated delinquent or undisciplined and the resources needed to meet those needs.

Develop and advertise a request for proposals (RFP) process and submit a written plan of action for the expenditures of juvenile sanctions and prevention funds to the Board of County Commissioners for approval. Submit those funds approved by the Board of County Commissioners to the North Carolina Department of Public Safety (NCDPS) for final approval and implementation.

Ensure appropriate intermediate dispositional options are available and prioritize funding for dispositions of intermediate and community level sanctions for court adjudicated juveniles.

NCDPS Application Process:

Perform the following functions on an ongoing basis:

- a) Assess the needs of juveniles in the community, evaluate the adequacy of resources to meet those needs, and develop or propose ways to address unmet needs.
- b) Evaluate the performance of juvenile services and programs in the community. Evaluate each funded program as a condition of continued funding.
- d) Increase public awareness of the causes of delinquency and of strategies to reduce the problem.
- e) Develop strategies to intervene and appropriately respond to and treat the needs of juveniles at risk of delinquency through appropriate risk assessment instruments.
- f) Provide funds for services for treatment, counseling, or rehabilitation for juveniles and their families, including court ordered parenting responsibility classes.
- g) Plan for the establishment of permanent funding streams for delinquency prevention services.
- h) Develop strategies to intervene and appropriately respond to the needs of juveniles who have been associated with gang activity or who are at risk of becoming associated with gang activity.

ARTICLE IV Committees

1. Executive Committee: Membership shall consist of the JCPC Chair, JCPC Chair from the previous year if still active, Vice-Chair, Standing Committee Chairs, the NCDPS Consultant and the Chief Court Counselor or designee.
2. The JCPC may appoint from its members, or from among other persons as the Council sees fit, one or more ad hoc or advisory committees at any time. The members of such committees serve at the pleasure of the JCPC and shall advise and aid the Council. Each ad hoc committee is subject to approval of the JCPC, and its prescribed rules and regulations to conduct meetings and business.
 - a. Duties: It is the duty of the JCPC Chair to ensure that the following duties are performed:
 - i. Meet monthly to set the agenda for the regular JCPC meetings.
 - ii. Meet when necessary between monthly meetings to facilitate strategic planning and fiscal management concerns as decided by the JCPC Chair
 - iii. Monitor and evaluate composition of the JCPC specific to community representation and effectiveness in meeting goals
 - iv. Monitor terms of appointment and present membership recommendations to the Board of County Commissioners

- v. Monitor non-attendance and notify members of attendance issues as referenced in Article VI, Section 3
- vi. Report malfeasance (illegal activity) or nonfeasance (failure to perform assigned duties) to the Board of County Commissioners for recommended action
- vii. Ensure development and presentation of a slate of officers for JCPC approval
- viii. Review request for support of community program development and present to the JCPC for approval
- ix. Take nominations at a regular JCPC meeting for chairs of committees prior to the first meeting of the JCPC year
- x. The JCPC Chair may appoint from its members, or from among other persons as the Council sees fit, one or more ad hoc or advisory committees at any time. The members of such committees serve at the pleasure of the JCPC and shall advise and aid the Council. Each ad hoc committee is subject to approval of the JCPC, and its prescribed rules and regulations to conduct meetings and business.

The Chairs of the following committees will coordinate with the JCPC Chair to ensure appropriate committee membership from the JCPC members and community volunteers.

1. Monitoring/Evaluation Committee: Membership shall consist of the Chair and Vice-Chair of the committee, JCPC members, court counselors and may include community volunteers.
 - a. Duties: It is the duty of the committee chair to ensure that the following duties are performed:
 - i. Conduct site visits to funded NCDPS programs
 - ii. Review NCDPS funded programs to determine adherence to proposed goals, projected outcomes, budgets and other data collection requirements
 - iii. Complete and submit required monitoring and evaluation reports within designated time frames
 - iv. Evaluate funded programs for conditions of continued funding and overall effectiveness and efficiency, and progress towards projected outcomes.
 - v. Provide monitoring reports to the Allocations Committee within established time frames
 - vi. Coordinate with NCDPS Consultant to ensure knowledge of and adherence to current monitoring and evaluation requirements
 - vii. Develop annual calendar and action plan outlining required tasks of committee

2. Planning/Public Awareness Committee: The planning and public awareness activities may function as two separate committees or as a single committee and subcommittee. Membership shall consist of the Chair, Vice-Chair, JCPC members, court counselors and may include community volunteers.
 1. Duties: It is the duty of the committee chair to ensure that the following duties are performed:
 - i. Planning:
 - 1) Develop a community assessment and comprehensive strategies plan in order to establish priorities for NCDPS disbursement of funds in conjunction with the Dispositional Options survey given to court counselors and reported by the chief court counselor and provide planning data to the community and the state
 - 2) Review and update comprehensive strategies at least every three to five years
 - 3) Review annually the needs of juveniles at risk of delinquency or adjudicated delinquent/undisciplined and resources needed for target populations
 - 4) Review and determine gaps in intermediate dispositional options
 - 5) Ensure that comprehensive strategies include addressing unmet needs and providing funds and resources for treatment, counseling and rehabilitative services for youth and families, including court ordered parent responsibility classes
 - 6) Coordinate with the Allocations Committee and Chief Court Counselor to ensure that the annual RFP for NCDPS funding accurately reflects current community-based needed resources
 - 7) Coordinate with NCDPS Consultant to ensure use of best practice criteria for assessment and planning activities
 - ii. Public Awareness:
 - 1) Provide public awareness of the JCPC, it's function, it's process and the comprehensive strategies plan
 - 2) Promote public awareness and media coverage for the RFP and NCDPS funds allocation process
 - 3) Ensure public notification of the JCPC regular meeting or specially called meetings
 - 4) Make presentations to community groups and programs regarding JCPC functions and as recruitment and gap identification strategies

5) Develop an annual public awareness and media action plan outlining events to cover and community organizations to receive presentations

3. Allocations Committee: Membership shall consist of the Chair, Vice-Chair, JCPC members, and court counselors.

1. Duties: *The purpose of the allocation Committee is to receive, review and evaluate eligible program application and make recommendations for the release of NCDPS funds to area programs. In addition, the committee ensures that applications for NCDPS funding are received in the context of identified needs from the JCPC comprehensive strategies process as noted in the RFP.* No agency shall have more than two representatives on the allocation committee in an effort to refute any allegations of weighting the panel. The Chief Court Counselor shall participate as a non-voting member, being available to assist in training members and for consultation and information as to the needs of the court referred juveniles.

Article V Officers

Section 1. Officers. The officers of Council shall be a Chair, Vice Chair (*Chair-elect*), Planning Chair, Vice Chair, Monitoring Chair, Vice Chair, Allocations Chair, Vice Chair, each elected annually.

The executive committee will present a slate of officer appointments to the JCPC and hold elections in May.

Section 2. Election. The Council shall elect all officers during a meeting held in May of each year. The executive committee shall submit a slate of officers. Additional nominations may be made from the floor at this time. All officers shall hold office for the term of one year. Vice-Chair will move into Chair position in the following year.

Section 3. Tenure of Office. Any of the officers may be dismissed at any time during his or her term by a majority vote of the Council in accordance with Article II, §8.

Section 4. Resignation. If an officer resigns prior to the end of his/her term the executive committee shall recommend a replacement to the JCPC for approval. The approved replacement will serve until the end of the designated term.

Section 5. Duties of Officers

CHAIR

The Chair shall:

- a) Preside at all meetings of the Council
- b) Enforce these Bylaws and see that all orders and resolutions of the JCPC are carried out

- c) Perform the entire duties incidental to his or her office, and which are required by law, and generally, to see that the Officers perform their duties
- d) Present at each meeting of the Council a report on the condition of the business of the Council
- e) Call regular and special meetings of the Council in accordance with these Bylaws
- f) Execute conveyances, contracts and agreements as authorized by the Council
- g) Perform and attend to such other duties and functions as may be directed by the County Commissioners
- h) Annually appoint Committee Chairs, Vice-Chairs and membership
- i) Present an annual report to the Board of County Commissioners
- j) Serve as JCPC representative on the Buncombe County Children's Collaborative or appoint a designee

VICE-CHAIR

The Vice-Chair shall:

Perform the duties of the Chair in the Chair's absence or disability

- a) Perform such additional duties and functions as may be directed by the Council
- b) Serve as the incoming Chair of the JCPC
- c) Participate in the executive committee meetings

Section 6. Vacancies. Vacancies in any office shall be filled by the Council at a special meeting called for that purpose after the occurrence of such vacancy, or at the next annual meeting, whichever occurs first. The Officers so elected shall hold office until the next annual meeting of the Council and until a successor shall have been elected in accordance with these Bylaws.

ARTICLE VI Meetings

Section 1. Regular Meetings. The Council shall meet at least bi-monthly and dates designated by the Chair, through a written call of the majority of Council members, or upon resolution of the Council. The annual meeting of the Council shall be held each year in May or at such other time as the Council may fix, for the purpose of electing officers and for the transaction of other business.

Section 2. Special Meetings. The times, dates, and places of special meetings of the Council may be set at the call of the Chair. Notification shall be given to Council members by the usual means of communication (telephone, voice mail, mail, text, email) at least 48 hours before the time of the meeting.

Section 3. Notice of Intention to Attend

Members of the Council shall be required to notify the Chair or Program Coordinator of their inability to attend a regularly scheduled meeting prior to the meeting.

Section 4. Quorum. Simple majority of the members of the Council shall constitute a quorum for the transaction of business.

Section 5. Parliamentary Rules. All meeting shall be conducted in an open, orderly, and fair manner; and Robert's Rules of Order, as revised, shall apply to all deliberations.

Section 6. Majority Vote Except as otherwise provided by Bylaws or law, all matters before Council shall be decided by a simple majority vote of the members present at a meeting at which a quorum exists. Members of the Council or a committee may participate in a meeting of the Council or committee by electronic means, which allows the participants to participate in the meeting.

Section 7. Informal Action by Officers. Any action required or permitted to be taken at any meeting of the Council or of a committee may be taken without a meeting if the text of the resolution or matter agreed upon is sent to all the members in office or all of the members of the committee and all of the members in office or all the members of the Committee consent to such action in a writing, including electronic communication, setting forth the action taken. Such consent in writing, including electronic communication, shall be filed with the minutes of the proceedings of the Council or the committee and have the same force and effect as a vote of the Council or of the committee at a meeting, whether done before or after the action is taken.

Section 8. Compliance with State Requirements. So long as the Council manages/approves funding from the State of North Carolina, it shall conduct its operations, including its meetings, in a manner comparable to Article 33C of Chapter 143 of the North Carolina Statutes (the Open Meetings Law), and Chapter 132 of the North Carolina General Statutes (the Public Records Law).

ARTICLE VII Contracts, Checks, Deposits, and Funds

Section 1. Contracts. Council may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Council; and such authority may be general or confined to specific instances.

Section 2. Loans. No loans shall be contracted on behalf of the Council and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Council. Such authority may be general or confined to specific instances.

Section 3. Checks and Drafts. All checks, drafts, or other orders for the payment of money, issued in the name of the Council, shall be signed by such officer or officers, agent or agents of the Council and in such manner as shall from time to time be determined by resolution of the Board of County Commissioners. In regard to the administrative expenses of the JCPC, Buncombe County is the fiscal agent and will issue checks related these expenses under the approval and consent of the JCPC executive committee.

Section 4. Funds. All funds of the Council not otherwise employed shall be deposited to the credit of the Council in banks, trust companies, or other depositories as the Board of County Commissioners may select.

Section 5. Acceptance of Gifts. The Council or any officer or officers or agent or agents of the Council to whom such authority may be delegated by the Council, may accept on behalf of the Council any contribution, gift, bequest, or devise for the purposes of the Council.

Section 6. Audits. On request of a majority of the Council, the accounts of the Council shall be audited by a reputable certified public accountant, whose report shall be submitted to each member of the Council. This requirement is met by having an audit conducted by the State Auditor, as specified in Article VIII, Section 2.

Section 7. Bond. At the direction of the Board of County Commissioners, any officer or employee of the Council shall be bonded. The Council shall pay the expense of procuring any such bond.

ARTICLE VIII Relations with Public Bodies

Section 1. Grants and Appropriations. The Council anticipates it will from time to time receive grants or appropriations from public bodies of North Carolina. Expenditures by the Council of such grants or appropriations shall be made only for public purposes and only for the charitable purposes of the Council and according to law.

Section 2. Audit by State Auditor. So long as the Council receives funding from the State of North Carolina, the Corporation shall be subject of the audit and review by the State Auditor pursuant to Article 5A of the Chapter 147 of the North Carolina General Statues.

ARTICLE IX

Agents, Representatives and Employees

The Council may appoint such agents, representatives and employees of the Council with such powers and to perform such acts or duties on behalf of the Council, as the Council may deem appropriate and in the best interest of the

Corporation. As money permits the Council may utilize a management support position to perform council duties as outlined in a job description approved by the JCPC. See attachment for job description of coordinator.

ARTICLE X

Period of Accounting and Reporting

The fiscal year shall begin on July 1 and shall end on June 30 of the next calendar year.

ARTICLE XI Amendments

Within the parameters of the NC General Statutes which establish and define the JCPC the Council shall have power to make, alter, amend and repeal the Bylaws by affirmative two-thirds vote of the Council then serving, provided that such action is proposed at a regular or special meeting of the Council and adopted at a subsequent regular or special meeting, except as otherwise provided by law. The text of all amendments and changes shall be included in the notice of each such meeting.

ARTICLE XII Conflict of Interest

Juvenile Crime Prevention Council (JCPC) members are public officers. N.C. Gen. Stat. § 14-234 requires that (1) No public officer or employee who is involved in making or administering a contract on behalf of a public agency may derive a direct benefit from the contract except as provided in this section, or as otherwise allowed by law; (2) A public officer or employee who will derive a direct benefit from a contract with the public agency he or she serves, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract; and (3) No public officer or employee may solicit or receive any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency he or she serves.

No JCPC member or managing staff may receive directly or indirectly, any funds disbursed from the State of North Carolina, except for duly, authorized staff compensation and benefits, and reimbursement for expenses actually incurred in connection with the Council's business and in accordance with final approved grant agreements. JCPC members are to avoid conflicts of interest or the appearance of impropriety in the disbursement of State funds; No member of the JCPC shall be deemed to benefit directly or indirectly from any contract or grant funded in whole or in part by State funds if he/she receives only the salary or stipend due to him/her in the normal course of employment with, or service to, said JCPC.

JCPC has written conflict of interest policies and reporting procedures applicable to members who have any interest or any authority regarding the resources of

JCPC. These policies are to be communicated to members and full disclosure will be provided for any possible appearance of conflict of interest that may exist.

Council members shall not use their official affiliation with the JCPC to secure preferential treatment for any juvenile. Council members shall not use confidential information regarding juveniles or their families, JCPC agencies or other council members for personal gain or benefit. Council members must disclose a (potential) conflict of interest when the council member:

1. Is related to a program staff member;
2. Is related to another JCPC member;
3. Has/may have personal, financial, professional, and/or political gain at the expense or benefit of the JCPC, other than the benefit of therapeutic intervention for the juveniles and families served by JCPC funded programs;
4. Or a council member's family member participates in activities of, is a member of, or is an employee of a business entity that may be viewed as having direct or indirect influence over the JCPC's business;
5. Or a council member's family member may be viewed as having direct or indirect financial gain from personal or business investments/interest in real property held by that council member;
6. Received honorarium or other compensation outside of the scope of employment and operations that creates or appears to create bias;
7. Secured employment with a competing applicant for JCPC funding; and
8. Has a relationship other than professional with a JCPC funded program or applicant for funding, or any staff member or volunteer working for the program/applicant.

Every member of the JCPC shall complete a conflict of interest disclosure form and submit it to the JCPC Chair. The conflict of interest form shall be submitted yearly. Should a conflict of interest arise a JCPC shall complete a new conflict of interest disclosure form. If a JCPC member discloses a conflict of interest then the issue shall be scheduled for discussion at the next JCPC executive meeting.

Any member of the JCPC who may, through his or her agency, receive funds as a result of a motion before the Council, or may otherwise benefit financially from a motion before the Council, may have a conflict of interest between his or her role within that agency, and as a member of the Council. Such members may be prohibited from participating in the discussion of the motion and likewise prohibited from voting on such motion.

When such an item is the subject of a motion before the Council, and is opened for discussion, those members of the Council who acknowledge such a conflict of interest shall identify themselves and state their intention to abstain. Such members may be requested by the Chair to leave the room during the deliberations and vote. If any member or members of the Council have removed themselves as a result of such conflict of interest related to a specific motion, it

shall be the responsibility of the Chair to ensure that only such agenda item is discussed and acted upon in that person's absence.

In the event a participating member of the Council perceives that a conflict exists with a member of the Council who has not voluntarily identified himself or herself, the Council member shall bring such conflict to the attention of the Council and request that individual abstain and remove him/herself. If there is a dispute as to whether or not the circumstances present a conflict of interest, the Chair shall rule on whether or not the Council member in question has an actual conflict of interest and shall be permitted to vote and participate in the deliberations. The Chair shall have the option of ruling that the member whose vote is in dispute shall be entitled to vote under challenge, such ballot and dispute to be resolved only in the event the challenged ballot is determinative of the outcome of the vote.

In order to prevent potential conflicts of interest, the JCPC shall to the extent possible:

- Fill allocations and monitoring committees with members who are not staff or volunteers of funded agencies
- Any JCPC member affiliated with a funded or unfunded agency shall abstain from voting in matters related to JCPC funding or business transactions affecting that specific agency. Full disclosure shall be made by any member prior to any funding or business transaction deliberations
- Nominating chairs will not be board members, staff or volunteers of funded agencies, or NCDPS staff
- Require a list of agency board members as a part of each program's funding application
- Provide a means of identification, ie. tent cards, or membership roster at meetings to designate funded agency representatives

ARTICLE XIII Public Attendance/Participation

The Council shall conduct its operations in compliance with Article 33C of Chapter 143 of NC General Statute (Open Meeting Law) and Chapter 132 of NC General Statute (Public Records Law). Meeting minutes shall be sent to the Clerk of the Board of County Commissioners to allow for public access.

Non-Council members who attend Council meetings will identify themselves as visitors and be seated in the audience. Council members will be seated at the table. If a member of the public wishes to provide comment they should advise the Chair and/or Secretary and be placed on the Agenda prior to the meeting. The Council meets from for one and one half hours unless otherwise posted and public comment will be contained to available time within that period and each speaker's comments will be limited to 3 minutes.

The Council, through its established committee structure, will offer consistent and varied vehicles for public input and participation.

Adopted by the Buncombe County Juvenile Crime Prevention Council on November 21st, 2013.

Danielle Arias, Chair