

North Carolina Association of County Clerks
Speaker/Session Information

Thursday, September 10, 2020
MMC Academy

9:00 am – 10:15 am

Electronic Meetings: Conducting Local Government Board Business in a Virtual Environment

Shannon Tufts

Associate Professor of Public Law and Government

UNC School of Government

COVID-19 has prompted local government boards around the state to hold their meetings electronically. In some places, both board members and the public attend meetings by Zoom or other electronic means. In other locations, board members meet in person but the meeting is still streamed online because in-person attendance by the public is prohibited or restricted as necessary to comply with social distancing guidelines. As clerks already know, electronic meetings present a host of technological and practical challenges (e.g., training board members to use unfamiliar programs or devices, protecting the confidentiality of virtual closed sessions). This session will focus on steps that local government boards can take to conduct electronic meetings effectively, efficiently, and securely.

10:30 am – 12:00 pm

Cybersecurity for Clerks: Protecting Your Information and Securing Your Operations

Shannon Tufts

Cybersecurity attacks are at an all-time high, with threats coming daily in the forms of phishing attempts, data harvesting, and malware downloads. Understanding how to identify and prevent such attacks, which target your enterprise data, your confidential client data, as well as your personal and professional data, is paramount for clerks. This session will provide requisite education on the topic of essential cybersecurity strategies and approaches for non-technical staff. Attendees will learn to identify potential attacks or attempts to compromise organizational systems, how to mitigate those potential attacks, and learn about the various breaches that have occurred across the state, impacting organizations at every level. The goal of the session is to ensure clerks are able to improve their detection and defenses against breaches, while protecting confidential data, as part of their daily governmental operations.

1:00 pm – 2:00 pm

Legislative Update for County Clerks

Amy Bason

Deputy Director/General Counsel

North Carolina Association of County Commissioners

This year the General Assembly enacted a number of laws that affect local government operations. This session will bring county clerks up-to-date on those legislative developments.

Friday, September 11, 2020
MMC Academy (cont'd)

9:00 am – 10:30 am

Ethics and Conflicts of Interest for County Clerks: How to Stay Out of Trouble, and What to Do When the Board Gets into Trouble

Frayda S. Bluestein

David M. Lawrence Distinguished Professor of Public Law and Government
UNC School of Government

This session will examine the array of legal, ethical, and practical considerations that concern voting by elected officials; gifts and favors; self-benefitting in contracting; censure; and the role of the clerk when witnessing and dealing with ethical dilemmas. Hypothetical case scenarios will be used to discuss approaches and experiences.

10:45 am – 11:45 am

New Chapter 160D: Things Clerks Should Know

Adam Lovelady

Associate Professor of Public Law and Government
UNC School of Government

Now in effect, new Chapter 160D of the General Statutes consolidates the prior city- and county-enabling authority for development regulation and implements a range of consensus clarifications and reforms. The changes require updates to all local government development regulations. This session will provide an overview of the changes and outline additional resources available from the School of Government.

12:45 pm – 1:45 pm

Electronic Meetings: Navigating the New Legal Landscape

Trey Allen

Associate Professor of Public Law and Government
UNC School of Government

Earlier this year the General Assembly adopted legislation governing electronic meetings in certain situations. Many of the specific requirements imposed by the new law have created confusion among local government officials, including clerks. The fact that the legislation doesn't cover all electronic meetings has only added to the uncertainty. This session will help clerks understand the new law. It will also examine how electronic meetings should be conducted when the law doesn't apply.

Speaker Biographies

Trey Allen joined the School of Government in 2013. He researches and writes about the general regulatory and enforcement powers of local governments, local government liability, and board procedures. He also teaches and advises extensively on those topics. Allen has authored books, book chapters, and articles on issues involving his subject areas, and he contributes to the School's blog *Coates' Canons: NC Local Government Law*. In 2019 he received the Margaret Taylor Writing Award for his book *Local Government Immunity to Lawsuits in North Carolina*.

On the programming side, Allen plays a major role in planning and coordinating the School's many educational offerings for clerks to municipal and county governing boards. Annually these programs include the Clerks Certification Institute, the New Clerks Institute, a three-day academy for experienced clerks, educational sessions for conferences of the NC Association of Municipal Clerks and NC Association of County Clerks, and several regional academies conducted around the State in cooperation with the NCAMC and NCACC.

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

Amy Bason serves as legal advisor to the Board of Directors, Board of Trustees, and Executive Director across all services areas including the Risk Management Pools, advocacy, member services and internal support functions at the North Carolina Association of County Commissioners.

Frayda Bluestein joined the School of Government (then the Institute of Government) in 1991. From 2006 to 2017 she served as the School's associate dean for faculty development. Prior to joining the School, she worked in private law practice, focusing primarily on municipal and land use law, and for one year in the Legislative Drafting Division of the North Carolina General Assembly. Her publications include books and articles about local government structure and authority, public contracting, conflicts of interest, and transparency laws. She is a frequent contributor to the School's *Coates' Canons: NC Local Government Law* blog, writing on topics including North Carolina local government authority, annexation, public records, open meetings, conflicts of interest, and First Amendment issues affecting local government. She was awarded the School of Government's two-year professorship for outstanding junior faculty achievement in 1998, the two-year professorship for teaching excellence in 2004, and the David M. Lawrence Distinguished Professorship in 2014. In 2016, Bluestein was honored with the Grainger Barrett Award for Excellence from the Government and Public Sector Section of the North Carolina Bar Association and the Ernest H. Ball Award for Excellence in Municipal Law from the North Carolina Association of Municipal Attorneys. Bluestein earned a BA from the University of California at Berkeley and a JD from the University of California at Davis.

Adam Lovelady is an Associate Professor of Public Law and Government at the School of Government at UNC–Chapel Hill. His work focuses on land use law and community planning. He teaches, researches, and advises on topics of zoning, land subdivision, transportation,

renewable energy, and historic preservation. He joined the School of Government in 2012. Lovelady also serves as an Adjunct Associate Professor in the Department of City and Regional Planning at UNC–Chapel Hill. Lovelady was named Albert and Gladys Hall Coates Term Professor for Teaching Excellence for 2019-2021, and he was named Coates Distinguished Term Assistant Professor for 2015–2017.

His publications include Chapter 160D: A New Land Use Law for North Carolina (2019), Quasi-Judicial Handbook: A Guide for Boards Making Development Regulation Decisions (2017), and Land Subdivision Regulation in North Carolina (2015). He has authored a variety of land use law bulletins, law review articles, and special reports. Additionally, he regularly posts to the School’s local government law blog, Coates Canons. His 2014 report, Planning and Zoning for Solar in North Carolina, received the Margaret Taylor Writing Award in 2015.

When the North Carolina legislature adopted a comprehensive update to the state’s land use laws in 2019, Lovelady led efforts to train and equip local governments and private practitioners for the change. Along with colleague David Owens, Lovelady authored a book on the new Chapter 160D, produced a series of explanatory videos, led eight regional workshops across the state, and provided an array of additional resources and training.

Lovelady has served as co-faculty lead for the School of Government’s interdisciplinary Opioid Response Project from 2018-2020. Through this collaborative effort, the School partnered with ten community teams across North Carolina to support local efforts to curb the opioid epidemic. The Opioid Response Project has included five forums, ongoing support for community collaborative work, direct technical assistance, and financial support. The project is supported by nearly \$500,000 in grant funds from Blue Cross NC.

In 2016 Lovelady established and coordinated the Solutions Forum, a collaborative workshop bringing together local government officials from multiple jurisdictions and multiple departments to address a common challenge. Following the Forum, Lovelady published Reshaping Suburban Spaces: Lessons from North Carolina Cities (2016).

Along with his SOG colleague David Owens, he has designed and authored a library of web-based training modules on zoning topics for use by local boards. In addition, he has served as a trainer for the National Alliance for Preservation Commissions, teaching local preservation commissions around the country.

Before coming to the School, Lovelady practiced law with McGuireWoods LLP in Richmond, VA, where he focused on land use regulation, environmental law, and sustainable development. Prior to that, he taught second grade in Atlanta as part of Teach for America and worked in historic preservation in Asheville and Shelby, NC. Lovelady earned a BA in history from Auburn University and a Master of Urban and Environmental Planning as well as a JD from the University of Virginia.

Shannon Tufts designed and implemented the first local government Chief Information Officers Certification program in the nation and continues to run CIO certification programs for local and state government IT professionals. She created a National Certified Government Chief Information Officer program in 2007, in order to serve the growing needs of public sector IT professionals across the nation. Tufts has taught numerous courses on public sector information systems across the United States, including IT investment strategies, embracing technology, project management, and stakeholder engagement in technology-enabled government. She serves on several federal, state, and local government committees to promote the effective use of technology in the public sector. Her publications in the area of e-government and public sector

information technology include *Humanizing IT: Advice from the Experts* with G. David Garson, numerous book chapters, and articles in *Social Sciences Computer Review* and *Popular Government*. She was named Albert and Gladys Coates Distinguished Term Assistant Professor for 2012–2014. Tufts earned a BA from UNC-Chapel Hill, an MPA from UNC-Charlotte, and a PhD in public administration with a concentration in public sector information systems from North Carolina State University.