

1 group, choosing the member, a successor to whom is to be chosen, and in the manner herein
2 provided for the selection of such member.

3 (b) Former employees of the City of Asheville shall be eligible to serve as a member of
4 the Asheville Civil Service Board provided they have been separated from City employment
5 for a period of not less than 10 consecutive years prior to becoming a member of the Board. No
6 person shall be eligible to serve as a Civil Service Board member if such person directly, or
7 indirectly through any corporation, partnership or other entity, or contract, subcontract or
8 otherwise benefits financially from a business relationship with the City, or if such person has
9 an immediate family member or spouse of the immediate family member who directly, or
10 indirectly through any corporation, partnership or other entity, or contract, subcontract or
11 otherwise benefits financially from a business relationship with the City. No person shall
12 engage or benefit directly or indirectly from any contractual work or employment with the City
13 for a period of not less than two years following the expiration date of that person's term of
14 office as a member of the Civil Service Board. The foregoing restrictions shall not be
15 retroactively applied to anyone currently serving on the Board at the time this subsection is
16 enacted.

17 (c) The Asheville Civil Service Board Secretary shall perform all required ministerial
18 functions and duties for the Board including, but not limited to, the electronic recording of and
19 the preparation of minutes of all Civil Service Board meetings and hearings, the custody of all
20 Board records and the posting and issuing of meeting notices to Board members and to the
21 public in accordance with the Open Meetings Law, Article 33C of Chapter 143 of the General
22 Statutes. To assist the Secretary in performing the functions and duties, all Civil Service Board
23 meetings shall be electronically recorded and transcripts thereof made available to the Board
24 members upon request without charge. All other persons shall be entitled to the Civil Service
25 Board's recordings and records upon request made pursuant to the Public Records Act, Chapter
26 132 of the General Statutes.

27 (d) Regular meetings of the Asheville Civil Service Board shall be held at least once
28 every month at a time and place to be determined by Board members. The deadline for
29 receiving items for the regular monthly Board's meetings shall be seven days prior to the
30 meeting. Special meetings may be called by the chairman and shall be called upon written
31 request signed by two or more Board members and submitted to the Board Secretary not less
32 than seven days prior to the date of the requested special meeting. The notice for all meetings
33 shall contain a meeting agenda which shall include a section for other business to hear and
34 consider any other matters related to the Board's function and duties and which may be
35 addressed by any member of the Board and by any person in attendance.

36 (e) No uniform employees of the City of Asheville shall be prohibited, directed, or
37 discouraged in any manner by a supervisor from wearing that employee's uniform while in
38 attendance at any Civil Service Board meeting."

39 **SECTION 2.** Chapter 757 of the 1953 Session Laws, as amended, and as rewritten
40 by S.L. 1999-303, is amended by adding a new section to read:

41 "Section 8.1. By a majority vote of those members present and voting at any of its official
42 meetings, the Asheville Civil Service Board may designate independent legal counsel of its
43 choice to advise or represent the Board, or both, on such occasions and in such matters as the
44 majority of those Board members present and voting deem to be appropriate and necessary.
45 The City shall be responsible for the payment of such professional legal services. In order to
46 avoid the appearance of any possible conflict of interest, the Office of the City Attorney shall
47 serve as legal advisor to or attorney for the Board, or both, only for those matters or
48 proceedings when specifically requested to do so in a writing that has been signed by no fewer
49 than four members of the Board."

50 **SECTION 3.** Section 10 of Chapter 757 of the 1953 Session Laws, as amended,
51 and as rewritten by S.L. 1999-303, reads as rewritten:

1 "Section 10. It shall be the duty of the Civil Service Board to supervise the execution of the
2 foregoing civil service provisions of this Act and of the rules made thereunder, and it shall be
3 the duty of all persons in the service of the City to comply with such rules and to aid in their
4 enforcement. Willful or deliberate violation of the Asheville Civil Service Law (this act) or
5 Civil Service Rules by any person shall constitute a misdemeanor punishable by a fine not to
6 exceed the sum of five hundred dollars (\$500.00). Any City employee or any City official who
7 threatens or intimidates other employees from exercising their rights under the Asheville Civil
8 Service Law (this act) or Civil Service Rules shall be subject to discipline by the City,
9 including dismissal of employment with the City."

10 **SECTION 4.** If any section, subsection, subdivision, sentence, clause, or phrase of
11 this act shall for any reason be held to be invalid or unconstitutional, such decision shall not
12 affect the validity of the remaining portion of this act.

13 **SECTION 5.** All laws, rules, or clauses in conflict with the provisions of this act
14 are hereby superseded or repealed as appropriate.

15 **SECTION 6.** This act is effective when it becomes law.