



Cumberland County Fire Chief's Association
Minutes of November 26, 2012 Monthly Meeting



The meeting was hosted by Grays Creek Fire Station # 24 and we thank Chief Marsh and his staff for their hospitality.

Opening Prayer: Deputy Fire Chief J.D.Pone, provided the opening prayer.

Roll Call: Roll call was conducted with 21 departments and 8 associate members present.

Members Absent:

Fire Departments: None

Associate Members: Christian Firefighters, FTCC, FB EMS

Approval of Minutes: Minutes from October 2012 meeting were approved.

Guests: Ernest Grant with the UNC Burn Center gave a presentation on burn aftercare and the programs that are offered to their patients after they leave the hospital.

Vendors Present: Alan Sharpe with Fire Connections and Sam Massa with LED Lighting had a demonstration vehicle set up with numerous lighting components.

Treasurer's Report: Report enclosed.

Meeting Point of interests:

Next Chief's Meeting will be December 17, 2012 hosted by the Sheriff's Office. The meeting will begin at 7:00 pm. Dinner will be served.

- President Johnson advised that the Vander Fire Department (281) will pick up air truck coverage and duties in December 2012.
- President Johnson provided a packet with legal briefs and various informational materials.
- President Johnson briefly updated the membership on the Mobile Data Terminal (MDT's) installation. He explained that some scheduling conflicts exist with getting

the boosters installed. President Johnson needs everyone to report their issues to him, Chief McLamb and Director Randy Beeman.

- President Johnson thanked everyone who assisted the Stoney Point Fire Department with their NC Rating Survey exercise.
- President Johnson reminded everyone that they needed to turn in their old permanent tags when they go to get their new ones. President Johnson will be acquiring the tags for the Association owned trailers.
- Brett Ham was introduced as the new Fire Marshal for Hope Mills.
- Scott Bullard was introduced as the new EM coordinator for Fayetteville.

OLD BUSINESS

1. None.

NEW BUSINESS:

1. President Johnson stated that with the major Christmas Holidays fast approaching it is important that remain focused and not be overtaking by events of the up-coming holidays. He urged everyone to use their information signs and advertise fire safety during the holidays.

COMMITTEE REPORTS:

ID CARD COMMITTEE Lt. Tara Whitman (Stoney Point) Chairperson

- **FYI.** Fire Chiefs are required to send a signed letter or memo with a firefighter requesting an ID Card. For any questions or an appointment contact 424-0694 or e-mail at tara@stoneypointfire.com

FIRE PREVENTION/EDUCATION COMMITTEE Retired Chief J.F. Hall, Chairperson

- No report.

COMMUNICATIONS COMMITTEE Chief B. Bullard (Stedman) Chairperson

- Chief Bill Bullard presented the members the SOG for communications with an effective date of December 1, 2012.

STANDARDS & POLICY COMMITTEE Chief K. Hall (Cumberland Road) Chairperson

- No report.

MEMORIAL COMMITTEE Chief R. Marley (Pearce's Mill) Chairperson

- No report.

AUTOMATIC AID/MUTUAL AID COMMITTEE Chief Ake (Beaver Dam) Chairperson

- No report.

FINANCE COMMITTEE Deputy Chief Freddy Johnson Jr. (Stoney Point) Chairperson

- No report.

RESCUE COMMITTEE Deputy Chief Hank Harris (Cotton FD) Chairperson

- No report.

BULK PURCHASE COMMITTEE Chief Pearce (EMS) Chairperson

- No report.

SPECIAL RESPONSE TIME COMMITTEE - Chief Hill (WCFD/FFD) Chairperson

No report.

ASSOCIATE MEMBERS REPORT

EMERGENCY SERVICES DIRECTOR/ ECC-911 (Randy Beeman, Director)

- Timmy Mitchell advised everyone that portions of I-95 will be closed for drainage maintenance thru December 21, 2012.

EMS DIRECTOR: Brian Pearce, Director

- Director Pearce reported that the oxygen contract is almost completed.

HAZMAT BC Calvin Bishop, FFD - POC telephone for HAZMAT is 433-1729

- No report.

FORESTRY DISTRICT Andrew Synder, County Ranger

- Ranger Synder reported that he is taking a new position as an educational ranger at Jordan Lake. President Johnson thanked him for his service and wished him well in his new endeavors.

FTCC Ernest Ward, Director

- No report.

SHERIFF'S OFFICE Sheriff Butler

- No report.

CHRISTIAN FIREFIGHTERS Chaplain Cassanova

- No report.

NC HIGHWAY PATROL

- No report

COUNTY COMMISSIONERS Fire Commissioner Ed Melvin

- No report.

FOR THE GOOD OF THE ASSOCIATION:

- Chief Godwin advised that Westarea #20 would be hosting a pancake dinner from 4-8 pm on December 1, 2012 at the Fire Station in Linden.
- Chief Hodges invited everyone to participate in the Hope Mills Christmas parade on December 1, 2012. All fire apparatus should line up at the recreation center at 2:15 pm. The parade will begin at 3:00 pm.

ADJOURNMENT: A motion was made to adjourn by Assistant Chief Sean Johnson, seconded by Chief Kevin Herndon. The meeting was adjourned at 2025 hours.

Respectfully Submitted By:

Freddy L. Johnson

Freddy L. Johnson Sr. CFO
Fire Chief / President

Mark A. Melvin

Mark A. Melvin, CFO
Fire Chief / Secretary

7 Enclosures

1. Roll call
2. Legal brief's
3. Communications SOG
4. Highway incident minutes
5. Treasurer report
6. Document on PSO benefit change
7. 2013 NC General Assembly contacts

**CUMBERLAND COUNTY FIRE CHIEF'S ASSOCIATION
ROLL CALL 2012**

MEMBERS PRESENT (21)	20	21	20	19	19	18	19	21	18	19	21	
ASSOCIATES PRESENT (11)	8	9	5	5	5	9	8	7	6	6	8	
CC Fire Chiefs DEPARTMENT ORGANIZATION * Chief's Only Meeting	23-Jan-12	23-Feb-12	26-Mar-12	23-Apr-12	21-May-12	25-June-12	23-July-12	27-August-12	24-Sept-12	22-Oct -12	26-Nov-12	
MEMBERS												
BEAVER DAM STA 26	P	P	P	P	P	P	P	P	P	P	P	
BETHANY STA 12	P	P	P	P	P	P	P	P	P	A	P	
CEDAR CREEK STA 8	P	P	P	P	P	P	P	P	P	P	P	
COTTON STA 4	P	P	P	P	P	P	P	P	P	P	P	
CUMBERLAND ROAD STA 5	A	P	P	P	P	P	P	P	P	P	P	
EASTOVER STA 1	P	P	P	P	P	P	P	P	P	P	P	
EMS EMERGENCY MEDICAL SERVICES	P	P	A	A	P	A	P	P	A	P	P	
FAYETTEVILLE FIRE DEPT	P	P	P	P	P	P	P	P	P	P	P	
FORT BRAGG FIRE DEPT	P	P	P	P	A	P	P	P	P	P	P	
GODWIN – FALCON STA 17	P	P	P	P	P	P	P	P	P	P	P	
GRAYS CREEK STA 18	P	P	P	P	P	P	P	P	P	P	P	
GRAYS CREEK STA 24	P	P	P	P	A	P	A	P	P	P	P	
HOPE MILLS STA 21	A	P	P	P	P	P	A	P	A	A	P	
PEARCE'S MILL STA 3	P	P	P	P	P	P	P	P	P	P	P	
SPRING LAKE STA 22	P	P	P	A	P	P	P	P	E	P	P	
STEDMAN STA 23	P	P	P	P	P	A	P	P	P	P	P	
STONE POINT STA 13	P	P	P	P	P	P	P	P	P	P	P	
STONE POINT STA 19	P	P	P	P	P	P	P	P	P	P	P	
VANDER STA 2	P	P	P	P	P	P	P	P	P	P	P	
WADE STA 16	P	P	P	P	P	P	P	P	P	P	P	
WESTAREA Stations 15,20,25	P	P	P	P	P	A	P	P	P	P	P	
ASSOCIATE MEMBERS												
HAZMAT	P	P	P	P	P	P	P	P	P	P	P	
SHERIFF'S OFFICE	P	P	A	A	P	P	A	P	P	A	P	
HIGHWAY PATROL	P	P	P	P	P	P	P	A	P	P	P	
CC EMERGENCY SERVICES	P	P	P	P	P	P	P	P	P	P	P	
FORESTRY	P	P	A	P	P	P	P	P	A	P	P	
FTCC	A	P	A	A	A	P	A	A	P	A	A	
COUNTY COMMISSIONERS	P	P	P	A	A	P	A	A	P	A	P	
CHRISTIAN FIREFIGHTERS	A	A	A	A	A	A	P	A	A	A	A	
LIFE LINK	P	P	A	A	P	P	P	P	A	P	P	
FORT BRAGG EMS	P	A	P	P	P	P	P	P	A	A	A	
RETIRED CHIEF OFFICERS		P	A	A	P	A	P	P	A	P	P	

Special Notes:

CODES: (P) – Present (A)-Absent (E) - Excused

Legal Briefings for Fire Chiefs

How fire chiefs, fire commissioners, and other fire service officers use the law to protect their communities... their departments... their officers... and themselves.

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In This Issue

City Adopts Progressive Discipline Matrix - Union Challenge

The local firefighters' union vigorously objected to a unilateral decision by city officials to adopt and implement a disciplinary matrix which is substantially different from the code of conduct system which has been used for many decades. The union argued that this matter is a matter of mandatory bargainingPage 2

Workers' Compensation – Settlement – Claim of Breach

Disabled firefighter claimed that the city breached the agreement by refusing to pay certain medical expenses. He claimed damages for pain, suffering, and mental anguish – which are not allowed under workers' compensation laws. Is the city immune from liability? Is the city immune from even being sued?Page 3

Immunity – Volunteer Firefighter – Collision Answering Own Call

The firefighter answered the call by driving his automobile to the fire scene. In colliding with a sheriff's automobile, two passengers were injured. Is the volunteer fire department a governmental entity entitled to immunity?Page 4

Wage Computation - Union Challenges

Higher ranking, more senior firefighters are supposed to be paid a certain percentage more than entry level firefighters. This case explains a challenge made by the firefighters' union about the established methodology of wage computation for ranked firefighters.Page 5

City Reduces Staffing of Fire Engines – Union Challenge

Union officials argued that the city's unilateral decision was arbitrary and capricious and is a mandatory subject of collective bargaining. The union also noted there was absolutely no negotiation before this decision.Page 6

Firefighter Injured – Fire Engine Collision – Sues Civilian Driver

The fire engine driver activated the siren and lights as he drove the vehicle through the intersection before colliding with a civilian driver. What is the standard of negligence for the fire engine driver? Is the standard of negligence different for the civilian driver?Page 7

In The Next Issue

Veterans Preference – Hiring Process – Deputy Fire Chief

The applicant asked the human resources department to ensure he was asking for veterans' preference consideration. However, this information never made it to the fire chief who made the final decision. The applicant was not even asked for an interview. Is the city liable? Must it pay attorney fees of the applicant?

Legal Briefings for Fire Chiefs

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City Adopts Progressive Discipline “Matrix”

Union challenges unilateral decision by the city

Issues: Does changing the disciplinary system utilized by the fire department alter the conditions and terms of employment? Is the adoption of a new progressive discipline matrix a mandatory subject of bargaining?

The City and County of Denver (“City”) firefighters are represented by the Denver Firefighters Local No. 858, IAFF, AFL-CIO (“Local 858”). Local 858 is the exclusive bargaining agent of the City firefighters.

In 1971, the City voters passed an amendment to the City Charter which granted its firefighters the right to collectively bargain with the City over certain working conditions.

Heretofore, the Denver firefighters are considered City employees, subject to the supervision and control of the Manager of Safety (“Manager.”)

The current collective bargaining agreement will expire on December 31, 2012.

This lawsuit is the result of a decision by the City, contested vigorously by Local 858, wherein the City unilaterally proposed the creation and implementation of a discipline matrix for the Fire Department. This system would list prohibited conduct and the corresponding disciplinary sanctions to be imposed through a progressive system based on the severity and frequency of an employee’s conduct.

At the moment, the Fire Department does not have a progressive discipline matrix. Rather, it relies on a *code of conduct* and a system for imposing discipline. This policy has been in force and used for many decades.

Under the terms of the current disciplinary system, if a firefighter breaches a code of conduct provision, the matter is sent to the fire chief who would then issue a written report containing charges along with evidence and reasoning for the charges. The report would also include the specific disciplinary action recommended. Thereafter, the Manager would review the report and approve, disapprove, or modify the discipline recommended.

On October 2010, the Manager expressed a desire to form a Discipline Advisory Group (“DAG”) to create a discipline matrix for the Fire Department. Local 858 objected, contending that this action is a mandatory subject of bargaining. The Manager did not respond.

In March 2011, Local 858 once again challenged this decision by the City, but, again, the Manager did not respond.

The DAG started holding meetings in May 2011 and they were attended by Local 858, where they reminded the DAG that moving forward on this action is a mandatory subject of bargaining. The DAG rejected Local 858’s objection and declared that the process would indeed move forward.

The proposed disciplinary matrix would substantially change the existing disciplinary policy. Local 858 brought this action, asking the court for a preliminary injunction to stop the City from adopting this policy

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because it is a mandatory subject of bargaining. Local 858 alleged that it was not allowed to negotiate the change in the disciplinary policy. The trial court granted the injunction and ordered that the City must negotiate this matter with Local 858. Here, the City noted provisions in the City Charter, which mandates that the City collectively bargain over disciplinary matters. The court also reasoned that while the City has the right to implement rules of conduct, it does not have the right to write or draft them unilaterally.

The City appealed, after its demand for a stay of the injunction was denied.

Decision: Affirmed.

The unilateral implementation of the discipline matrix will directly impact the terms and conditions of the firefighters' employment. *Oak Park Pub. Safety Officers Ass'n v. City of Oak Park*, 745 N.W.2d 527 (2007).

Requiring the City to bargain over the discipline matrix would not infringe on the City's managerial prerogatives of determining how and when to impose discipline.

Editor's Note: Our service has frequently reported and even recommended the adoption of a progressive discipline program by fire departments and that, in doing so, city/town and fire officers work closely with firefighter union officials and legal counsel. Many fire departments have refused to take this step, reasoning that it takes away some of the discretionary decisions of the fire chief. However, if a progressive discipline program is adopted, it is critical that it be applied consistently. Any deviation may lead to far more serious legal problems than the program is intended to prevent.

Citation: Denver Firefighters Local No. 858, IAFF, AFL – CIO v. City and County of Denver, et al., Court of Appeals No. 11CA1770, City and County of Denver District Court No. 11CV4106 (2012).

Workers' Compensation – Settlement – Claim of Breach

Firefighter claims city refused to pay medical costs

Issue: Is the settlement agreement a contract? Is the disabled firefighter entitled to damages over that which is provided by workers' compensation laws? Is the disabled firefighter entitled to damages for pain, suffering and mental anguish? Is the city immune from liability and/or from being sued?

Christopher Rhule ("Rhule"), a former firefighter for the City of Houston ("City") injured his back in 1988. The parties do not dispute that the injury occurred in the course of employment. The parties tried to come to some agreement on the terms of workers' compensation benefits but were unable to do so. In the end, a Settlement Agreement ("Settlement") was reached where the City agreed to pay Rhule \$36,000 annually and reasonable and necessary medical care for his lifetime. In exchange, Rhule released the City from all claims against the City.

The Settlement was accepted by the court in 1990 with the following

Mission Statement

Our intention is to report legal matters and the outcomes of lawsuits to fire service officers in order that they learn from the experiences of their colleagues. We do not give legal or any other professional advice, nor do we guarantee the accuracy of our content. Rather, we strongly urge subscribers to have access to competent, experienced attorneys. We hope that this information will help you avoid needless litigation; successfully defend against legal claims that are unavoidable; and use the law to protect your community.

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Around the Nation

Lawsuit Filed Against City and Firefighters' Union

Gender discrimination and retaliation

Issues: Was the female firefighter selected for termination because of her sex? Did the city have a legitimate non-discriminatory reason for terminating the claimant? Was the stated reason given by the city a pretext for unlawful discrimination? What role did the union play in the termination decision?

Claimant was first hired by the city's fire department in 1985. At the time, she was one of the first four females firefighters hired by the city. Over the years Claimant became the first female training officer and rose in rank to become the first deputy fire chief.

Claimant, now 50 years of age, was notified that she was being terminated as part of a general layoff caused by budget constraints.

Earlier this year, Claimant filed a lawsuit in federal court alleging that she was selected for termination because of her gender. She also claims that she is the victim of unlawful retaliation. Further, Claimant alleges that while she has been selected for termination, the city has hired less qualified men.

In her complaint, the city and the firefighters' union are named as defendants. Claimant is demanding damages to include all lost wages and benefits in addition to any future wages, benefits, and any legal fees related to this case. In sum, Claimant is seeking well over \$1 million in damages.

The legal complaint includes allegations that the union assumed a major role by influencing the city's decision as to who was to be selected for termination. As evidence, she points to emails sent from union officials to the fire department and city officials

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modification: the City was released from any claim for workers' compensation benefits or from other claims arising from his injury, "except that [Rhule] shall receive lifetime open reasonable and necessary medical expenses for the injuries made the basis for this claim as provided by the Texas Workers' Compensation Act with a mutually agreed upon doctor beginning as of the date of the execution of Mr. Rhule's affidavit."

Ten years later Rhule and City officials disputed certain medical expenses. Among the items disputed were a pain pump and medications and treatments which the City considered not reasonable, necessary, nor related to the 1988 work related injury.

Rhule sued the City alleging breach of contract seeking damages to include pain, suffering, mental anguish, reasonable medical costs, legal costs and more.

The City responded by challenging the court's jurisdiction, contending that Rhule's breach of contract claim and request for a declaratory judgment are barred. The trial court disagreed, and the jury returned a verdict in favor of Rhule. The City was ordered to pay Rhule \$50,000 for past pain and suffering, \$75,000 for past mental anguish, and \$2,500 for out of pocket expenses. The City was also ordered to pay \$53,000 in attorney fees, which we will not cover due to limited space in this issue.

The City filed a motion for judgment notwithstanding the verdict, which the trial court denied. The City appealed, contending that it should not have to pay for pain, suffering and mental anguish. The City also contended that damages should not exceed that which would have been allowed by the Workers' Compensation Act. Finally, the City argues that its conduct in handling the contested medical expenses for Rhule's workers' compensation injury is protected by governmental immunity and that the scope of any waiver is limited to the benefits Rhule would have been entitled had he been awarded worker's compensation benefits.

Decision: Reversed in part, affirmed in part.

The City waived its immunity from being sued on Rhule's claim for breach of the Settlement. Thus, any alleged limitations of Rhule's recoverable damages did not deprive the trial court of jurisdiction to adjudicate Rhule's legal claim. *City of Houston v. S. Elec. Servs., Inc., 273 S.W. 3d 739 (2008)*. Thus, the City may be sued for breach of contract. The Settlement is, in effect, a contract.

Since Rhule's claim is of an alleged breach of contract; damages for pain are not recoverable. Thus, the award of \$50,000 is reversed.

The damages awarded for mental anguish are affirmed. The City was cognizant at the time of the execution of the Settlement of the nature and severity of Rhule's injury and that he would require extensive medical treatment. Rhule is entitled to lifetime medical treatment for his injury – the City offered only ten years. Thus, it was reasonably foreseeable that mental anguish damages would be a likely consequence.

Citation: City of Houston v. Rhule, No. 01-09-01079-CV, Court of Appeals for the First District of Texas (2012).

Immunity – Collision – Government Entity or Independent Contractor?

Continued on the next page ➤

Volunteer firefighter answering fire call in his own vehicle

Issues: Is the volunteer fire department and the firefighter entitled to immunity? Is the volunteer fire department a public corporate body? Rather, is the volunteer fire department an independent contractor – thus, not entitled to immunity?

Firefighter Daniel Flye (“Flye”) was a member of the Lowndes County District 1 Fire Department (“Fire Department”), a volunteer fire department serving Lowndes County, Mississippi (“County.”)

Flye was driving his own vehicle as he responded to a fire emergency call to provide assistance to a child who was struck by an automobile. In Flyer's automobile he carried a County-issued radio.

At some point after receiving the call, Flyer's vehicle collided with a Lowndes County Sheriff's Department vehicle, in which Milton Spotts was being driven. Spots suffered injuries as a result of the accident. Aggrieved by these injuries, Spotts sued both the Fire Department and Flye (“Defendants”) to recover damages for his injuries.

After a period of pre-trial discovery, Defendants filed a motion for summary judgment, arguing that the Fire Department is a political subdivision of the County and, thus, is entitled to immunity.

Spotts responded that the Fire Department is actually an independent contractor and is not entitled to immunity.

Spotts contends that the Fire Department is organized under the Mississippi Non-Profit Corporation Act (“MTCA”), and that it simply contracted with the County to provide protection services. Spots also noted that the County has no control over hiring and firing decisions or the operation of equipment of machinery.

The trial court denied summary judgment for Spots, and this appeal followed. The trial court found unresolved issues as to whether the Fire Department is to be considered a political subdivision.

Decision: Reversed. Defendants are not entitled to immunity, because their status is that of an independent contractor.

Spotts concedes that Defendant Fire Department is a nonprofit entity providing governmental activities consistent with the definition of a political subdivision. Further, the Fire Department receives funding from the County for mileage and that all of the equipment used by the firefighters in the performance of their duties is bought and paid for by the County. However, Spotts points out that the County has no control over any of these items

The firefighters are not paid by the County, but they are compensated a nominal amount for gas and other small expenses. These funds are not taxed unless they exceed \$600. If so, the Fire Department will issue a 1099 tax form for the firefighters to report any reimbursements.

While the County pays for the Fire Department liability insurance and other items, these payments are actually consideration for the contract and did not cause the Fire Department to become a political subdivision.

The parties concede that the Fire Department is an independent contractor. However, the court examined that applicable statute and concluded that there is no legislative intent to provide governmental immunity to independent contractors.

The legislature crafted the term “body corporate” to define a political subdivision. While conceding that the Fire Department provides a valuable

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Around the Nation

that clearly show a gender bias.

Both city officials and union representatives have not commented on the particulars of the lawsuit other than to vigorously deny any of these allegations and their intention to defend against the claims.

As all cities and towns grapple with unprecedented budgetary problems, there will be layoffs and other extremely unpopular measures taken that will inevitably result in more and more lawsuits to be filed in the coming year[s].

Lawsuit Filed Against City

Gender discrimination – disability issues

Issues: Does the fire department have a duty to provide light duty assignments for a disabled firefighter? What would be “reasonable accommodations” for a disabled firefighter? Were similarly situated male disabled firefighters treated in a disparate manner?

Claimant is a female firefighter hired by the city in 2001. In 2010, Claimant suffered a serious injury that required surgery. After her physician released her to return to work, she asked for a light duty assignment and other reasonable accommodations. Claimant alleges that these requests were denied.

Claimant also alleges that a similarly situated male fire department employee was in fact provided light duty work and reasonable accommodations.

Claimant also alleges that her sick, family leave, and vacation hours were calculated in an incorrect manner. She further alleges that after her demands were denied, Claimant was terminated and replaced with by a less-qualified male.

The lawsuit includes allegations that the city's motivation in making these

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Around the Nation

decisions was unlawful gender and disability discrimination. She is claiming damages to include future lost income and benefits unless she is reinstated and compensated for past lost wages and benefits.

Claimant is also demanding compensation for any pain, suffering, and humiliation associated with this case.

The city has not, as yet, responded to this lawsuit other than to say that Claimant had filed a complaint with the state counterpart to the EEOC, and that claim was dismissed.

Lawsuit Filed By Union Against the City City refuses to sign contract – cannot afford the costs

In this major city, it is unlawful for firefighters and police officers to go on strike. Thus, all contract disputes that remain unresolved must go to an arbitration panel.

The most recent firefighters' contract expired in 2009. For the following three years efforts by the city and firefighters' union ("Union") have failed to reach an agreement on a new contract.

The matter went before the arbitration panel. Arbitrators awarded a contract in 2010 which the city claimed to be unacceptable and unaffordable.

City officials contend that the proposed contract would cost over \$30 million at a time that the city is looking for ways to cut costs and operate within its already tight budget. The award includes three years of back raises and benefit increases that the city claims are unaffordable.

The city appealed the arbitration award in court. There, the court sent the case back to arbitration for reconsideration. The arbitration panel denied the city the right to lay off any

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service responding to emergency calls and performing charitable work, these activities do not convert Defendants into a political subdivision.

Citation: Flye, et al., v. Spotts, et al., No. 2010-IA-01764-SCT, Supreme Court of Mississippi (2012).

Union Challenge – Wage Computation

Entry level firefighters' salary does not properly match with higher ranking firefighters

Issues: What is the actual salary for entry level firefighters, including all supplemental payments? Should supplemental payments be used in the calculations of salaries for higher ranking firefighters?

This case demonstrates why, if a state statute provides guidelines for the pay rates of firefighters, the applicable statute must be drafted without any ambiguities.

The State of Louisiana adopted a statute, *La. R.S. 33:1992* ("Statute") which mandates the minimum salaries to be paid to each rank of firefighters. Here, a percentage is used to ensure that higher ranking firefighters are paid *more* than entry level firefighters. Thus, an engineer would be paid a salary of not less than 10% above that of a fireman, an assistant or deputy chief, not less than 50%.

This case was filed by West Monroe Firefighters Local 1386 ("Local 1386") and named parties ("Plaintiffs"), alleging that the City of West Monroe ("City") failed to comply with the Statute. Starting salaries for entry level firefighters is \$1,500. They also receive a supplemental payment of \$300 each month. Heretofore, the City calculated higher ranking firefighters based on the entry level salary of \$1,500.

The \$300 supplemental payment lasts only for the first twelve months. Thereafter, firefighters then receive a \$500 supplemental compensation.

Local 1386 complained that the actual salary is \$1,800 for entry level firefighters, and, since, the higher ranking firefighters' salary is based on only \$1,500 entry level pay, the higher ranking firefighters have not been paid the correct amount. Local 1386 further alleges that the City is in violation of the Statute.

The City filed a motion for summary judgment as did Local 1386. The trial court granted summary judgment in favor of Local 1386, determining that the City use \$1,800 as the starting salary for entry level firefighters when calculating the salary of higher ranking officers.

The City appealed, contending that it did not violate the Statute when omitting the \$300 in supplemental compensation from the starting salary of entry level firefighters.

Decision: Affirmed.

Standing alone, the \$1,500 per month wage rate for entry level firefighters does not meet the applicable minimum wage requirements of the Fair Labor Standards Act ("FLSA.") The City's decision not to include the \$300 supplemental payments violates the Statute.

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Citation: West Monroe Firefighters Local 1385, et al., v. City of West Monroe, No. 47, 333-CA, Court of Appeal Second Circuit State of Louisiana (2012).

Reduce Staffing on Fire Engines Union challenge – arbitrary and capricious?

Issues: Is reducing staffing a mandatory subject of bargaining? Was the unilateral decision by the City arbitrary and capricious?

As with most if not all fire departments, over three quarters of the typical operating budget are labor costs. Thus, any serious effort to reduce budget expenses inevitably involve reducing, in some way, labor costs.

On June 29, 2011, the New York City Board of Collective Bargaining (“BCB”) unilaterally issued an Interim Decision and Order, providing that the City of New York (“City”) had no obligation to negotiate a decision to reduce fire engine company staffing levels.

The Uniformed Firefighters Association of Greater New York, Local 94, IAFF, AFL-CIO (“Local 94”) brought this action contending that the City and BCB had a duty to negotiate and that its decision was arbitrary and capricious.

Local 94 joined by the Uniformed Fire Officers Association (“UFOA”) and filed a combined Verified Improper Practice/Scope of Bargaining Petition challenging the City’s decision as being in violation of the City’s Collective Bargaining Law (“Collective Bargaining Law”) § 12-306(a)(1), (4), and (5) by unilaterally eliminating the fifth firefighter on all sixty fire engine companies under the Roster Staffing Agreement between the [Local 94] and the City.

Local 94 also made the argument that the elimination of the fifth firefighter would impact the safety of other firefighters during fire suppression activities.

The BCB considered Local 94’s arguments and determined that the Roster Staffing Agreement actually expired on January 31, 2011. The BCB also determined that there was no requirement to negotiate with Local 94 if the City chose to change staffing and that staffing is not a mandatory subject of bargaining.

The BCB also noted that the Roster Staffing Agreement is separate and apart from the CBA. The BCB did, however, concede that a hearing should be conducted to determine if there is a firefighter safety issue that should be considered.

Local 94 brought this action claiming that the Roster Staffing Agreement did not expire. The UFA also contended that Paragraph “ELEVENTH” of the Roster Staffing Agreement provides, in part “.... The City ... may wish to change staffing levels. In the event the City plans to make such changes, the parties will negotiate to the extent required by the New York City Collective Bargaining Law...”

The BCB responded that the Interim Decision was “rational, consistent with the applicable law and the evidence presented, and it was within their discretion, and therefore, [Local 94’s] petition should be dismissed.”

With regard to the hearing issue, the BCB decided that there was no disputed issue of fact that would warrant a hearing. Once the Roster

Around the Nation

firefighters and awarded 3 percent pay raises.

It should be noted that the city has been engaged in cost cutting efforts, in addition to those in the fire department, for the past few years. The Union has resisted these measures. One particularly contentious feature is the proposed rolling closures of certain fire stations within the city.

The relationship between the city, especially the mayor and the Union continues to be contentious.

The city is continuing in its efforts to cut costs.

Lawsuit Filed Against Fire District

EEOC agrees – firefighter retaliation for not taking part in discriminatory action

Issues: What was the reason for the demotion? Was the stated reason a pretext for refusing to take part in discriminatory actions?

Claimant is a former battalion chief, hired in the 1980’s, who allegedly refused the fire chief’s request that he search into black employees’ computers.

... Later, Claimant was demoted in rank. He filed a grievance with the union and commenced working at the rank of private. Claimant was also put on probation. In the end, Claimant was fired.

A claim was filed with the EEOC, wherein Claimant alleged he was retaliated against for refusing to find uncomplimentary information on black employees.

The U.S. Attorney has taken the case against the fire district and named parties. So far, the fire district has not responded to the lawsuit other than to say that the reasons for Claimant’s demotion are confidential.

Continued on the next page ➤

Staffing Agreement, which has a sunset clause, expired, the BCB stated that the City would bargain “to the extent required by the [CBA].”

Decision: Petition denied.

The sunset clause in the Roster Staffing Agreement provides that its terms end at the expiration date. Here, the agreement had indeed expired. Under the Collective Bargaining Law, as interpreted by the court, the BCB had no obligation to bargain about the staffing decision. *Matter of Uniform Firefighters Assn. of Greater N.Y. v. New York City Off. of Collective Bargaining, Bd. Collective Bargaining*, 163 A.D.2d 251 (1990).

Citation: Uniformed Firefighters Association, Local 94, IAFF, AFL-CIO v. City of New York, et al., Index No.: 108759/11, Supreme Court of the State of New York County of New York: Part 33 (2012).

Firefighter Injured in Collision

Fire engine collision – responding to emergency call

Issues: Who caused the accident – the fire engine or the civilian automobile operator? What is the standard of care for the driver of a fire engine proceeding on an emergency call through a red light at an intersection?

On February 9, 2007, Joseph Nuzzo (“Nuzzo”), a firefighter for the Fire Department of New York (“FDNY”), was riding on a fire truck that was responding to an emergency call when it collided with a civilian SUV operated by Ezio Guarini (“Guarini”). As a result of the crash Nuzzo suffered serious injuries.

At the time of the collision, the fire engine was responding to a 911 call with its lights and siren operating to alert any other nearby traffic. The fire truck was proceeding through an intersection where the light was red as Guarini was driving through the same intersection from the other direction and his light was green.

Guarini later testified that he could hear the siren, but he could not see the fire truck because his vision was blocked by a very large tree. When he finally noticed the oncoming fire engine, Guarini tried to turn hard left, but he could not avoid the collision. Nuzzo sued Guarini to recover damages for his injuries. Guarini responded by suing both the City and the driver of the fire engine, Robert Castelli (“Castelli”) alleging that the City of New York (“City”), with Castelli at the wheel of the vehicle, was both negligent and reckless in the operation and control of the fire engine while it proceeded through the intersection, thus causing the accident. The applicable statute provides that the driver of an authorized emergency vehicle is authorized to proceed past a steady red traffic light, exceed the maximum speed limit, and disregard regulations governing as long as certain safety precautions are observed. However, the driver of an emergency vehicle must exercise a duty to drive carefully. The same statute provides “the foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.”

Thus, the City and Castelli could be exposed to civil liability for damages resulting from the operation of an emergency vehicle were [recklessness] can be proven. *Saarinen v. Kerr*, 84 NY2d 494. Proving liability on the part of the City or Castelli is a formidable task, however. Doing so “demands more than a showing of a lack of due care under the circumstances ... It requires evidence that the actor has intentionally done an act of an unreasonable character in disregard of a known or obvious risk that was so great as to make it highly probable that harm would follow and has done so with conscious indifference to the outcome.” A momentary lapse of judgment will not be sufficient. *Ayers v. O'Brien*, 13 NY3d 456. The City and Castelli filed a motion for summary judgment to dismiss Guarani's claim. Guarani filed a motion for summary judgment on his claim, and Nuzzo responded with a motion for summary judgment.

Decision: Claims against the City and Castelli are dismissed. Nuzzo's motion for summary judgment is denied.

Guarani failed to provide sufficient evidence beyond mere allegations of recklessness that Castelli's operation of the fire engine at the time of the accident would rise the level of recklessness to defeat a motion for summary judgment.

Even though Castelli's operation of the fire truck was not proven to be reckless, Nuzzo's motion for summary judgment must be denied because he failed to establish that Guarani's negligence was the sole proximate cause of the accident.

Citation: Nuzzo, et al v. Guarini, 101810/08 Supreme Court of New York, Richmond County (2012).



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Cumberland County Fire Department Standard Operating Procedure			Page 1 of 9
Subject: Communications	Revised 09/24/2012	Effective Date: 12/01/2012	Supersedes All
	Approved By: Cumberland County Fire Chief's Association		

- **Overview:**

- The Cumberland County Communications Center will dispatch Fire, Rescue and Medical emergencies on the Fire Dispatch channel 2A and VHF Fire Channel 1. Fire Department units will monitor the dispatch Talk group 2a at all times, unless the unit is out of service.
- Upon receipt of dispatch, all Fire Department units will acknowledge by switching their radio to Talk group Fire 3A and checking enroute by their identifying unit number and with the use of the MCT. If the response is a multi-unit response, Cumberland County Dispatch will advise the tactical talk group assignment for the incident. After all units have checked enroute, Communications will repeat the talk group assignment for the benefit of all responding units. **The unit's portable should immediately be set to the Tactical Talk group identified, while the mobile remains selected to the Dispatch talk group.** The tactical talk group assigned may be utilized by responding companies for unit-to-unit traffic. Upon arrival on the scene, the unit will report their arrival on the Dispatch talk group, Channel 3A, and relay all pertinent information consistent with the ICS system. After providing the arrival information, the unit will then move to the tactical talk group assigned.
- While on the scene of an emergency, the Incident Commander will communicate with the Communications Center on Channel 3A. The talk group 3A has been designated as an information talk group and will be continuously monitored by a Tactical operator at the dispatch center. **All benchmark notifications and requests for assistance will be communicated on 3A.** At the completion of an incident, units will check in-service on Channel 3A, then switch back to the Dispatch Talk group, Channel 2A.

- **Tactical Talk group Assignments:**

- County Department Tactical Talk groups are located within Zone A in the fleet-map. Within this zone are six tactical Talk groups. Two Talk groups are designated for each designated zone that make up the County.

Stations in the Eastern area include: 1 Eastover, 2 Vander, 8 Cedar Creek, 12 Bethany, 16 Wade, 17 Godwin-Falcon, 23 Stedman, and 26 Beaver Dam, will operate incidents on tactical Channels 4A and 5A.

Stations in the Western and Southern area include: 3 Pearce's Mill, 4 Cotton, 5 Cumberland Road, 13 and 19 Stoney Point, 18 and 24 Gray's Creek, and 21 Hope Mills will operate incidents on tactical **Channels 6A and & 7A**.

Stations in the Northern area include: Westarea stations 15, 20, 25, Spring Lake 22, and Fort Bragg will operate incidents on tactical **Channels 10A and 11A**.

- At the time of dispatch, Cumberland Dispatch will assign a single tactical talk group to each multi-agency response incident. The Incident Commander may request additional tactical talk groups. Additional tactical talk groups assigned at the request of the Incident Commander will be located adjacent to the original tactical talk group on the position switch ie Channel 6A to Channel 6B. If necessary, the dispatcher will reassign units currently operating on a tactical talk group to another tactical talk group in order to provide the Incident Commander with two (2) tactical Talk groups that are adjacent to one another on the position switch.

- **Communications Procedures When Responding with Fayetteville Fire Department:**
 - Cumberland County Fire units responding to assist the Fayetteville Fire Department (FFD) will operate on the City Tactical talk group assigned by the first due unit. The City Communication Center will advise the responding units of the tactical talk group assignment. CFD units responding, per contractual or automatic aid agreement, shall work within the established incident command system and will therefore operate as any FFD unit on the assigned tactical talk group.
 - Fayetteville Fire Department units responding to assist Cumberland County will operate on the County's assigned tactical talk group. The County tactical talk group assignment will be conveyed to FFD units at the time of dispatch.

When operating on a County tactical talk group, City units are not monitored by City Communications. FFD units responding to assist the County will check enroute and on scene on FFD 2-A and CFD 2 Ch. 2 - C before moving to the County tactical talk group.

FFD units responding, per contractual or automatic aid agreement, shall work within the established incident command system and will therefore operate as any CFD unit on the assigned tactical talk group.



CUMBERLAND COUNTY HIGHWAY INCIDENT MANAGEMENT INTER-AGENCY TEAM



MEETING MINUTES

October 24, 2012

The Cumberland County Highway Incident Management Inter-Agency Team meeting was held at 9:30 a.m. on Wednesday, October 24, 2012 in the City of Fayetteville Traffic Services Conference Room. Those attending were:

Kent Langdon	NCDOT	klangdon@ncdot.gov
Phillip Hart	NCDOT	pjhart@ncdot.gov
Ronald Canady	NCDOT	rccanady@ncdot.gov
Bill Hammond	NCDOT	bhammond@ncdot.gov
Jason Salisbury	NCDOT	jsalisbury@ncdot.gov
Michael Griffin	NCDOT	mdgriffin@ncdot.gov
Darren Pittman	NCDOT	dpittman@ncdot.gov
Thomas Allen	City of Fayetteville Fire Department	tallen@ci.fay.nc.us
Matthew Dow	City of Fayetteville Police Department	mdow@ci.fay.nc.us
Ramon Melendez	City of Fayetteville Traffic Services	rmelendez@ci.fay.nc.us
Tim Mitchell	Cumberland County EM	tmitchell@co.cumberland.nc.us
Mark Turner	Cumberland County EMS	mturner@capefearvalley.com
Randy Beeman	Cumberland County Emergency Services	rbeeman@co.cumberland.nc.us
Gene Booth	Cumberland County Emergency Services	wbooth@co.cumberland.nc.us
Al Miller	Cumberland County Schools	amiller@ccs.k12.nc.us
Kenneth Williams	Cumberland County Sheriff's Office	kwilliams@ccsonc.org
Ray Goff	DPW - Traffic Engineer	ray.goff@us.army.mil
Troy Looney	Ft. Bragg PD	troy.a.looney@us.army.mil
Mark Norton	Norton's Wrecker service	marknws70@aol.com

Kent Langdon, NCDOT, welcomed everyone to the meeting and thanked them for their participation. Everyone introduced themselves to the group.

Jason Salisbury, NCDOT Construction, provided a project status report worksheet prior to the meeting.

- Resurfacing - Various routes in Cumberland and Harnett Counties. Completion is scheduled December 2012.
 - 1 Section of US 301 and US 401
 - 1 Section of NC 82, NC 24, NC27, NC 55
 - 76 sections of secondary roads.
- B 4090 - NC 24 (Grove St.) - Bridge near Ann St. Grading, drainage, paving, and structures. Completion scheduled for December 2013.
- U-2810A - SR 1003 (Camden Rd.) between NC 59 and NC 162. Widening, expect lanes closure from 8:30 am to 4:00 pm. Completion is scheduled for December 2012.

- W-5206 - SR 1403 (Reilly Rd.) at SR 3569 (Old Raeford Rd.) - Intersection realignment - grading, paving, drainage, pavement markings and signing. Project should be complete August 24, 2012.
- U-4422 - SR 1596 (Glensford Dr.), between NC 59 and SR 1400 (Cliffdale Rd.). Grading, paving, drainage and signals. Project letting was July 30, 2012. Project completion is January 28, 2015. Expect lane closures and delays from 9 am to 4 pm, Monday through Friday.
- U-3849 - SR 1363 (Elk Rd.), between SR 1132 (Legion Rd.) to US 301. Project is near completion, punch list items remain. Completion is scheduled for September 1, 2012.
- U-3423 - NC 24/87 (Bragg Blvd.), between US 401 BYP and north of SR 1437 (Santa Fe Dr./Shaw Rd.). Grading, drainage, paving, widening, curb & gutter, signals and overhead signing. Project completion is December 2012.
- U-2519DA - Fayetteville Outer Loop, east of SR 1415 (Yadkin Rd.) and west of NC 24 (Bragg Blvd.). Grading, drainage, paving, signing and structures. Project completion is scheduled for July 15, 2015. All American Expressway will be in Spring/Summer 2013. Periodically to hang girders over All American Expressway.
- B 4091 – Bridge on US 301/I-95 Bus. over Cape Fear River will be replaced beginning November 13th and is scheduled to be completed in 2 years. Bridge will be closed in both directions with offsite detour.
- B 4949 - Bridge on US 301/I-95 Bus. over Cross Creek will be replaced beginning in 2013. Traffic will be maintained between NC 24 and Cape Fear River.

AJ Riddle, NCDOT Construction, provided a project status report worksheet prior to the meeting.

- X-2B & U-2519E - Future I-295, between NC 24/87 (Bragg Blvd.) and NC 210 (Murchison Rd.). Structures and roadway embankments are being constructed. Project completion is scheduled for December 2012.
- U-4444AA - NC 210 (Murchison Rd.) - Widening of future Outer Loop and interchange with Honeycutt Rd. Project completion is scheduled for December 2012.
- X-2BC & X-2C - Future I-295 - Project is approximately 45 percent complete. Completion is scheduled for April 2014.
- Resurfacing Cumberland & Harnett Counties - Milling, resurfacing and shoulder reconstruction. Contractor will begin resurfacing in late August. Completion is scheduled for May 2013.
 - NC 24 (Stedman Area)
 - SR 1842 (Shelton Beard Rd.)
 - NC 53, between NC 210 and Bladen County Line
 - US 401BUS, between MLK and US 401BYP
 - SR 1219 (Ireland Dr.)
 - SR 1137 (Crystal Spring Rd.)

- SR 1409 (School Rd.)
- SR 1415 (Yadkin Rd.)
- SR 1593 (Hoke Loop Rd.)

Bill Hammond, NCDOT Maintenance, provided a project status report worksheet during the meeting:

- Section 1 - Section between SR 1404 (Morganton Rd.) to NC 24/87 (Bragg Blvd.) to Moore County. Pulling shoulders and grading ditches on various routes. Completion is scheduled 11/30/2012.

Ronald Canady, NCDOT Bridge, provided the status of the following:

- General bridge maintenance to be performed with minor interruptions to traffic.

The team discussed the following general topics:

- A. NC Move Over Law - Law expands to roadside work crews. Drivers on North Carolina roads must change lanes or slow down to avoid any roadside utility or maintenance crews bearing flashing amber lights. Violators could face a fine up to \$250.
- B. Distributed and discussed crash data along I-95 from 1/1/09 to 12/31/11. Items that were highlighted were number of fatalities statewide and critical crash rates.

The team reviewed the following incidents:

- A. An incident occurred August 25th around 2:15 p.m. on US 301 when an individual rear-ended a farm tractor. An individual was driving around 60 mph in an SUV and hit the tractor near the interchange at Dobbins Holmes Rd. The impact threw the tractor operator, injuring him. US 301 is a four lane highway with a 60 mph speed limit at this location. It's legal for farm tractors to drive on the highway. US 301 was closed for approximately 45 minutes due to the incident.
- B. A pedestrian fatality occurred August 27th at 5:03 p.m. on Reilly Rd. The individual was crossing Reilly Rd. when he was struck and killed by a motor vehicle.
- C. An incident occurred August 30th at 3:20 p.m. The right lane of NB I-95 was closed due to a vehicle fire near Exit 52. The lane was reopened at 4:00 p.m.
- D. A fatality occurred September 2nd at 6:00 p.m. on SB I-95 1.3 miles north of Wade. The driver of a vehicle was ejected when their left rear tire blew out causing the vehicle to travel off the roadway and overturn. SB I-95 was closed for approximately 45 minutes.
- E. An incident occurred September 7th around 8:55 a.m. on SB I-95 near Exit 49. An SUV traveling southbound attempted to change lanes and collided with another southbound vehicle. The SUV ran off the left side of the road and overcorrected. This caused the SUV to roll over and come to rest on its side on the right side of the road. The southbound lanes were shut down for about 20 minutes as the scene was cleaned up.

- F. A motorcycle fatality occurred September 7th around 4:15 p.m. at Cliffdale and Jennings Farm Roads when a vehicle collided with a motorcycle. SR 1400 (Cliffdale Rd.) was closed for approximately 40 minutes.
- G. A fatality occurred September 28th around 7:11 p.m. on I-95 5.5 miles north of Fayetteville. A southbound vehicle traveled off the road to the left, struck several trees, and overturned. Alcohol use was a factor in the incident.
- H. An incident occurred October 1st around 1:22 a.m. on NB I-95 near mile marker 58. A pavement marker contractor was installing pavement markers. A tractor trailer was passing the operation when it swerved into the second shadow vehicle of the moving operation. The shadow vehicle overturned on the right shoulder spilling bulk thermoplastic pavement marking material in roadway and shoulder. The tractor trailer jackknifed and the cab was knocked off the chassis and came to rest across both NB lanes. The lanes were closed for two and one half hours to clear the incident.
- I. An incident occurred October 6th around 11:00 p.m. on Santa Fe Drive near the All American Expressway. The driver of a truck was charged with driving left of center. This caused another vehicle to spin and strike another vehicle head on. Emergency crews were on the scene until 12:55 a.m. Sunday.
- J. A pedestrian fatality occurred October 9th around 11:11 p.m. on US 301. An individual wearing dark clothing was trying to cross the southbound section of the highway four-tenths of a mile north of NC 162 (Hope Mills Bypass) when she stepped into the path of a vehicle. The pedestrian had been consuming alcohol. The vehicle was traveling the posted speed limit of 55 mph.
- K. A fatality occurred October 10th around 6:20 p.m. on NB I-95 one mile south of Fayetteville. The driver of a vehicle traveling northbound lost control, traveled off the road to the right, overturned and was ejected.
- L. A fatality occurred October 11th around 11:14 a.m. on US 301 just south of Fayetteville. A vehicle traveling southbound on US 301 turned left into a northbound vehicle.
- M. A fatality occurred October 14th. An eleven year old Hope Mills boy died after the all-terrain vehicle he was riding on wrecked. The passenger died when the driver of the ATV (another child) lost control of the vehicle. The deceased was not wearing a helmet.
- N. A fatality occurred October 15th around 1:49 a.m. on I-95. The individual was driving south on I-95 when their vehicle apparently ran off the road and into the median at NC 24 striking two bridge supports. Inattention was believed to be the cause of the accident.
- O. An incident occurred October 15th around 3:59 p.m. on southbound US 301 in Cumberland County. The southbound lane of US 301 was closed due to a vehicle accident.
- P. A fatality occurred October 10th at 6:20 p.m. on northbound I-95 about one mile south of Fayetteville. An individual was traveling north when her vehicle ran off the road to the right and overturned. The individual was ejected.

- Q. An incident occurred October 22nd at 7:24 a.m. on southbound NC 87 in Cumberland County at Sandhills Road. There was congestion due to vehicle accident.
- R. A pedestrian fatality occurred October 18th around 7:00 p.m. on Grove Street near B Street. The individual was trying to cross Grove Street when they were struck and killed. Police were still looking for the driver of the vehicle. The street was closed to traffic for more than an hour after the accident.
- S. An incident occurred October 23rd around 6:15 a.m. on northbound Bragg Boulevard at Stamper Road. A truck was struck by a vehicle causing 300 gallons of asphalt to be spilled from the truck onto Bragg Boulevard. NCDOT workers mixed sand into the sticky substance to remove it from the road. Some lanes were closed on Bragg Boulevard during cleanup.
- T. An incident occurred October 24th around 12:20 a.m. on Ramsey Street at Martin Luther King Jr. Boulevard. Two lanes on Ramsey Street were closed for several hours after a tractor trailer involved in a wreck leaked about 150 gallons of diesel fuel. Fayetteville Fire Department's Haz-Mat team was called to contain the leaking fuel. The spilled fuel caused the outbound lanes of Ramsey Street toward I-295 to be closed for about four hours.

This was the last meeting of 2012 for the Cumberland County Team. The team will be advised by e-mail of the first meeting for next year. The tentative date will be early to mid-January of 2013. We appreciate everyone's attendance this year and hope everyone has a safe and happy holiday season. We look forward to working with everyone in 2013.

CCFCA BALANCE SHEET

(Includes unrealized gains)

As of 10/16/12

11/5/12

Account	10/16/12 Balance
ASSETS	
Cash and Bank Accounts	
Checking	369,027.28
Savings	0.00
TOTAL Cash and Bank Accounts	<u>369,027.28</u>
TOTAL ASSETS	<u>369,027.28</u>
LIABILITIES & EQUITY	
LIABILITIES	0.00
EQUITY	369,027.28
TOTAL LIABILITIES & EQUITY	<u>369,027.28</u>



Freddy Johnson <spfd1301@gmail.com>

PSO BENEFIT INCREASE

1 message

NC Assoc of Rescue and E.M.S. Inc. Joyner Gordon Joyner Gordon
<ncarems@ncarems.org>
To: ncarems@ncarems.org

Wed, Oct 24, 2012 at 11:03
AM

2013 Benefit

The amount of the PSOB benefit is \$328,612.73 for eligible deaths occurring on or after October 1, 2012.

Gordon Joyner
Executive Director
919 736-0506
[http //www.ncarems.org/benelist.html](http://www.ncarems.org/benelist.html)
[http //www.ncarems.org/forms/bb-application2.pdf](http://www.ncarems.org/forms/bb-application2.pdf)

NC Senate District 1



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NC Senate District 2 (Freshman, NC House 2011-12)



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NC Senate District 12 (Freshman)



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NC Senate District 16



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NC Senate District 18 (Freshman)



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 Website: <http://chadbarefoot.com/>

NC Senate District 19



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 Occupation: Landscape Contractor
 Employer: Cardinal Landscaping
 113 Great Oaks Dr., Fayetteville, NC 28303
 H: (910) 826-6684; W: (910) 867-9595; C: (910) 391-2836
 Website: www.wesleymeredith.com

NC Senate District 20



Floyd B. McKissick, Jr. (D-Durham)
 Occupation: Attorney
 Employer: McKissick & McKissick
 P.O. Box 51608, Durham, NC 27717
 H: (919) 225-0773; W: (919) 490-5373; C: (919) 225-0773
 Website: www.mckissickforsenate.com

NC Senate District 21 (Freshman)



Robert B. Clark, III (D-Hoke)
 Occupation: Technical Support Branch Chief
 Employer: General Dynamics Information Technology
 603 East Lake Ridge Road, Raeford, NC 28376
 H: (910) 248-9050; W: n/a; C: (910) 248-9050
 Website: www.senatorclark.com

NC Senate District 22 (Freshman)



Mike Woodard (D-Durham)
 Occupation: Administrator
 Employer: Duke University and Health System
 2009 Woodrow St., Durham, NC 27705
 H: (919) 286-0188; W: (919) 560-4396; C: (919) 599-5143
 Website: www.mikewoodard.com

NC Senate District 23



Ellie Kinnaird (D-Orange)
 Occupation: State Senator; Retired
 Employer: n/a
 750 Weaver Dairy Road, Apt. 123, Chapel Hill, NC 27514
 H: (919) 918-3432; W: (919) 733-5804; C: (919) 824-5240
 Website: www.elliekinnaird.org

NC Senate District 24



Rick Gunn (R-Alamance)
 Occupation: Real Estate Executive
 Employer: Gunn and Associates, LLC
 3030 N. Fairway Dr., Burlington, NC 27215
 H: (336) 584-4928; W: (336) 229-6981; C: n/a
 Website: www.gunnforncsenate.com

NC Senate District 25 (Freshman)



Gene McLaurin (D-Richmond)
 Occupation: President
 Employer: Swink-Quality Oil Company
 905 Fayetteville Rd., Rockingham, NC 28379
 H: (910) 997-3752; W: (910) 997-3101; C: (910) 995-7965
 Website: www.genemclaurin.com

NC Senate District 26



Philip (Phil) E. Berger (R-Rockingham)
 Occupation: Attorney
 Employer: The Berger Law Firm
 P.O. Box 1309, Eden, NC 27289-1309
 H: (336) 623-4488; W: (336) 623-5210; C: n/a
 Website: www.ncstatesenate.com

NC Senate District 27 (Freshman)



Trudy Wade (R-Guilford)
 Occupation: Veterinarian
 Employer: Jamestown Veterinary Hospital
 1 Creswell Ct, Greensboro, NC 27407
 H: (336) 323-6480; W: (336) 454-3171; C: (336) 404-8628
 Website: www.trudywade.com

NC Senate District 28



Gladys A. Robinson (D-Guilford)
 Occupation: Executive Director
 Employer: Piedmont Health Svcs & Sickel Cell Agency
 2107 Hunters Ridge Dr., Pleasant Garden, NC 27313
 H: (336) 674-8086; W: n/a; C: (336) 274-1507
 Website: <http://gladysrobinson.com/>

NC Senate District 29



Jerry W. Tillman (R-Randolph)
 Occupation: Retired School Administrator
 Employer: n/a
 1207 Dogwood Lane, Archdale, NC 27263
 H: (336) 431-5325; W: (919) 733-5870; C: (919) 733-5870
 Website: n/a

NC Senate District 30 (Freshman, NC House 2009-12)



Shirley Randleman (R-Wilkes)
 Occupation: Retired
 Employer: Wilkes County Clerk of Court
 487 Triple Cove Drive, Wilkesboro, NC 28697
 H: (336) 921-2043; W: n/a; C: n/a
 Website: n/a

NC Senate District 31



Pete S. Brunstetter (R-Forsyth)
 Occupation: Attorney
 Employer: Womble Carlyle Sandridge & Rice
 2521 Bitting Rd., Winston Salem, NC 27104
 H: (336) 945-0251; W: (336) 747-6604; C: n/a
 Website: n/a

NC Senate District 32 (Freshman, NC House 2003-12)



Earline W. Parmon (D-Forsyth)
 Occupation: Education Consultant
 Employer: Self-Employed
 3873 Barkwood Dr., Winston-Salem, NC 27105
 H: (336) 767-7395; W: (919) 733-5829; C: (336) 745-8539
 Website: <http://earlineparmon.com/>

NC Senate District 33



Stan Bingham (R-Davidson)
 Occupation: Owner
 Employer: Bingham Lumber Company
 292 N. Main St., Denton, NC 27239
 H: (336) 859-2395; W: (336) 859-0999; C: (336) 626-1426
 Website: n/a

NC Senate District 34



Andrew C. Brock (R-Davie)
 Occupation: Political Consultant
 Employer: Self-Employed
 160 New Hampshire Ct., Mocksville, NC 27028
 H: (704) 762-1467; W: (704) 762-1467; C: (336) 414-3665
 Website: www.andrewbrock.com

NC Senate District 35



Tommy Tucker (R-Union)
 Occupation: President
 Employer: Parks Heating & Cooling
 1206 Rosehill Dr., Waxhaw, NC 28173
 H: (704) 243-6695; W: (704) 596-8200; C: (704) 654-8410
 Website: www.tommytucker4ncsenate.com

NC Senate District 36



Fletcher L. Hartsell, Jr. (R-Cabarrus)
 Occupation: Attorney
 Employer: Hartsell & Williams, P.A.
 129 Overbrook Dr., NE, Concord, NC 28025
 H: (704) 786-8508; W: (704) 786-5161; C: n/a
 Website: n/a

NC Senate District 37



Daniel (Dan) Clodfelter (D-Mecklenburg)
 Occupation: Attorney
 Employer: Moore & Van Allen
 523 Clement Ave., Charlotte, NC 28204
 H: (704) 334-3684; W: (704) 331-1041; C: (704) 965-7009
 Website: n/a

NC Senate District 38 (Freshman)



Joel Ford (D-Mecklenburg)
 Occupation: Entrepreneur
 Employer: n/a
 PO Box 36391, Charlotte, NC 28236
 H: (704) 350-5635 ; W: (704) 400-2845; C: (704) 350-5635
 Website: www.votejoelford.com

NC Senate District 39



Robert (Bob) Rucho (R-Mecklenburg)
 Occupation: Retired Dentist
 Employer: n/a
 305 Trafalgar Place, Matthews, NC 28105
 H: (704) 847-3461; W: (919) 733-5655; C: (704) 589-1276
 Website: www.bobrucho.com

NC Senate District 40



Malcolm Graham (D-Mecklenburg)
 Occupation: Special Assistant to the University President
 Employer: Johnson C. Smith University
 3404 Cresta Ct., Charlotte, NC 28269
 H: (704) 547-1193; W: n/a; C: (704) 576-4568
 Website: n/a

NC Senate District 41 (Freshman)



Jeff Tarte (R-Mecklenburg)
 Occupation: Executive; Mayor
 Employer: Applied Revenue Analytics; Town of Cornelius
 17216 Belle Isle Dr., Cornelius, NC 28031
 H: (704) 892-6088; W: (704) 892-4300; C: (704) 907-1421
 Website: http://jefftarte.com/

NC Senate District 42



Austin Allran (R-Catawba)
 Occupation: Attorney
 Employer: Austin M. Allran, Attorney at Law
 P.O. Box 2907, Hickory, NC 28603
 H: (828) 327-2632; W: (828) 322-1410; C: n/a
 Website: n/a

NC Senate District 43



Kathy Harrington (R-Gaston)
 Occupation: Real Estate Broker
 Employer: Self-Employed
 3324 Lincoln Lane, Gastonia, NC 28056
 H: (704) 853-8510; W: n/a; C: (704) 460-2998
 Website: www.harringtonforncsenate.com

NC Senate District 44 (Freshman)



David Curtis (R-Lincoln)
 Occupation: Optometrist
 Employer: Carolina Eye Care
 PO Box 278, Denver, NC 28037
 H: (704) 483-3762; W: (704) 735-7101; C: (704) 562-7290
 Website: http://davidcurtisforncsenate.com/

NC Senate District 45



Dan Soucek (R-Watauga)
 Occupation: International Relief Work
 Employer: Self-Employed
 313 Williams Ridge Rd., Boone, NC 28607
 H: (828) 963-7426; W: (919) 733-5742; C: n/a
 Website: http://fansofdan.com

NC Senate District 46



Warren T. Daniel (R-Burke)
 Occupation: Attorney
 Employer: Daniel Law Firm, P.A.
 309 W. Union St., Morganton, NC 28655
 H: (828) 439-8075; W: (828) 433-0700; C: n/a
 Website: www.danielforsenate.com

NC Senate District 47



Ralph E. Hise, Jr. (R-Mitchell)
 Occupation: Inst. Planning & Assessment Officer
 Employer: Mayland Community College
 44 Hemlock Avenue, Spruce Pine, NC 28777
 H: (828) 766-8329; W: (828) 765-7351; C: (828) 385-2115
 Website: www.ralphhise.com

NC Senate District 48



Tom Apodaca (R-Henderson)
 Occupation: Consultant
 Employer: Southeastern Sureties Group
 106 4th Avenue W., Hendersonville, NC 28739
 H: (828) 696-3510; W: (828) 696-0574; C: n/a
 Website: www.senatorapodaca.com

NC Senate District 49



Martin L. Nesbitt, Jr. (D–Buncombe)

Occupation: Attorney

Employer: Nesbitt & Slawter

180 Robinhood Rd., #3, Asheville, NC 28804

H: (828) 255-8114; W: (828) 252-0490; C: n/a

Website: n/a

NC Senate District 50



Jim Davis (R–Macon)

Occupation: Orthodontist

Employer: Self-Employed

37 Georgia Rd., Franklin, NC 28734

H: (828) 369-2054; W: (828) 524-2244; C: (828) 342-4483

Website: www.davisforncsenate.com

NC House District 1 (Freshman)



Bob Steinburg (R-Chowan)
 Occupation: Retired Businessman
 Employer: n/a
 103 S Granville St, Edenton, NC 27932
 H: (252) 482-2404; W: n/a; C: (252) 333-8498
 Website: www.bobsteinburg.com

NC House District 9 (Freshman)



Brian Brown (R-Pitt)
 Occupation: President
 Employer: Red Express Catering
 412 Knoll Cir., Greenville, NC 27858
 H: (252) 414-3943; W: (252) 353-7379; C: (252) 414-3943
 Website: www.votebrianbrown.com

NC House District 2



W.A. (Winkie) Wilkins (D-Person)
 Occupation: Retired Newspaper Writer/Editor
 Employer: n/a
 210 Fair Oaks Dr., Roxboro, NC 27574
 H: (336) 599-7336; W: (919) 715-0850; C: (336) 583-5913
 Website: www.wilkinsforhouse.com

NC House District 10 (Freshman)



John Bell, IV (R-Wayne)
 Occupation: Sales & Business Development Manager
 Employer: NC Community Federal Credit Union
 501 Holland Hill Dr., Goldsboro, NC 27530
 H: (919) 344-6324; W: (919) 734-8224; C: (919) 344-6324
 Website: www.electjohnbell.com

NC House District 3 (Freshman)



Michael Speciale (R-Craven)
 Occupation: Retired, United State Marine Corps
 Employer: n/a
 803 Stately Pines Rd., New Bern, NC 28560
 H: (252) 635-5326; W: n/a; C: (252) 670-0709
 Website: http://www.michaelspeciale.com/

NC House District 11 (Freshman)



Duane Hall (D-Wake)
 Occupation: Attorney
 Employer: Self-Employed
 PO Box 2012, Raleigh, NC 27602
 H: (919) 673-7927; W: (919) 582-2111; C: n/a
 Website: http://duanehall.org/

NC House District 4



Jimmy Dixon (R-Duplin)
 Occupation: Farmer
 Employer: Self-Employed
 P.O. Box 222, Warsaw, NC 28398
 H: (910) 658-6202; W: (910) 590-1740; C: (910) 590-1740
 Website: www.JimmyDixon.org

NC House District 12 (Freshman)



George Graham (D-Lenoir)
 Occupation: Retired
 Employer: n/a
 PO Box 1082, Kinston, NC 28503
 H: n/a; W: (252) 559-6454; C: (252) 559-3307
 Website: www.georgewgrahamjr.com

NC House District 5



Annie W. Mobley (D-Hertford)
 Occupation: Retired Chief Court Counselor
 Employer: n/a
 353 South Church Rd., Ahoskie, NC 27910
 H: (252) 332-5463; W: (252) 209-8442; C: n/a
 Website: n/a

NC House District 13



Patricia (Pat) McElraft (R-Carteret)
 Occupation: Sales Rep. Microbiology/Real Estate
 Employer: REMEL/Paradise Found Realty
 10108 Coast Guard Road, Emerald Isle, NC 28594
 H: (252) 764-2410; W: (919) 733-6275; C: (252) 342-0693
 Website: www.patforhouse.com

NC House District 6 (Freshman)



Paul Tine (D-Dare)
 Occupation: Owner, Agent
 Employer: Midgett Insurance Agency
 3040 Creek Rd., Kitty Hawk, NC 27949
 H: n/a; W: (252) 255-0365; C: (252) 216-6311
 Website: http://paultineforhouse.com/

NC House District 14



George G. Cleveland (R-Onslow)
 Occupation: Retired Business Owner; AMSOIL dealer
 Employer: AMSOIL Synthetic Lubricants
 224 Campbell Place, Jacksonville, NC 28546
 H: (910) 346-3866; W: (910) 346-3866; C: n/a
 Website: n/a

NC House District 7



Angela R. Bryant (D-Nash)
 Occupation: Attorney; Senior Consultant
 Employer: Angela Bryant Consulting
 717 W. End St., Rocky Mount, NC 27803
 H: (252) 442-4022; W: (252) 442-4022; C: n/a
 Website: www.voteangelabryant.com

NC House District 15



Phillip R. Shepard (R-Onslow)
 Occupation: Retired Civil Service, Minister
 Employer: USMC
 111 Vernon Shepard Lane, Jacksonville, NC 28540
 H: (910) 389-6392; W: n/a; C: n/a
 Website: http://voice4onslow.com

NC House District 8 (Freshman)



Susan Martin (R-Wilson)
 Occupation: Retired IBM; Homemaker
 Employer: n/a
 1407 Kenan St. NW, Wilson, NC 27893
 H: (252) 243-2407; W: (252) 285-2060; C: (252) 299-3001
 Website: http://susanmartinn.com/

NC House District 16 (Freshman)



Chris Millis (R-Pender)
 Occupation: Civil Engineer
 Employer: Paramounte Engineering, Inc.
 442 Peanut Rd., Hampstead, NC 28443
 H: (910) 352-1740; W: (910) 791-6707; C: (910) 352-1740
 Website: http://www.millisforhouse.com/

NC House District 17



Frank Iler (R–Brunswick)
 Occupation: Businessman
 Employer: Retired
 2515 Marsh Hen Dr., Oak Island, NC 28465
 H: (910) 201-1007; W: (919) 301-1450; C: (910) 294-1092
 Website: <http://ilerforhouse.com>

NC House District 18



Susi Hamilton (D–New Hanover)
 Occupation: Business Consultant
 Employer: Hamilton Planning, Inc.
 PO Box 637, Wilmington, NC 28402
 H: (910) 443-2830; W: (910) 619-9449; C: n/a
 Website: <http://susihamilton.com>

NC House District 19 (Freshman)



Ted Davis, Jr. (R–New Hanover)
 Occupation: Attorney
 Employer: Self-Employed
 PO Box 2535, Wilmington, NC 28402
 H: (910) 313-0755; W: (910) 763-6249; C: n/a
 Website: n/a

NC House District 20 (Freshman)



Rick Catlin (R–New Hanover)
 Occupation: Professional Engineer, President
 Employer: Catlin Engineers and Scientists
 6417 Providence Rd, Wilmington, NC 28411
 H: (910) 686-9128; W: (910) 452-5861; C: (910) 547-2724
 Website: www.rickcatlin.com

NC House District 21



Larry M. Bell (D–Sampson)
 Occupation: Retired School Superintendent
 Employer: n/a
 908 Southwest Blvd., Clinton, NC 28328
 H: (910) 592-1177; W: n/a; C: (910) 385-5677
 Website: n/a

NC House District 22



William D. Brisson (D–Bladen)
 Occupation: Farmer
 Employer: Self-Employed
 P.O. Box 531, Dublin, NC 28332
 H: (910) 862-7007; W: n/a; C: n/a
 Website: www.williambrisson.com

NC House District 23



Joe P. Tolson (D–Edgecombe)
 Occupation: Retired Educator
 Employer: n/a
 PO Box J, Pinetops, NC 27864
 H: (252) 827-2749; W: n/a; C: n/a
 Website: n/a

NC House District 24



Jean Farmer-Butterfield (D–Wilson)
 Occupation: Consultant, Health & Human Svcs. Professional
 Employer: n/a
 P.O. Box 2962, Wilson, NC 27894
 H: (252) 237-1506; W: (919) 782-4632; C: n/a
 Website: n/a

NC House District 25



Jeffrey (Jeff) L. Collins (R–Nash)
 Occupation: Financial Consultant
 Employer: AXA Advisors
 1109 Culpepper Dr., Rocky Mount, NC 27803
 H: (252) 443-1441; W: (252) 937-6391; C: (252) 908-2115
 Website: www.collinsforhouse.com

NC House District 26



N. Leo Daughtry (R–Johnston)
 Occupation: Attorney
 Employer: Daughtry Woodard Lawrence & Sterling
 5 Lakeview Pl., Smithfield, NC 27577
 H: (919) 934-7265; W: (919) 934-5012; C: n/a
 Website: n/a

NC House District 27



Michael H. Wray (D–Northampton)
 Occupation: Small Business Owner
 Employer: Self-Employed
 220 Davie St., Gaston, NC 27832
 H: (252) 535-3297; W: (252) 537-8104; C: (252) 536-9013
 Website: www.repmichaelwray.com

NC House District 28



James (J.H.) Langdon, Jr. (R–Johnston)
 Occupation: Retired Educator, Farmer & Prof. Photographer
 Employer: n/a
 10176 NC 50 Hwy. N, Angier, NC 27501
 H: (919) 894-5797; W: n/a; C: n/a
 Website: n/a

NC House District 29



Larry D. Hall (D–Durham)
 Occupation: Attorney
 Employer: Self-Employed
 1526 Southwood Dr., Durham, NC 27707
 H: (919) 489-0036; W: (919) 682-8823; C: n/a
 Website: www.larrydhall.com

NC House District 30



Paul Luebke (D–Durham)
 Occupation: Professor of Sociology
 Employer: UNC-Greensboro
 1507 Oakland Ave., Durham, NC 27705
 H: (919) 286-0269; W: (336) 334-5295; C: n/a
 Website: www.mindspring.com/~luebke/

NC House District 31



Mickey Michaux, Jr. (D–Durham)
 Occupation: Attorney/Real Estate Agent/Ins. Agent
 Employer: Michaux & Michaux PA
 PO Box 248, Durham, NC 27702
 H: (919) 596-6230; W: (919) 596-8181; C: n/a
 Website: n/a

NC House District 32 (Freshman)



Nathan Baskerville (D–Vance)
 Occupation: Attorney
 Employer: Self-Employed
 119 West Waycliff Rd., Henderson, NC 27537
 H: (919) 210-7692; W: (252) 574-4495; C: n/a
 Website: <http://nathanbaskerville.com/>

NC House District 33



Rosa U. Gill (D-Wake)
 Occupation: Retired Educator/State Employee
 Employer: n/a
 PO Box 26824, Raleigh, NC 27611
 H: (919) 821-0425; W: n/a; C: n/a
 Website: <http://rosagill.com>

NC House District 34



Deborah K. Ross (D-Wake)
 Occupation: Senior Lecturing Fellow/Consultant/Attorney
 Employer: Styers & Kemerait
 PO Box 28978, Raleigh, NC 27611
 H: (919) 832-6508; W: (919) 413-0604; C: n/a
 Website: www.deborahross.org

NC House District 35 (Freshman)



Chris Malone (R-Wake)
 Occupation: Sales & Operations
 Employer: G4S Compliance & Investigations
 P.O. Box 967, Wake Forest, NC 27588
 H: n/a; W: (800) 927-0456; C: (919) 395-4903
 Website: www.maloneforncouse.com

NC House District 36



Nelson Dollar (R-Wake)
 Occupation: Media and Public Relations Consultant
 Employer: J.N. Dollar and Associates
 PO Box 1369, Cary, NC 27512
 H: (919) 233-8399; W: (919) 649-7690; C: n/a
 Website: www.nelsondollar.net

NC House District 37



Paul Stam (R-Wake)
 Occupation: Attorney
 Employer: Stam & Danchi, PLLC
 PO Box 1600, Apex, NC 27502
 H: (919) 362-4835; W: (919) 362-8873; C: (919) 740-5913
 Website: www.paulstam.net

NC House District 38 (Freshman)



Yvonne Lewis Holley (D-Wake)
 Occupation: Senior Procurement/Contract Specialist
 Employer: N.C. Dept. of Admin., Div. of Purchase & Contract
 1505 Tierney Circle, Raleigh, NC 27610
 H: (919) 836-7680; W: n/a; C: n/a
 Website: <http://yvonnelewisholley.com/>

NC House District 39



Darren G. Jackson (D-Wake)
 Occupation: Attorney
 Employer: Gay, Jackson & McNally
 1525 Crickett Rd., Raleigh, NC 27610
 H: n/a; W: (919) 801-2750; C: n/a
 Website: www.darrenjackson.org

NC House District 40



Marilyn Avila (R-Wake)
 Occupation: Former Chemist/Business Owner
 Employer: n/a
 11312 Derby Lane, Raleigh, NC 27613
 H: (919) 848-3995; W: (919) 733-5530 ; C: (919) 280-6084
 Website: www.marilynavila.com

NC House District 41



Tom Murry (R-Wake)
 Occupation: Pharmacist & Attorney
 Employer: Holly Park Pharmacy
 P.O. Box 1054, Morrisville, NC 27560
 H: (919) 468-1213; W: (919) 865-4641; C: (919) 824-5753
 Website: <http://www.votemurry.org/>

NC House District 42



Marvin W. Lucas (D-Cumberland)
 Occupation: Retired Principal
 Employer: Cumberland Co. Schools
 3318 Hedgemoor Cir, Spring Lake, NC 28390
 H: (910) 497-2733; W: n/a; C: n/a
 Website: n/a

NC House District 43



Elmer Floyd (D-Cumberland)
 Occupation: Retired
 Employer: n/a
 207 Courtney St., Fayetteville, NC 28301
 H: (910) 488-6903; W: n/a; C: n/a
 Website: www.elmerfloyd.com

NC House District 44



Rick Glazier (D-Cumberland)
 Occupation: Visiting Professor/Attorney
 Employer: Fayetteville State University
 2642 Old Colony Place, Fayetteville, NC 28303
 H: (910) 484-4168; W: (910) 672-2194; C: n/a
 Website: www.rickglazier.com

NC House District 45 (Freshman)



John Szoka (R-Cumberland)
 Occupation: Mortgage Broker
 Employer: Starkey Mortgage
 PO Box 87485, Fayetteville, NC 28304
 H: (910) 425-7773; W: (910) 223-9450; C: (910) 583-2960
 Website: www.szokaforNCHouse.com

NC House District 46 (Freshman)



Ken Waddell (D-Columbus)
 Occupation: Retired Educator; Active Farmer
 Employer: n/a
 515 East First Street, Chadbourn, NC 28431
 H: (910) 654-3734; W: n/a; C: (910) 640-7303
 Website: www.kenforhouse.org

NC House District 47



Charles Graham (D-Robeson)
 Occupation: Business Owner; Retired Educator
 Employer: Companion Home Care
 479 Bee Gee Road, Lumberton, NC 28358
 H: (910) 739-3969; W: (910) 608-0430; C: n/a
 Website: n/a

NC House District 48



Garland E. Pierce (D-Scotland)
 Occupation: Baptist Minister
 Employer: n/a
 21981 Buie Street, Wagram, NC 28396
 H: (910) 369-2844; W: (910) 276-0774; C: n/a
 Website: n/a

NC House District 49 (Freshman)



James Fulghum (R-Wake)
 Occupation: Doctor/Managing Partner
 Employer: Carolina Rehabilitation/ Deep River Farms, LLC.
 9660 Falls of Neuse Rd., Ste 138, No. 248, Raleigh, NC 27615
 H: (919) 784-0129; W: (919) 781-9950; C: (919) 740-0396
 Website: <http://drjimfulghum.com/>

NC House District 50 (Freshman)



Valerie Foushee (D-Orange)
 Occupation: Retired
 Employer: Chapel Hill Police Department
 106 Claris Ct., Chapel Hill, NC 27514
 H: (919) 942-2661; W: n/a; C: n/a
 Website: <http://fousheenhouse.org/>

NC House District 51



Michael (Mike) C. Stone (R-Lee)
 Occupation: Retail Owner
 Employer: O'Connell's Grocery Store, Jonesboro
 1123 Winterlocken Dr., Sanford, NC 27330
 H: (919) 777-8419; W: (919) 776-2412; C: (919) 777-8419
 Website: www.mikestonenc.com

NC House District 52



Jamie Boles (R-Moore)
 Occupation: Business Owner
 Employer: Boles Funeral Home and Crematory
 425 W. Pennsylvania Ave., Southern Pines, NC 28387
 H: (910) 692-6262; W: n/a; C: n/a
 Website: n/a

NC House District 53



David R. Lewis (R-Harnett)
 Occupation: Farmer & Farm Equipment Dealer
 Employer: Quality Equipment, LLC
 PO Box 1826, Dunn, NC 28335
 H: (910) 897-8100; W: (910) 892-6171; C: (919) 820-2656
 Website: www.davidlewis.org

NC House District 54 (Freshman)



Deb McManus (D-Chatham)
 Occupation: Office Manager
 Employer: Carolina Family Practice
 11 Pine Forest Dr., Siler City, NC 27344
 H: (919) 663-2261; W: (919) 548-6668; C: n/a
 Website: www.debfor54.com

NC House District 55 (Freshman)



Mark Brody (R-Union)
 Occupation: General Contractor, Home Builder
 Employer: Self-Employed
 PO Box 723, Mineral Springs, NC 28108
 H: (704) 905-6585; W: n/a; C: n/a
 Website: <http://markbrody2012.com/>

NC House District 56



Verla Insko (D-Orange)
 Occupation: Retired Health Program Administrator
 Employer: n/a
 610 Surry Road, Chapel Hill, NC 27514
 H: (919) 929-6115; W: n/a; C: n/a
 Website: <http://verlainsko.com/>

NC House District 57



Mary P. (Pricey) Harrison (D-Guilford)
 Occupation: Retired Attorney
 Employer: n/a
 PO Box 9339, Greensboro, NC 27429
 H: (336) 274-5574; W: n/a; C: n/a
 Website: www.priceyharrison.org

NC House District 58



Alma Adams (D-Guilford)
 Occupation: Professor of Art
 Employer: Bennett College
 2109 Liberty Valley Rd., Greensboro, NC 27406
 H: (336) 273-9280; W: (336) 517-1504; C: n/a
 Website: www.absolutelyalma.com

NC House District 59 (Freshman)



Jon Hardister (R-Guilford)
 Occupation: Vice President
 Employer: First Carolina Mortgage
 7 Montford Ct, Greensboro, NC 27455
 H: (336) 294-9903; W: (336) 852-5572; C: (336) 404-8791
 Website: www.jonhardister.com

NC House District 60



Marcus Brandon (D-Guilford)
 Occupation: Political Consultant
 Employer: KMB Consulting
 200 Oak St. 3, High Point, NC 27260
 H: (336) 987-3357; W: (336) 987-3357; C: n/a
 Website: www.marcusbrandon.com

NC House District 61



John Faircloth (R-Guilford)
 Occupation: Real Estate Owner/Broker
 Employer: Coldwell Banker Triad
 2332 Faircloth Way, High Point, NC 27265
 H: (336) 841-4137; W: (336) 906-9935; C: (336) 906-9935
 Website: JohnFaircloth61.com

NC House District 62



John M. Blust (R-Guilford)
 Occupation: Attorney/Accountant
 Employer: Ivey, McClellan, Gatton & Talcott LLP
 5630 David Christian Place, Greensboro, NC 27410
 H: (336) 317-5724; W: (336) 274-4658; C: (336) 317-5724
 Website: www.vote4blust.com

NC House District 63 (Freshman)



Stephen Ross (R-Alamance)
 Occupation: Financial Advisor
 Employer: Wells Fargo Advisors
 1314 McCulston Dr., Burlington, NC 27215
 H: (336) 269-3704; W: n/a; C: n/a
 Website: www.rossforncouse.com/

NC House District 64 (Freshman)



Dennis Riddell (R-Alamance)
 Occupation: Engineering Officer; Fmr. Teacher; Businessman
 Employer: U.S. Merchant Marine; Matson Navigation Co.
 6343 Beale Rd., Snow Camp, NC 27349
 H: (336) 222-1303; W: n/a; C: n/a
 Website: www.riddell4nchouse64.com

NC House District 65



Bert Jones (R-Rockingham)
 Occupation: Dentist
 Employer: Self-Employed
 299 Fairfield Rd., Reidsville, NC 27320
 H: (336) 342-6171; W: (336) 342-6171; C: n/a
 Website: www.bertjonesnchouse.com

NC House District 66



Ken Goodman (D-Richmond)
 Occupation: Retail Business Owner
 Employer: R.W. Goodman, Co., Inc.
 832 Williamsburg Dr., Rockingham, NC 28379
 H: (910) 997-2712; W: (910) 895-6342; C: (910) 206-5244
 Website: n/a

NC House District 67



Justin P. Burr (R-Stanly)
 Occupation: Bail Bondsman
 Employer: Burr Bail Bonds
 PO Box 1966, Albemarle, NC 28002
 H: (704) 983-3833; W: (704) 983-4663; C: (704) 983-4663
 Website: www.justinburr.com

NC House District 68



D. Craig Horn (R-Union)
 Occupation: Retired Food Broker
 Employer: n/a
 5909 Bluebird Hill Ln., Weddington, NC 28104
 H: (704) 844-9960; W: (704) 844-9960; C: (301) 332-0749
 Website: www.hornfornchouse.com

NC House District 69 (Freshman)



Dean Arp (R-Union)
 Occupation: Engineer
 Employer: Arp Engineering, Inc.
 P.O. Box 1511, Monroe, NC 28111
 H: (704) 282-0418; W: (704) 225-0079; C: (780) 202-0769
 Website: http://www.deanarp.com/

NC House District 70



Pat B. Hurley (R-Randolph)
 Occupation: Legislator
 Employer: N.C. General Assembly
 141 Ridgecrest Rd., Asheboro, NC 27203
 H: (336) 625-9210; W: (919) 733-5865; C: (336) 302-9422
 Website: n/a

NC House District 71 (Freshman)



Evelyn Terry (D-Forsyth)
 Occupation: Retired Nonprofit Executive
 Employer: n/a
 1224 Reynolds Forest Drive, Winston Salem, NC 27107
 H: (336) 306-2682; W: n/a; C: n/a
 Website: http://evelynterry.ngpvanhost.com/home

NC House District 72 (Freshman)



Edward (Ed) Hanes, Jr. (D-Forsyth)
 Occupation: Principal & Founder
 Employer: Monticello Park, LLC (Renewable Energy Dev.)
 3920 Pomeroy Dr, Winston Salem, NC 27105
 H: (336) 723-5216; W: (336) 750-2175; C: n/a
 Website: www.edhanes.com

NC House District 73



Mark W. Hollo (R-Alexander)
 Occupation: Physician Assistant
 Employer: Family Care Center P.A.
 432 Westwood Ln., Taylorsville, NC 28681
 H: (828) 632-1728; W: (828) 632-9736; C: n/a
 Website: www.holloforhouse.com

NC House District 74 (Freshman)



Debra Conrad (R-Forsyth)
 Occupation: President
 Employer: Conrad Marking Specialists, LLC
 4004 Pemberton Ct., Winston Salem, NC 27106
 H: (336) 760-9653; W: (336) 978-0169; C: n/a
 Website: electdebraconrad.com

NC House District 75 (Freshman)



Donny Lambeth (R-Forsyth)
 Occupation: President
 Employer: Lexington Medical Center & Davie Hospital
 4627 S Main St., Winston Salem, NC 27127
 H: (336) 788-1041; W: (336) 716-3003; C: (336) 408-7133
 Website: www.donnylambeth.com

NC House District 76 (Freshman)



Carl Ford (R-Rowan)
 Occupation: President
 Employer: Ford Broadcasting, Inc.
 320 Ketchie Estate Rd., China Grove, NC 28023
 H: n/a; W: (704) 857-1140; C: (704) 305-3541
 Website: Votecarlford.com

NC House District 77



Harry Warren (R-Rowan)
 Occupation: Human Resources Specialist
 Employer: Tar Heel Capital Corp dba Wendy's
 201 Kingsbridge Rd, Salisbury, NC 28144
 H: (704) 603-8898; W: (704) 603-8898; C: (704) 650-4227
 Website: http://www.harrywarrennc77.com/

NC House District 78 (Freshman)



Allen Ray McNeill (R-Randolph)
 Occupation: Retired Law Enforcement
 Employer: n/a
 4172 NC Highway 49 South, Asheboro, NC 27205
 H: (336) 857-3633; W: n/a; C: n/a
 Website: n/a

NC House District 79



Julia Craven Howard (R-Davie)
 Occupation: Appraiser, Realtor
 Employer: Howard Realty & Insurance
 203 Magnolia Ave., Mocksville, NC 27028
 H: (336) 751-3754; W: (336) 751-3538; C: (336) 650-2212
 Website: www.rephoward.com

NC House District 80



Jerry C. Dockham (R-Davidson)
 Occupation: Insurance Consultant
 Employer: Retired
 P.O. Box 265, Denton, NC 27239
 H: (336) 250-7336; W: (336) 859-2281; C: n/a
 Website: n/a

NC House District 81



Rayne Brown (R-Davidson)
Occupation: Medical Social Work
Employer: Care Svcs. Home Help Professionals
 416 Lee Ave., Lexington, NC 27295
 H: (336) 249-2608; W: (919) 715-0873; C: (336) 239-4917
 Website: <http://rayne4house.com>

NC House District 82



Larry G. Pittman (R-Cabarrus)
Occupation: Shipping/Company Chaplain/Supply Pastor
Employer: Snyder Packing/Ridgecrest Presbyterian Church
 131 Glenwood Dr SW, Concord, NC 28025
 H: (704) 782-3528; W: (919) 715-2009; C: n/a
 Website: www.electpittman.com

NC House District 83



Linda P. Johnson (R-Cabarrus)
Occupation: Software Analyst
Employer: Self-Employed
 1205 Berkshire Dr., Kannapolis, NC 28081
 H: (704) 932-1376; W: n/a; C: n/a
 Website: n/a

NC House District 84 (Freshman)



Rena Turner (R-Iredell)
Occupation: Clerk of Superior Court
Employer: Iredell County
 PO Box 1663, Statesville, NC 28687
 H: (704) 876-4948 ; W: (704) 832-6740 ; C: n/a
 Website: <http://turner4nchouse.com/>

NC House District 85



Mitch Gillespie (R-McDowell)
Occupation: Small Business Owner
Employer: Gillespie Properties
 185 Cross Creek North Ridge Dr., Marion, NC 28752
 H: (828) 652-5548; W: n/a; C: (828) 442-6953
 Website: n/a

NC House District 86



Hugh Blackwell (R-Burke)
Occupation: Attorney
Employer: Mitchell, Blackwell & Mitchell, PA
 321 Mountain View Ave. SE, Valdese, NC 28690
 H: (828) 879-8454; W: (828) 874-2271; C: n/a
 Website: hughblackwellforncchouse.com

NC House District 87



Edgar V. Starnes (R-Caldwell)
Occupation: Investor
Employer: Self-Employed
 6715 Lakeview Terrace, Hickory, NC 28601
 H: (828) 326-9653; W: n/a; C: n/a
 Website: <http://edgarstarnes.com/>

NC House District 88 (Freshman)



Rob Bryan (R-Mecklenburg)
Occupation: Attorney
Employer: Womble, Carlyle, Sandridge and Rice
 3517 Broadfield Rd., Charlotte, NC 28226
 H: n/a; W: (704) 331-4995; C: (704) 488-8680
 Website: <http://friendsofrob.com/>

NC House District 89



Mitchell S. Setzer (R-Catawba)
Occupation: Vice President
Employer: Smith Setzer & Sons Inc.
 P.O. Box 416, Catawba, NC 28609
 H: (828) 241-3570; W: (828) 241-3161; C: (828) 244-9752
 Website: n/a

NC House District 90



Sarah Stevens (R-Surry)
Occupation: Attorney
Employer: Self-Employed
 2161 Margaret Dr., Mount Airy, NC 27030
 H: (336) 789-0639; W: (336) 786-5444; C: (336) 755-6971
 Website: n/a

NC House District 91



Bryan Holloway (R-Stokes)
Occupation: Consultant, Former Educator
Employer: Self-Employed
 1165 Sterling Pointe Dr., King, NC 27021
 H: (336) 985-0826; W: (336) 655-3021; C: n/a
 Website: www.hollowayforhouse.com

NC House District 92 (Freshman)



Charles Jeter (R-Mecklenburg)
Occupation: President
Employer: Intermodal FCL, Inc. (freight service company)
 16024 Wynfield Creek Pkwy, Huntersville, NC 28078
 H: (704) 992-6388; W: (704) 895-4884; C: (704) 400-8031
 Website: www.votejeter.com

NC House District 93



Jonathan C. Jordan (R-Ashe)
Occupation: Attorney
Employer: Jordan & Jordan Law Offices
 P.O. Box 744, Jefferson, NC 28640
 H: n/a; W: (336) 846-1657; C: (336) 977-8440
 Website: www.jordan4nchouse.com

NC House District 94 (Freshman)



Jeffrey C. Elmore (R-Wilkes)
Occupation: Teacher
Employer: North Wilkes Middle School
 P.O. Box 522, North Wilkesboro, NC 28659
 H: n/a; W: (336) 696-2724 ; C: (336) 469-9526
 Website: n/a

NC House District 95 (Freshman, NC House 1981-1998)



C. Robert Brawley (R-Iredell)
Occupation: Insurance Agent
Employer: Brawley & Associates
 1030 Oak Ridge Farm HWY, Mooresville, NC 28115
 H: (704) 663-2635; W: n/a; C: (704) 658-8511
 Website: robertbrawley.com

NC House District 96 (Freshman)



Andy Wells (R-Catawba)
Occupation: Real Estate Developer, Owner
Employer: Prism Development
 PO Box 729, Hickory, NC 28603
 H: (828) 322-7169; W: n/a; C: n/a
 Website: www.andywells.org

NC House District 97



Jason Saine (R–Lincoln)
 Occupation: Marketing and Social Media Consultant
 Employer: Self-Employed
 7465 Bluff Point Ln., Denver, NC 28037
 H: (704) 472-6234; W: (919) 733-5782; C: n/a
 Website: <http://jasonsaine.com/>

NC House District 98



Thom Tillis (R–Mecklenburg)
 Occupation: Management Consultant
 Employer: IBM (on leave)
 Po Box 32186, Charlotte, NC 28232
 H: (704) 248-2980; W: (919) 733-3451; C: (704) 960-3223
 Website: www.thomtillis.com

NC House District 99



Rodney W. Moore (D–Mecklenburg)
 Occupation: Business Consultant
 Employer: n/a
 PO Box 44107, Charlotte, NC 28215
 H: (704) 597-2419; W: (704) 449-6201; C: (704) 449-6201
 Website: n/a

NC House District 100



Tricia Cotham (D–Mecklenburg)
 Occupation: Assistant Principal (on leave)
 Employer: Charlotte-Mecklenburg School System
 107 Sardis Grove Ln, Matthews, NC 28105
 H: (704) 634-9400; W: (980) 343-6430; C: n/a
 Website: www.triciacotham.org

NC House District 101



Beverly Miller Earle (D–Mecklenburg)
 Occupation: Retired
 Employer: Bellsouth
 312 S. Clarkson St., Charlotte, NC 28202
 H: (704) 333-7180; W: n/a; C: (704) 458-1500
 Website: n/a

NC House District 102



Becky Carney (D–Mecklenburg)
 Occupation: Homemaker
 Employer: n/a
 P.O. Box 32873, Charlotte, NC 28232
 H: (704) 332-1893; W: n/a; C: (704) 905-2449
 Website: n/a

NC House District 103



Bill Brawley (R–Mecklenburg)
 Occupation: Commercial Real Estate Broker
 Employer: Self-Employed
 13612 O'Toole Dr., Matthews, NC 28105
 H: (704) 847-4314; W: (704) 574-0894; C: (704) 574-0894
 Website: <http://brawleyforhouse.com/>

NC House District 104



Ruth Samuelson (R–Mecklenburg)
 Occupation: Philanthropic/Consulting; Legislator
 Employer: NC General Assembly
 1432 Ferncliff Rd., Charlotte, NC 28211
 H: (704) 366-8748 ; W: (919) 733-3009; C: (704) 277-5221
 Website: www.ruthsamuelson.com

NC House District 105 (Freshman)



Jacqueline Schaffer (R–Mecklenburg)
 Occupation: Attorney
 Employer: Schaffer Associates, Inc
 12113 Shoal Creek Ct., Charlotte, NC 28277
 H: (704) 844-0878; W: (704) 535-9939 ; C: (704) 968-8820
 Website: www.electjacquelineschaffer.com

NC House District 106 (Freshman)



Carla Cunningham (D–Mecklenburg)
 Occupation: Nurse Consultant
 Employer: n/a
 6129 Sunbridge Ct., Charlotte, NC 28269
 H: (704) 509-2939; W: n/a; C: (704) 957-5986
 Website: www.carlacunningham2012.com

NC House District 107



Kelly Alexander (D–Mecklenburg)
 Occupation: Funeral Director
 Employer: Alexander Funeral Home
 2128 Senior Dr., Charlotte, NC 28216
 H: (704) 392-6775; W: (704) 333-1167; C: (704) 506-1888
 Website: <http://votekellyalexander.com>

NC House District 108



John A. Torbett (R–Gaston)
 Occupation: VP Business Development
 Employer: Defense Technologies Inc.
 210 Blue Ridge Dr., Stanley, NC 28164
 H: (704) 263-9282; W: (919) 754-5868; C: (704) 591-8287
 Website: <http://johntorbett.com/>

NC House District 109 (Freshman)



Dana Bumgardner (R–Gaston)
 Occupation: President/CEO
 Employer: LPM, Inc.
 3517 Lincoln Lane , Gastonia, NC 28056
 H: (704) 861-1648; W: (704) 922-6137; C: (704) 460-5421
 Website: <http://www.bumgardnerforhouse.com/>

NC House District 110



Kelly E. Hastings (R–Gaston)
 Occupation: Realtor
 Employer: Self-Employed
 Po Box 488, Cherryville, NC 28021
 H: (704) 473-3468; W: (704) 473-3468; C: (704) 473-3468
 Website: www.KellyHastings.com

NC House District 111



Tim Moore (R–Cleveland)
 Occupation: Attorney
 Employer: Tim Moore, Attorney at Law
 305 E. Kings Street , Kings Mountain, NC 28088
 H: (704) 739-6447; W: (704) 739-1221; C: n/a
 Website: www.timmooreforhouse.com

NC House District 112



Mike Hager (R–Rutherford)
 Occupation: Small Business Owner/ Engineer
 Employer: Self-Employed
 342 Walking Horse Trail, Rutherfordton, NC 28139
 H: (828) 748-2378; W: n/a; C: (828) 748-2378
 Website: <http://hagerforhouse.com/>

NC House District 113 (Freshman)



Chris Whitmire (R-Transylvania)
Occupation: Realtor, Pilot, Military Officer
Employer: Self Employed, US Air Force
136 Whitmire Farms Dr., Brevard, NC 28712
H: (828) 862-4273 ; W: (828) 966-4026 ; C: (828) 553-2710
Website: www.votewhitmire.com

NC House District 114



Susan C. Fisher (D-Buncombe)
Occupation: Legislator
Employer: N.C. General Assembly
7 Maple Ridge Ln., Asheville, NC 28806
H: (828) 258-5355; W: (828) 712-7711; C: n/a
Website: www.electsusanfischer.org

NC House District 115 (Freshman)



Nathan Ramsey (R-Buncombe)
Occupation: Dairy Farmer; Mountain Woodlands LLC
Employer: Attorney, Blanchard, Newman & Blackwell PA.
26 Ramsey Farm Rd., Fairview, NC 28730
H: (828) 628-1643; W: (828) 693-0222; C: (828) 768-3216
Website: www.nathanramsey.com

NC House District 116



Tim D. Moffitt (R-Buncombe)
Occupation: Consultant
Employer: Moffitt International, Inc.
3182 Sweeten Creek Road, Asheville, NC 28803
H: (828) 651-8550; W: (828) 651-8550; C: (828) 777-4554
Website: www.timmoffitt.com

NC House District 117



Chuck McGrady (R-Henderson)
Occupation: Executive Director/Attorney
Employer: N.C. Youth Camp Assoc.; NC General Assembly
P.O. Box 723, Hendersonville, NC 28793
H: (828) 696-0672; W: (828) 692-3696; C: n/a
Website: www.chuckmcgrady.com

NC House District 118 (Freshman)



Michele Presnell (R-Yancey)
Occupation: Small Business Owner
Employer: Serendipity Custom Frames
316 Woodstock Dr., Burnsville, NC 28714
H: (828) 682-6342; W: (828) 682-6516; C: (828) 208-3874
Website: www.presnellforhouse.com

NC House District 119 (Freshman, NC Senate 03-04, 07-10)



Joe Sam Queen (D-Haywood)
Occupation: Architect
Employer: Self-Employed
209 Hillview Circle, Waynesville, NC 28786
H: (828) 452-4286; W: (828) 452-1688; C: (828) 508-2191
Website: www.joesamqueen.com

NC House District 120



Roger West (R-Cherokee)
Occupation: Contractor Land Clearing
Employer: Self-Employed
P.O. Box 160, Marble, NC 28905
H: (828) 837-5246; W: n/a; C: (404) 281-3810
Website: <http://rogerwestforhouse.com/>