

MEMORANDUM OF UNDERSTANDING BETWEEN THE  
WAKE COUNTY SHERIFF'S OFFICE AND THE COUNTY OF WAKE

The position of Sheriff in Wake County is an elected office and those employees working in the Sheriff's Office serve at will and are not subject to the Wake County personnel ordinances, policies and procedures. In order to provide the Sheriff's Office with assistance in administration of a comprehensive and uniform system of leave, payroll administration, compensation and classification, recruitment (including advertising open positions and utilization of hiring software), and benefits for its employees, similar to other Wake County personnel, with the applications thereof ultimately subject to the discretion of the Sheriff, it is desirable for a memorandum of understanding and agreement between the Sheriff of Wake County and the County of Wake be approved by the Wake County Commissioners.

WHEREAS, the County of Wake (hereinafter "the County") is a body politic and corporate; and

WHEREAS, the Sheriff of Wake County is an elected official; and

WHEREAS, the employees of the Wake County Sheriff serve at the will of the Sheriff; and

WHEREAS, the County has a personnel ordinance and a system of personnel management and administration for County employees as authorized by North Carolina General Statutes Chapter 153A; and

WHEREAS, the Wake County Sheriff does not have a comprehensive system of payroll administration or benefits administration; and

WHEREAS, the County's personnel ordinance, payroll administration, benefits administration, and recruitment apply automatically only to Wake County government, its agencies and department and not to elected county officials and their staffs, and

WHEREAS, the Wake County Board of Commissioners may provide selected personnel administration services to employees of elected officials who are not Wake County employees upon written agreement with Wake County, except where such agreement conflicts with other applicable law.

WHEREAS, administration of said services constitutes the most efficient use of resources,

THEREFORE, the County of Wake and the Wake County Sheriff mutually agree as follows:

Section 1: The County of Wake, upon request by the Wake County Sheriff's Office, will, by and through its Human Resources Department and other resources, provide assistance to the Wake County Sheriff's Office in administering a uniform system of leave, compensation and classification, payroll administration, benefits administration and recruitment (including advertising open positions and utilization of hiring software), similar to those with those that apply to Wake County employees and departments, not inconsistent with the policies of the Wake County Sheriff's Office and subject to the approval of the Wake County Sheriff.

Any Wake County Sheriff's Office human resources policies and procedures will be given in advance to the County Manager to confirm these policies and procedures can be administered within existing County practices and procedures, comply with applicable State and Federal laws, and can be applied within the annual budget appropriated to the Wake County Sheriff's Office by the Wake County Board of Commissioners.

It is further understood that employee leave scheduling and all matters concerning supervision or management of employees of the Sheriff, are within the exclusive supervisory authority of the Sheriff.

Section 2: This Memorandum of Understanding will be effective when signed by the Sheriff and the Chair of the Wake County Board of Commissioners, after authorization from the full Board. It will continue in force from year to year until modified or terminated by written mutual agreement of the parties hereto, or upon ninety (90) days written notice by either party.

COUNTY OF WAKE, NORTH CAROLINA

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Matthew M. Calabria, Chair  
Wake County Board of Commissioners

DATE: \_\_\_\_\_, 2021

The signing of this Memorandum of Understanding was authorized by the Wake County Board of Commissioner at a meeting held on \_\_\_\_\_.

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David Ellis, County Manager / Board Clerk  
Wake County Board of Commissioners

DATE: \_\_\_\_\_, 2021

SHERIFF OF WAKE COUNTY

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Gerald M. Baker

DATE: \_\_\_\_\_, 2021