



**STATE OF NORTH CAROLINA  
OFFICE OF STATE PERSONNEL  
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December 4, 2003

Mr. James D. Bumgarner, Director  
Wilkes County Department of Social Services  
P.O. Box 119  
Wilkesboro, North Carolina 28697-0119

**RE: Social Services Commission Rule 10 NCAC 24A.0302  
Employment of Relatives of County Board Members**

Dear Mr. Bumgarner:

This letter is to follow up on our recent telephone conversation and your letter (dated October 20, 2003) regarding the above captioned matter. As we discussed, after my consultation with Ms. Valerie Bateman, Assistant Attorney General, we do not know of any changes to state personnel rules and/or court rulings that would otherwise nullify the Social Services Commission Rule 10 NCAC 24A.0302. In addition, we could not find any State Personnel Commission action past or present that would have impacted the effect of the rule in question. However, please note that since it is not a State Personnel Commission rule it is not within the jurisdiction for the NC Office of State Personnel to provide the official interpretation of the rule. This would rest with the Social Services Commission. At the same time, I would not advise you to ignore this rule, or any other programmatic or personnel rule you are required to follow unless you had a clear and unequivocal judicial determination that it is no longer valid.

If you have any questions or if I can be of further assistance, please do not hesitate to contact me at (919) 733-7934.

Sincerely,

Patrick J. McCoy, PHR, CPM  
Local Government Program Team Leader

PJM/ms

c: Drake Maynard, HR Managing Partner  
Valerie Bateman, Assistant Attorney General

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