

APPROVED 6/2/2020

**MINUTES
BOARD OF COMMISSIONERS
VIRTUAL BUSINESS MEETING
May 5, 2020
7:00 p.m.**

The Orange County Board of Commissioners met for a Virtual Business Meeting on Tuesday, May 5, 2020 at 7:00 p.m.

COUNTY COMMISSIONERS PRESENT: Chair Rich and Commissioners Jamezetta Bedford, Mark Dorosin, Sally Greene, Earl McKee, Mark Marcoplos, and Renee Price

COUNTY COMMISSIONERS ABSENT:

COUNTY ATTORNEYS PRESENT: John Roberts

COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren and Clerk to the Board Donna Baker (All other staff members will be identified appropriately below)

Chair Rich called the meeting to order at 7:00 p.m.

Due to current public health concerns, the Board of Commissioners conducted a Virtual Business meeting on May 5, 2020. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public was able to view and listen to the meeting via live streaming video at orangecountync.gov/967/Meeting-Videos and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

In this new virtual process, there are two methods for public comment.

- Written submittals by email
- Speaking during the virtual meeting

Detailed public comment instructions for each method is provided at the bottom of this agenda. (Pre-registration is required.)

1. Additions or Changes to the Agenda

Chair Rich said she will be meeting with the Mayors tomorrow morning about moving forward as it relates to Covid-19, and she will share an update with the Board of County Commissioners (BOCC) regarding the next steps.

PUBLIC CHARGE

The Chair acknowledged the public charge.

ARTS MOMENT

No Arts Moment will be available for this meeting.

2. Public Comments

a. Matters not on the Printed Agenda

Tony Blake said he is concerned about the convenience centers severely limiting the amount of household construction debris. He said if the Commissioners recall one of

the reasons for accepting the debris was to reduce the amount of local burning. He said he fears the newly enforced limits will increase local burning, and as a result increase the possibility of unintentional woods fires and tension between neighbors. He said it may also increase roadside dumping.

b. Matters on the Printed Agenda

(These matters will be considered when the Board addresses that item on the agenda below.)

3. Announcements, Petitions and Comments by Board Members

Commissioner Price said Orange County is number 2 in the State with Census responses.

Commissioner Price asked if the BOCC can get a report on what is happening with residents that are behind on rent, and how the County is helping to avoid evictions. She asked if there is a plan going forward after the State starts opening up.

Commissioner Price said she would like an update on the small business loan grant program.

Commissioner Bedford said this is Mental Health Awareness Month and Week for Children, and Cardinal Innovations (CI) has an emergency crisis phone line for those are in need of help. She said this is **ask, and works best on cell phones.

Commissioner Bedford congratulated the Finance Department for its award that is on the consent agenda.

Commissioner Bedford expressed her gratitude to all teachers during this Teacher Appreciation Week.

Commissioner Marcoplos petitioned making quarterly reports from schools about repairs and maintenance projects a formal process.

Commissioner Marcoplos said he would like to get a full report on the Phillips Middle School issue. He said this has been ongoing, very public, and seems to have gone unaddressed.

Commissioner Marcoplos said Rani Dasi made a public claim that some students and teachers are unable to breathe in the Chapel Hill Carrboro City Schools (CHCCS) classrooms, and would like a report from the school systems, and possible medical information.

Commissioner Greene said she is the Board representative to the North Carolina Association of County Commissioners (NCACC) committee that is settling the opioid legislation. She said this committee has yet to meet, but will do so on Friday.

Commissioner Greene referred to an existing petition from James Williams, which was emailed to the BOCC, requesting the removal of the portrait and statue of Thomas Ruffin. She said Mr. Williams wrote a long, clear letter to Chief Justice Beasley, and she would petition the BOCC to write a letter endorsing Mr. Williams' letter to Chief Justice Beasley. She said she has written an essay about the topic, and Chair Rich may want to include a copy of this essay in the letter to Chief Beasley.

Chair Rich said James Williams is the Chair of the North Carolina Commission on Racial and Ethnic Disparities (NC CRED), and has sent an email petition request for Board consideration. She said NC-CRED has called upon the North Carolina Supreme Court to remove the life-sized portrait of Thomas Ruffin that dominates its courtroom and the life-sized statue of him that guards the entrance to the North Carolina Court of Appeals and has asked that the Board of Commissioners consider issuing a statement or resolution/letter in support of this.

Commissioner Dorosin endorsed Commissioner Greene's, Commissioner Marcoplos' and Commissioner Price's petitions.

Commissioner Dorosin petitioned about the issue of contracting out custodians at Chapel Hill Carrboro City Schools (CHCCS). He said this topic comes up around budget

time for past few years, and he has questions about actual costs. He said there are questions that remain about comparative costs and other policy issues, such as contracting out these employees. He said, given that CHCCS is getting ready to enter into a custodial contract, he would like to petition that the BOCC ask the school board to delay signing a multi-year contract for one year. He said he would like to use that one-year to establish a small task force with representatives from the County and both school districts and flush out the cost pros and cons.

Commissioner Dorosin said this committee could also look at the benefits of contracting out these services, from a policy perspective. He said he would recommend giving this task force a small window of time to return with information/recommendations, and it could be discussed by the schools prior to the schools' budget process.

Chair Rich said she did reach out to CHCCS, and is not sure if CHCCS signed a contract or not. She asked if staff would find out tomorrow.

Commissioner McKee said at the last meeting, he brought up the issue of the amount of C&D that could be dropped off at convenience centers, and the response he got back was not what he expected. He said he wanted this issue to be an agenda item, since this is a policy decision, and should have public engagement. He said the current practice is a radical change for the public, and if it continues there will most likely be more trash on the side of the road. He said reducing it to such a small amount is unacceptable, especially given the high fees residents pay for solid waste.

Chair Rich said she had no comments.

Commissioner Price said she also got the letter from James Williams, and there are options to move the picture of Ruffin to the right or to remove it altogether, and she would endorse removing both the portrait and the statue.

Commissioner Greene said the letter asks for removal of portrait and statue.

Commissioner Price said she would like to echo this request when Chair Rich writes her letter.

Commissioner Greene said her assumption would be that Chair Rich would write a letter endorsing NC-CRED's letter.

4. Proclamations/ Resolutions/ Special Presentations

a. Older Americans Month Proclamation

The Board considered voting to approve a proclamation joining Federal and State governments in designating the month of May 2020 as Older Americans Month and a time to honor older adults for their contributions to the community and authorize the Chair to sign.

Janice Tyler, Department on Aging Director, reviewed the following information:

BACKGROUND:

May is Older Americans Month, a tradition dating back to 1963. For many years, the Board of Commissioners has issued a proclamation for Older Americans Month. This year's national theme is *Make Your Mark*. The theme highlights older adults' unique and lasting contributions to their communities – everything from sharing a story with grandchildren to leaving a legacy of community action.

It also celebrates the many ways in which older adults make a difference in communities. It encompasses the idea that getting older does not mean what it used to. For many aging Americans, it is a phase of life where interests, goals and dreams can get a new and second start. Today, aging is about eliminating outdated perceptions and redefining the way you want to age.

President Lyndon B. Johnson signed the Older Americans Act into law in July 1965. Since that time, the Act has provided a nationwide aging services network and funding that helps older adults live with dignity in the communities of their choice for as long as possible. These services include senior centers, daily lunch programs, caregiver support, community-based assistance, preventive health services, elder abuse prevention, and much more.

While the Department on Aging offers outstanding programs and services to older adults year round, Older Americans Month offers an opportunity to emphasize how older adults can access the home- and community-based services they need to live independently in their communities.

It is also an occasion to highlight how older adults are engaging with and making a difference in their communities. In this era of COVID-19, there are shining examples of how older adults are making a mark on the community. Project EngAGE Senior Leaders are connecting with older adults in their communities to make sure their needs are being met during these difficult times. These Leaders are making phone calls, picking up food, delivering senior center lunches, sewing facial coverings, and pitching in wherever there is an unmet need. The End of Life Choices Senior Resource team saw an unmet need and created a document to aid in emergency planning during this COVID-19 health crisis. This new document is not intended to replace persons' advanced directives, but is to be used as a tool to provide additional information should an individual be diagnosed with COVID-19. Seymour Center tech volunteers put their skills and creativity to work and transitioned very quickly into offering computer classes in a virtual environment. And lastly, with COVID-19 occurring during tax season, VITA (Volunteer Income Tax Assistance) volunteers should be congratulated for developing a secure process for assisting persons with tax preparation that does not involve a face to face appointment.

Today there are over 29,000 Orange County residents who are 60+ and of that group, over 1,800 who are over age 85. As large numbers of baby boomers reach retirement age, it is a goal to keep them physically and socially active through their 80s and beyond. Lifelong participation in community, social, creative and physical activities have proven health benefits, including retaining mobility, muscle mass and cognitive abilities. Older adults are not the only ones who benefit from their engagement in community life – studies show their interactions with family, friends, and neighbors across generations enrich the lives of everyone involved.

With COVID-19, celebrations and activities honoring Older Americans Month are being curtailed, but staff and the Advisory Board on Aging still encourage older adults to “Make Your Mark.” With social distancing and the Seymour and Passmore Centers not being opened in the foreseeable future, everyone is encouraged to stay connected through phone calls, virtual gatherings, and participate in the on-line opportunities. This is a time for all of us to “Mark” on the community by remaining resilient; calling neighbors; saying thank you to frontline workers; and promote a willingness to help the community recover from this pandemic and prepare everyone for whatever the new normal is.

Janice Tyler read the proclamation:

**ORANGE COUNTY BOARD OF COMMISSIONERS
PROCLAMATION
Older Americans Month – May 2020
Theme - “Make Your Mark”**

Whereas, Orange County includes over 29,000 persons aged 60 and older who make

countless contributors to our community every day; and

Whereas, Orange County is committed to engaging and supporting older adults, their families and caregivers; and

Whereas, Orange County is stronger when people of all ages, abilities, and backgrounds are included and encouraged to make their mark; and

Whereas, Orange County recognizes the importance of the physical, mental, social and emotional well-being of its residents; and

Whereas, Orange County can support our community members by:

- Promoting independence, inclusion, and participation;
- Engaging older adults through education, recreation and service; and
- Connecting people with opportunities to share their time, experience and talents.

Now Therefore, we, the Orange County Board of Commissioners, do hereby proclaim May 2020 to be Older Americans Month, and urge every resident to recognize older adults and the people who support them as essential members of our community.

This the 5th day of May, 2020.

A motion was made by Commissioner Price, seconded by Commissioner Greene for the Board to approve the proclamation designating May 2020 as Older Americans Month and authorize the Chair to sign the proclamation.

VOTE: UNANIMOUS

b. Presentation of Manager's Recommended Fiscal Year 2020-21 Annual Operating Budget

The Board received the Manager's Recommended FY 2020-21 Annual Operating Budget.

BACKGROUND:

Each year during the month of May, the County Manager presents the Board of County Commissioners with a recommended spending plan for the next fiscal year. During the meeting, the Manager will provide a brief presentation of the Recommended FY 2020-21 Annual Operating Budget.

The Board of County Commissioners will conduct two Budget Public Hearings – the first at 7:00 p.m. on Tuesday, May 12, 2020, which will be a Virtual Budget Public Hearing, and the second on Thursday, June 4, 2020 (Meeting Format or Location To Be Determined). In addition, the Board has scheduled the following Budget Work Sessions:

- May 14, 2020 – Budget Work Session with Chapel Hill-Carrboro City Schools, Orange County Schools, Durham Technical Community College, and Outside Agencies.
 - This will be a Virtual Budget Work Session.
- May 21, 2020 – Budget Work Session with Fire Districts, and County Departments within the following **Functional Leadership Teams: Public Safety** (Courts, Criminal Justice Resource Department, Emergency Services, and Sheriff); **Support Services** (Asset Management Services, Community Relations,

Finance and Administrative Services, Human Resources, and Information Technology); **General Government** (Board of County Commissioners, Board of Elections, County Attorney, County Manager, Register of Deeds, and Tax Administration); including Non-Departmental items.

- This will be a Virtual Budget Work Session.
- May 28, 2020 – Budget Work Session with County Departments within the following **Functional Leadership Teams: Human Services** (Child Support, Department of Social Services, Department on Aging, Health, Housing and Community Development, Human Rights and Relations, Library Services, and Cardinal Innovations); **Community Services** (Animal Services, Cooperative Extension, DEAPR, Economic Development, Orange Public Transportation, Planning and Inspections, Solid Waste, and Sportsplex), including Non-Departmental items.
 - This will be a Virtual Budget Work Session.
- June 9, 2020 – Budget Work Session for Board to review budget amendments and finalize decisions (Resolution of Intent to Adopt) on the FY 2020-21 Annual Operating Budget and the FY 2020-25 Capital Investment Plan.
 - Meeting Format or Location to Be Determined.
- June 16, 2020 – Regular Meeting for the Adoption of the FY 2020-21 Annual Operating Budget and the FY 2020-25 Capital Investment Plan.
 - Meeting Format or Location to Be Determined.

All meetings start at 7:00 p.m.

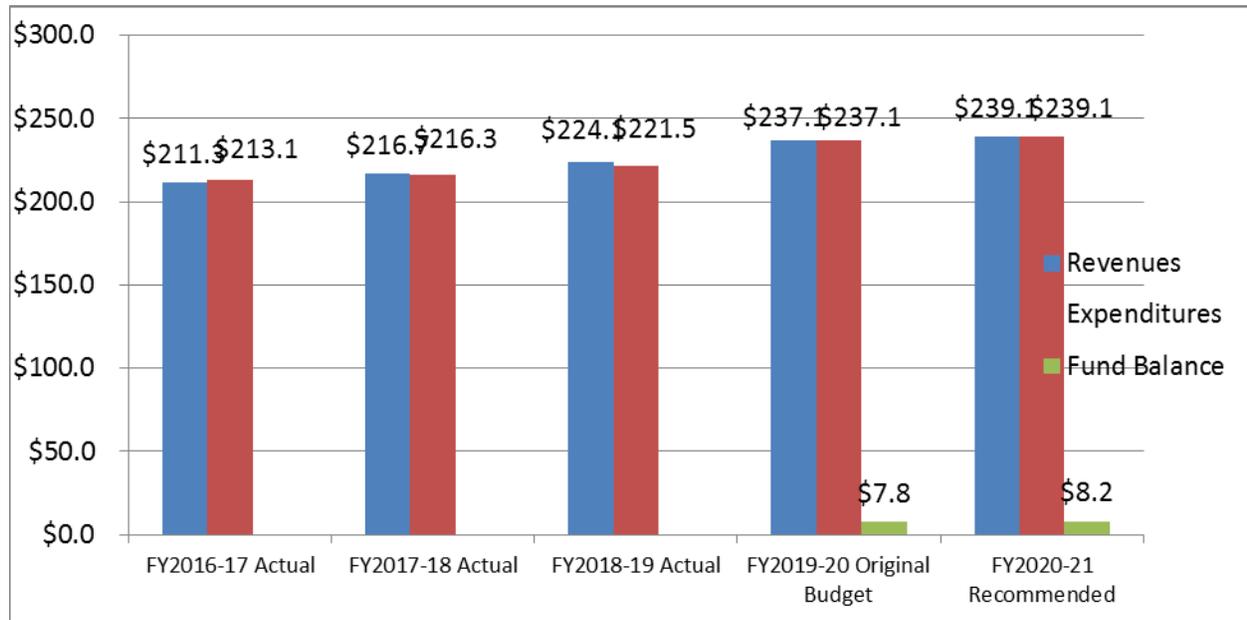
Bonnie Hammersley made the following PowerPoint presentation:

FY2020-21
COUNTY MANAGER RECOMMENDED BUDGET
May 5, 2020

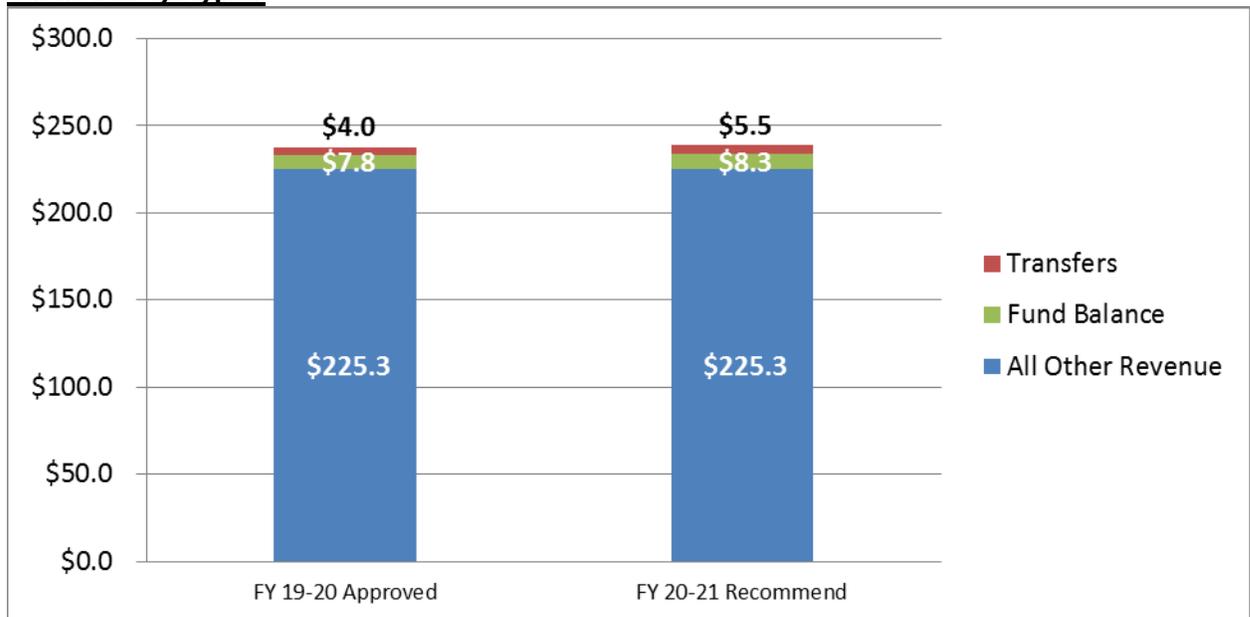
BUDGET PRIORITIES

- Pay Debt Service
- Maintain current services/workforce
- CHCCS and Orange County School Funding
- Honor contract Obligations
- Maintain general fund Reserve Level
 - Property Tax Growth: 2.0% = \$2,460,550
 - Sales Tax Growth: -10.0% = -\$2,814,151
 - Tax Rate: \$0.8679
 - General Fund Reserve: 16% = \$35.6 million

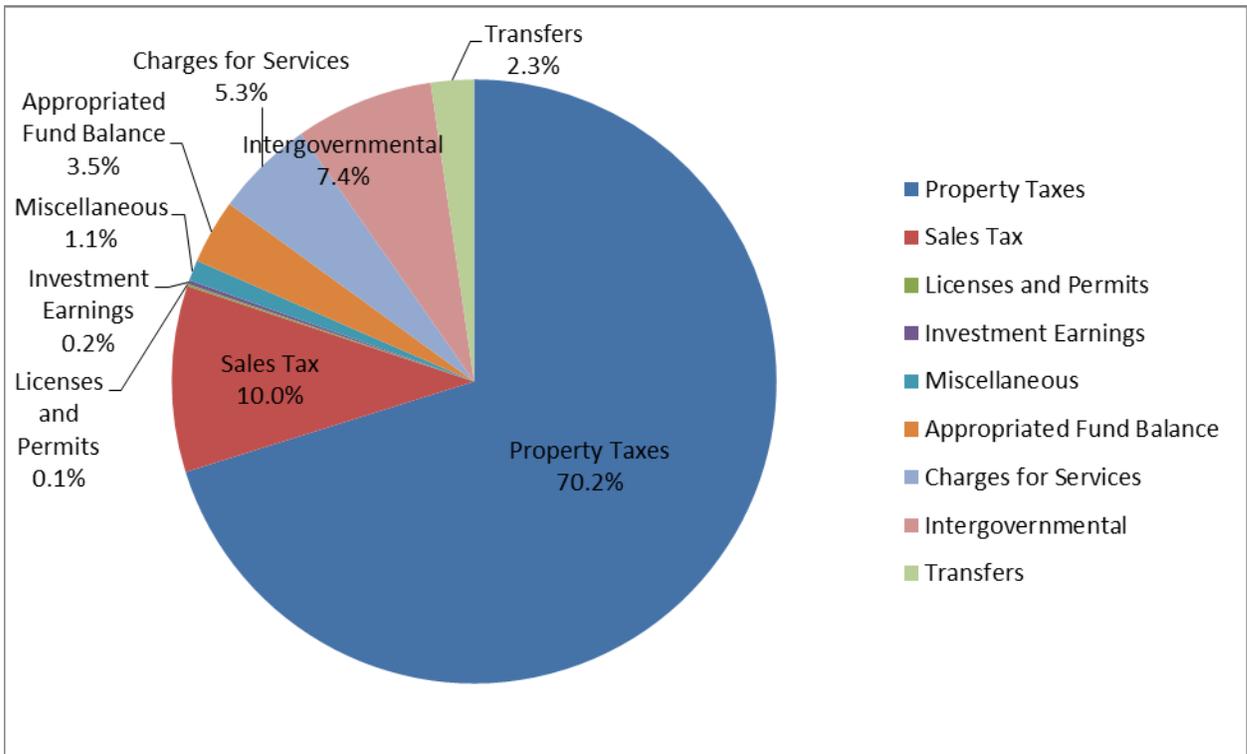
Revenues and Expenditures



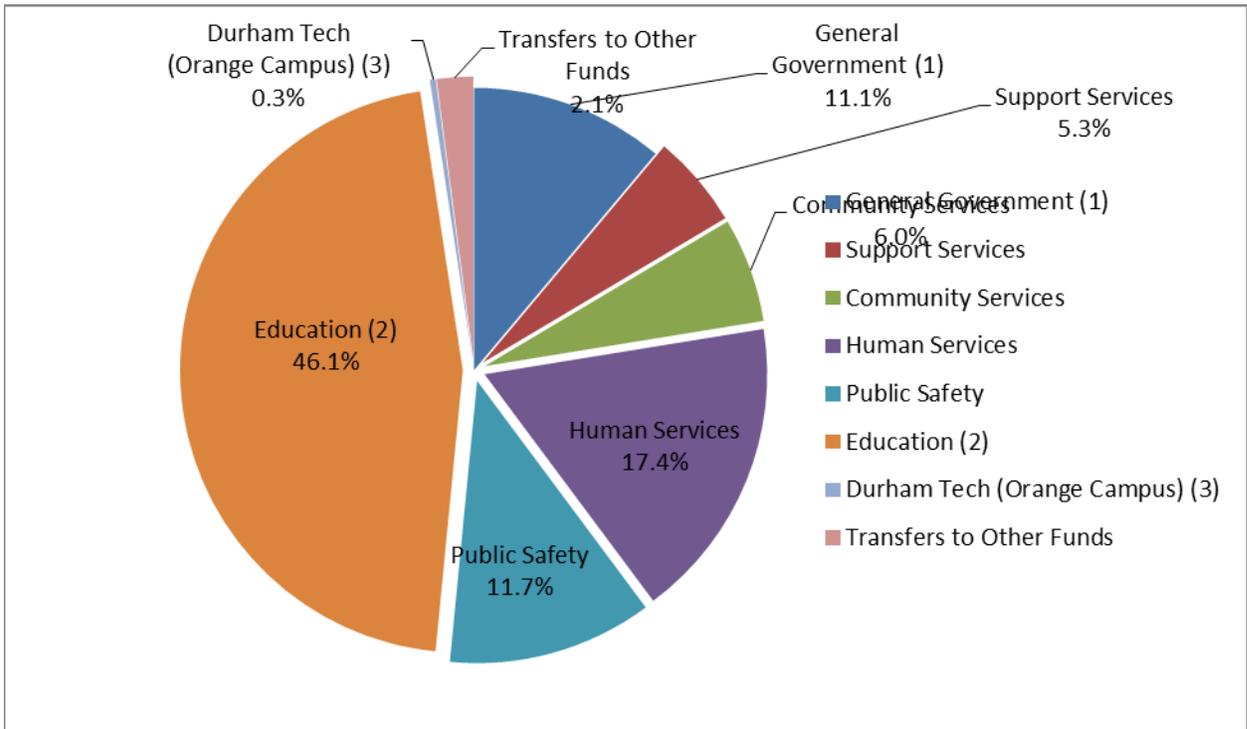
Revenue By Types



BUDGET REVNUES



BUDGETED EXPENDITURES



ASSUMPTIONS

- Property Tax Growth: 2.0% = \$2,460,550
- Sales Tax Growth: -10.0% = -\$2,814,151
- Tax Rate: \$0.8679

□ General Fund Reserve: 16% = \$35.6 million

EDUCATION

Chapel Hill Carrboro City Schools (CHCCS) Orange County Schools (OCS)			
Average Daily Membership (ADM)			
	CHCCS	OCS	TOTAL
Students (under roof)	12,312	7,381	19,693
Out of District	(251)	(110)	(361)
Charter Students	166	885	1,051
Total	12,227	8,156	20,383
%ADM	59.99%	40.01%	100%

CHCCS - OPERATIONS
Allocation
Current Expense
Charter Students
Health & Safety Contracts

OCS - OPERATIONS	Requested	Recommended	Recommended Increase
Allocation	38.81%	40.01%	.15%
Current Expense	\$33,663,526	\$31,687,018	-\$45,237
Charter Students	\$4,135,826	\$3,856,830	\$187,883
Health & Safety Contracts	\$1,520,801	\$1,520,801	\$0
Staff Bonuses	\$1,027,000	\$0	\$0
Total	\$40,347,153	\$36,864,649	\$142,646
Per Pupil	\$4,673	\$4,358	\$5.75
Total			
Per Pupil			

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CHCCS - CAPITAL	Requested Increase	Recommended Increase	Recommended Appropriation
Recurring Capital	(\$4,500)	(\$4,500)	\$1,799,700
Long Range Capital	\$42,120	\$42,120	\$2,455,016
Deferred Maintenance Plan	(\$4,500)	(\$4,500)	\$1,799,700
Supplemental Deferred Maintenance Plan	\$2,481,258	\$2,481,258	\$2,481,258
Total	\$2,514,378	\$2,514,378	\$8,535,674

OCS - CAPITAL	Requested Increase	Recommended Increase	Recommended Appropriation
Recurring Capital	\$4,500	\$4,500	\$1,200,300
Long Range Capital	\$38,123	\$38,123	\$1,637,359
Deferred Maintenance Plan	\$4,500	\$4,500	\$1,200,300
Supplemental Deferred Maintenance Plan	\$4,150,000	\$4,150,000	\$4,150,000
Total	\$4,197,123	\$4,197,123	\$8,187,959

YEAR	County Appropriation		% of General Fund Revenue
	Per Pupil	\$ Increase	
FY2016-17	\$3,868	\$170.50	50.6%
FY2017-18	\$3,991	\$123	49.7%
FY2018-19	\$4,165	\$174	50.1%
FY2019-20	\$4,352.25	\$187.25	49.5%
FY2020-21	\$4,358	\$5.75	49.4%

DURHAM TECHNICAL COMMUNITY COLLEGE	
Current Expense	\$723,256
Durham Tech Promise*	\$200,000
Capital Outlay	\$75,000

* Funded by Article 46 Sales Tax

OUTSIDE AGENCIES

- Base Budget (FY2019-20) with the following exceptions that received increased funding:

- ✓ Compass Center for Women and Families: \$12,751
- ✓ Interfaith Council: \$69,937
- ✓ Meals on Wheels Chapel Hill: \$27,488
- ✓ OCIM: \$13,965
- ✓ Pathways to Change: \$4,351

(new Domestic Violence program for Orange County)

- ✓ **\$1,541,974 is consistent with the target established by the BOCC to allocate 1.2% of general fund expenses, not including education, to outside agencies.**

FIRE DISTRICTS

FIRE DISTRICT	CURRENT TAX RATE	REQUESTED TAX RATE INCREASE	RECOMMENDED TAX RATE
Cedar Grove	\$0.0810	\$0.00	\$0.0810
Chapel Hill	\$0.1491	\$0.00	\$0.1491
Damascus	\$0.1080	\$0.00	\$0.1080
Efland	\$0.0678	\$0.00	\$0.0678
Eno	\$0.0968	\$0.00	\$0.0968
Little River	\$0.0592	\$0.00	\$0.0592
New Hope	\$0.0994	\$0.073	\$0.1067
Orange Grove	\$0.0681	\$0.00	\$0.0681
Orange Rural	\$0.0915	\$0.033	\$0.0948
South Orange	\$0.0968	\$0.00	\$0.0968
Southern Triangle	\$0.1080	\$0.00	\$0.1080
White Cross	\$0.1237	\$0.00	\$0.1237

BUDGET STRATEGIES

EXPENDITURE REDUCTION STRATEGIES:

- No Wage or Salary Increase for County Employees – (\$1,600,000)
- Extend Hiring Freeze through FY20-21 – (\$1,000,000)
- Eliminate Travel and Training funds – (\$500,000)

SHORT-TERM EMERGENCY MEASURES:

- Transfer from Capital Reserves - \$1,000,000
- Transfer from Article 46 Sales Tax County Reserves - \$525,000
- Transfer from Health & Dental Insurance Reserves - \$475,000
- Transfer from Solid Waste Reserves - \$475,000

FUNCTIONAL LEADERSHIP TEAMS

COMMUNITY SERVICES

- ✓ Maintain Solid Waste Program Fee at \$142 per year

HUMAN SERVICES

- ✓ 3.625 FTE – Partnership to End Homelessness
 - HUD Revenue & Reallocations
- ✓ \$25,600 Recurring Capital
 - Partially Offset by Revenue

PUBLIC SAFETY

- ✓ Recurring Capital - \$205,000 (Transfer from Health & Dental Fund Reserve)

BUDGET TIMELINE

BUDGET TIMELINE	DATE
Recommended Budget Presentation	May 5
BUDGET PUBLIC HEARINGS	DATE
Budget and Capital Investment Plan (CIP)	May 12 & June 4
BUDGET WORK SESSION SCHEDULE	DATE
Schools and Outside Agencies	May 14
Fire District, Public Safety, Support Services and General Government	May 21
Human Services and Community Services	May 28
Budget Amendments and Resolution of Intent to Adopt	June 9
BOCC REGULAR MEETING	DATE
FY2020-21 Operating and CIP Budget Adoption	June 16

Budget Document Availability

- Clerk to Board of Commissioners
- County Finance & Administrative Services Office
- Orange County Website - <http://orangecountync.gov>

The Board received the presentation of the Manager's Recommended FY 2020-21 Annual Operating Budget.

Chair Rich thanked Bonnie Hammersley, and the staff, for creating two budgets in a matter of months.

Commissioner Dorosin referred to the CARE Funds that were just approved, and asked if it is known when these funds will be available.

Bonnie Hammersley said she does not know yet, but she has a call scheduled on this issue tomorrow, and will share any updates with the Board.

Commissioner Dorosin asked if it is possible that the County may have this money before the BOCC has to vote on the budget

Bonnie Hammersley said yes, that is possible. She said these are one-time monies, and must be spent on Covid-19 related items.

Commissioner Dorosin asked if the County will also receive funds directly from the federal government, or will any funds pass through the State.

Bonnie Hammersley referred this to John Roberts.

John Roberts said only 4 of the larger counties are getting funding directly from the federal government, and the rest is going to through the State.

Commissioner Dorosin said he heard that some educational funding was going straight to the Local Education Authorities (LEAs).

Commissioner Price said there has been an effort to get the second round of monies to go directly to the counties/municipalities.

Commissioner Marcoplos asked Commissioner Dorosin to define LEA.

Commissioner Dorosin said Local Education Authority, which means the school boards.

Commissioner Bedford said in 2017-18 the BOCC revisited the fund balance policy for the schools. She said from 2008-2010 the BOEs were allowed to spend their fund balance, if a clear plan existed as to how it would be spent. She said this allowed more flexibility, and she asked if staff would dig up the policy language that allowed for this flexibility, and share it with the BOEs as an option during this budget season.

5. Public Hearings

NONE

6. Regular Agenda

a. Resolution Regarding a Lease Agreement between Chapel Hill-Carrboro City Schools (CHCCS) and Trinity3 Technology to Provide Computers for Students

The Board will consider voting to adopt a resolution approving a lease agreement between Chapel Hill-Carrboro City Schools (CHCCS) and Trinity3 Technology for the leasing of computers for students for FY 2020-24 to replace outdated and out of warranty equipment using a sustainable and predictable funding model and authorize the Chair to sign.

Paul Laughton, Finance and Administrative Services, presented this item with Dave Scott, CHCCS Technology Director:

BACKGROUND:

The CHCCS computing environment is multi-platform and has been for many years. Teachers, administrators, instructional support staff, and central office employees all use either a Windows or Apple based laptop (or desktop for some front office positions). In almost all cases, teachers also (primarily at the elementary level) have an Apple iPad tablet.

For the past 5-6 years, CHCCS began using Chromebooks and iPads to replace Windows and Apple based computers for students. Apple iPads became (and are presently) the standard student device for grades K-2 (although some 2nd grade schools also use Chromebooks). For Grades 3-12, CHCCS standardized on Chromebooks for students. This was done not only because these devices are significantly less expensive

and much easier to manage (than Windows and Apple OS devices), but also the introduction of Chromebooks coincided with the adoption of the Google G-Suite for Education platform at CHCCS. The District purchased Chromebooks in a staged approach, replacing Windows/Apple OS based devices first at the high schools, then middle schools, and eventually the Grade 3-5 ES school classrooms.

In 2018-19, through several years of incremental purchasing of Lenovo model Chromebooks (11e, N21, N22, N23, 100e), the District achieved a 1:1 student to device ratio for Grades 3-12. However, these devices were used in a shared cart system for all grades. When needed, teachers scheduled the use of a cart. Students did not carry devices between classrooms and did not carry devices between classrooms and did not take them home.

Beginning in the 2019-20 school year (August 2019), the District shifted to a 1:1 Device Take- Home program for Grades 6-12 (approximately 6,800 students). The CHCCS Board of Education and administration decided in the spring of 2019 to use this current year as a “bridge” while a formal Request for Proposals (RFP) with purchase and lease options was published for bid (February 17, 2020). The RFP deadline was March 2, 2020, and sealed bids were opened the following day. Seven (7) bids were received from the following vendors:

1. Applied Technologies
2. Virtucom
3. Trinity3
4. Insight
5. NWN Corp.
6. Howard Technologies
7. CDW-G

The RFP bid included hardware specifications for 7,650 Chromebooks for Grade 6-12 students (estimated middle and high school enrollment for 2020, plus 10% for spares).
*Note: At this time the District will continue the shared cart system for Grades 3-5 (Chromebooks).

Vendors were asked to provide purchase and lease pricing for (3) hardware options (with varied specifications) to provide flexibility based upon instructional need(s), cost/value, service/warranty, accessories (EMR pens, ruggedized cases) and other factors. All proposals were required to provide full purchase cost and 4 year leasing option(s) pricing for each hardware option specified in the RFP.

The lease agreement will allow the District to replace/retire approximately 7,000 5-6 year old out of warranty devices that are currently being used by Grades 6-12 students. These devices will soon become end of life for Google Chrome OS updates, hindering or making unusable many instructional applications that our faculty utilize in the Google application eco-systems.

The new devices are flip/touch Chromebooks with an on-board stylus and include a 4 year accidental damage and theft warranty and ruggedized case. The successful proposal was chosen from a rigorous decision analysis performed by a team of stakeholders (Information Technology staff, Finance, Instructional Technology staff, and a classroom teacher) that evaluated various brands/models using numerous “must-have” and weighted criteria. Bids that did not meet all must have criteria were eliminated. The

remaining proposals were evaluated based upon the weighted criteria and cumulative scores were given based upon consensus discussion.

FINANCIAL IMPACT: The financial impact to the County is \$3,435,837.66 over the four (4) year

lease program during the Fiscal Years of 2020-21 through 2023-24, at annual installments of \$858,959.42. Article 46 Sales Tax proceeds would be used to cover the required annual lease payments, and are included in the Chapel Hill-Carrboro City Schools Technology Plan project within the County's Capital Investment Plan.

Commissioner Price referred to the 7 bids, and asked if there is any requirement to go with the lowest bid.

Paul Laughton said the most reasonable bid, that also met all the specifications of the school board, was the bid that was chosen.

Commissioner McKee referred to the financial impact, of \$859,000 per year for the installment for the 4 years, and said the budget book has designated \$1.168 million for CHCCS technology. He asked if the \$859,000 will come out of the \$1.168 million line item.

Paul Laughton said yes, with the use of Article 46 tax funds.

Interim CHCCS Superintendent Abele thanked the BOCC for its investment in technology for both school districts, and he provided some history about the one on one technology program in CHCCS.

Interim CHCCS Superintendent Abele said if CHCCS is able to utilize other State monies for technology, it can go back into its CIP and use Article 46 funds for other purposes.

Chair Rich referred to the one to one take home computers, and asked if that means every student is taking home a computer.

Interim CHCCS Superintendent Abele said yes.

Chair Rich asked if this is true even for students who may already have a computer of their own. She asked if funds could be freed up if students already have computers.

Interim CHCCS Superintendent Abele said it is easier to standardize the process, hardware and software for both students and teachers when everyone has the same devices. He said CHCCS does not charge a device fee, but families are allowed to donate funds if they so choose.

Commissioner Dorosin said there are growing concerns about students' privacy with the one to one computers, and asked if the district are providing policies or information to parents, and are the students' online activities being monitored.

Interim CHCCS Superintendent Abele said he will follow up with more detailed information, and there are certain requirements in many areas. He said the Chrome books do not allow students to download things.

Commissioner Dorosin asked if the District uses software to scan what a student is viewing.

Dave Scott, Interim CHCCS Technology Director, said CHCCS utilizes a web filter, which extends to home with the Chrome books. He said Software called Securely monitors for key words, such as those related to self-harm.

Chair Rich asked if a student's privacy is also protected.

Dave Scott said CHCCS does not actively monitor what a student is viewing or using, unless requested by a teacher because a red flag has appeared.

Commissioner Dorosin said he would like to see any policies that may exist on this. He asked if Securely monitors emails, social media, etc. for key words.

Dave Scott said CHCCS uses Securely to monitor the Google Suite.

Commissioner Price asked when these computers will arrive.

Dave Scott said the program is set to begin in August. He said students in grades 6-12 currently have devices, which they will keep for now, and turn in at the end of the summer. He said 2-5 graders also use chrome books, but there is not a one to one program for elementary school; however, during Covid-19 these younger grades have been provided devices, if needed.

Commissioner Marcoplos asked if CHCCS would include information about anything alarming or intriguing that has been detected on devices, when it sends its report to the Orange County Board of Commissioners.

Interim CHCCS Superintendent Abele said there are red flags that the word search software finds. He said suicide is one of the words that CHCCS would definitely follow up on.

Chair Rich asked if there is a plan in place to reallocate the monies for the 4 years, should the state provide funding for this technology.

Paul Laughton said staff can adjust the CIP if the funds are received early enough; and otherwise, staff would re-purpose those funds, keep it in the technology line item, and come back to the Orange County Board of Commissioners to approve any reallocations.

A motion was made by Commissioner Price, seconded by Commissioner Marcoplos to adopt the resolution approving the lease agreement and authorize the Chair to sign the resolution regarding the agreement between Chapel Hill-Carrboro City Schools and Trinity3 Technology.

VOTE: UNANIMOUS

b. Discussion Regarding Election Method for Members of the Orange County Board of Commissioners

The Board considered discussing the election method for members of the Orange County Board of Commissioners.

John Roberts reviewed the information below:

BACKGROUND:

At the Board's April 7, 2020 Business meeting, a petition was voiced that the Board discuss and potentially change a portion of the process under which some or all Board members are elected. A summary of historical information, along with some current applicable information, is provided below as a basis for Board discussion on this topic.

HISTORY
2005-2008

At the Board of Commissioners' January 24, 2005 regular (now Business) meeting, representatives of a group of Orange County residents addressed the Board and submitted a 1,200-signature petition to the Board regarding the method by which the members of the Board of Commissioners were elected in Orange County. The representatives requested that the Board review the then current method of election for the members of the Board, which entailed all five members of the Board being nominated and elected to staggered four-year terms on an at-large basis.

At the Board's direction, the County Manager and County staff reviewed the issue and the petition submitted and provided a report to the Board at the May 5, 2005 work session. The report provided an initial framework of information upon which the Board of Commissioners could deliberate and determine as appropriate any further steps in evaluating the issue and responding to the request and petition submitted.

The Board then pursued a series of meetings over the next thirteen months, including: public hearings;

- Board discussions on possible draft district maps/plans for either a five or seven-member
- Board; and
- decisions on specific map/plan issues.

The public hearings and discussions led to the development of a map/plan (for a seven-member board that met all statutory requirements. The County Attorney prepared a draft resolution calling for a November 2006 referendum and the Board approved that resolution and the election plan/map at its June 27, 2006 regular meeting in preparation for a voter referendum as required by the North Carolina General Statutes.

In the November 2006 referendum, the voters subsequently approved the election plan/map with more than two-thirds of voters supporting the initiative. The election plan/map was implemented with the May 2008 primary election and all Board members since that time have qualified and been elected under the plan.

The election plan/map approved in 2006 established a district/at large system for electing seven members of the Board of Commissioners, and includes two nominating districts.

- Three seats on the Board are filled, with staggered four-year terms, by individuals residing in District 1 and nominated by the voters in District 1 during the primary election. These district-nominated candidates are then elected by all the voters in the entire County during the general election.
- Two seats on the Board are filled, with staggered four-year terms, by individuals residing in District 2 and nominated by the voters in District 2 during the primary election. These district-nominated candidates are then elected by all the voters in the entire County during the general election.
- The other two other seats on the Board are filled, with staggered four-year terms, by individuals residing anywhere in the County and nominated by all voters in the County during the primary election. These “at large” candidates are then elected by all the voters in the entire County during the general election.

In summary, five district seats on the Board are filled based on district residency and district nomination during the primary election, followed by countywide election in the general election.

The two at large seats are filled based on countywide nomination and countywide election.

2011 - Review of District Elections Map Based on 2010 Census

Final numbers for the 2010 Census were published in 2011 providing new population numbers for Orange County as a whole as well as for the two current electoral districts. North Carolina General Statute 153A-22 states, “*If a county is divided into electoral districts for the purpose of nominating or electing persons to the board of commissioners, the board of commissioners may find as a fact whether there is substantial inequality of population among the districts.*”

Population growth or decline in districts can lead to significant deviations in the numbers of residents between districts, thereby compromising the integrity of the districts and the election plan as a whole. Staff’s review of the 2010 Census population totals in relation to the election plan/map and district boundaries showed very minimal changes in the population ratios for the districts. Staff prepared an agenda item for the Board, and, at its

June 7, 2011 meeting, the Board adopted a “Resolution Acknowledging the Results from the 2010 Census Indicating Orange County Remains in Lawful Compliance with Applicable Requirements for Board of County Commissioners’ Nominating Districts,” thereby making no changes to the map/plan/method by which Board members were elected.

2016-2018

In late 2016 and early 2017, members of the Board expressed an interest in discussing and possibly amending the current election method for seats on the Board of Commissioners. The Board discussed the topic at its March 28, 2017 Board work session. However, no additional action occurred at that time.

In mid-2018, members of the Board expressed additional interest in discussing and possibly amending the current election method for seats on the Board of Commissioners. The Board discussed the topic at its September 6, 2018 Board work session. However, no additional action occurred at that time.

CURRENT CONSIDERATION

As noted above, a recent Board petition expressed an interest in discussing and possibly amending the current election method for seats on the Board of Commissioners. Several related issues have been voiced regarding potentially amending the method. Staff has addressed some of those issues below.

If the Board chose to move forward with proposing an amendment to the current election method, when could a voter referendum occur?

- The North Carolina General Statutes require that counties schedule special voter referenda only in even years when all the voting precincts in the County will be open.
That limits this issue to the general election in 2020 and the primaries and general elections in 2022 and 2024. Further, if the Board determines to change the current election method and place that change on the November 2020 ballot everything necessary to complete the change should be ready by July 24, 2020 in order to allow elections staff adequate time to prepare ballots.

What is the timeframe to place a proposed election method/plan on the ballot for voter referendum?

- As noted above if the general election in November 2020 is the desired election on which to have a ballot question on the Board’s election method the Elections Director has requested that all decisions be complete and the ballot language submitted by July 24, 2020. This is due to an anticipated substantial increase in absentee voting and will allow the Board of Elections’ staff ample time to prepare the ballot.
- If the Board desires a similar level of public input as was obtained prior to the 2005/2006 change to the current method it is unlikely that can be achieved given the current situation due to the stay-at-home orders and technological challenges.

Depending on the Board’s potential interest related to the election method, will population changes related to the 2020 Census need to be considered?

- The 2010 Census is currently the basis for all population calculations. There may have been changes related to Orange County’s population since 2010; however, any changes as reflected in the 2020 Census are not yet available and likely will not be available until 2021. If the Board acts now to alter districts, the 2020 Census data could require the Board to revisit election districts in the near future.

PUBLIC COMMENT:

Tony Blake said Commissioner Dorosin was kind enough to respond to his email, and provided more current conversations that have taken place. He said he supports the discussion and thinks improvements could be made, but he has the following concerns about pushing this change through too quickly. He summarized his concerns:

- As is stands right now, the “voting method” agenda item 6-b lacks definition and a suggested plan/model for discussion.
- Discussion of changing the voting method is too important to be rushed.
- Data is old and there is not enough time to collect/update the data, have the discussion and get feedback before the 2020, election.
- A target of 2020 would put a lot of pressure on staff who are already dealing with emergency conditions and budget concerns.
- Meeting “virtually” is still somewhat less effective than face to face.
- Part of the BOCC is "lame duck", and it is important that the newly elected commissioners be a part of driving this conversation.
- The 2020 census results may change things and require a new look within 2 years, resulting in wasted efforts.

Commissioner Dorosin thanked Tony Blake for his comments, and others the BOCC received.

Commissioner Dorosin said he does not have concerns about the 2020 primary, but rather the primary illustrated some of the issues that have been discussed in Orange County for the past few years.

Commissioner Dorosin summarized his comments, which are in the agenda. He said he has been talking about this since 2016, and this is an on-going issue with the Board but the Board has not made any decisions. He said November is the earliest possible time to make changes, and that may be too soon, but if the majority of the Board does not want to do anything, then it should vote as such, and move on. He said it is his preference that the County moves to 7 single-member districts. He said the primary highlighted that the district one presidential year race is the only seat on the county commission that is a multimember election, and all others are single member elections. He said the multimember seat is the only multimember seat on the ballot, which is confusing to the public.

Commissioner Dorosin said they need an electoral system where commissioners are all elected the same way, and that is by single member districts. He said another important issue is that the County will have to draw the districts once the census comes out, and it is important for the BOCC to make decisions now and do everything at one time.

Commissioner Dorosin said there have been concerns that going to single member districts will lead to dominance by the southern part of Orange County, i.e.: Chapel Hill and Carrboro. He said he feels these concerns are overblown, and in the last two at large elections residents have elected representatives that live in the Chapel Hill area.

Commissioner Dorosin said one of the challenges with multi-member districts, is that they encourage voters to do single shot voting. He said this is a legitimate strategy, but not necessarily a fair one.

Commissioner Marcoplos said this is a complicated issue. He said in 1992 there was a group who discussed this, and recommended cumulative voting. He said he disagrees that single district is the most democratic way to go, and proportional representation is used by a majority of countries around the world, and does not require districts. He agreed it is important to not rush this discussion, and to engage the public.

Commissioner Price said schools board races are also multicandidate. She said this is not the time to rush, especially as in person public hearings cannot currently happen. She said this requires more work than the BOCC can accomplish in a short amount of time.

Commissioner McKee asked John Roberts if the BOCC were to change the districts, would this go back to the legislature.

John Roberts said no, changing the districts can be done by County voter referendum.

Commissioner McKee said given the difficulty with virtual meetings, he does not think the BOCC can go forward with this because the public cannot attend. He said it is critical to hold off any of these discussions until face-to-face meetings resume.

Chair Rich said all the school boards are elected the same way, as are the municipalities, but the County Commissioners only have one such election.

Chair Rich said after the primary, she had voters tell her that it was not a fair vote due to people single shot voting. She said this is not the way to hold voting. She said she believes that Commissioner Dorosin just wants to begin a discussion, and create a committee or a sub-group to move the topic forward.

Commissioner Dorosin said he is not suggesting that this needs to be rushed, but he wanted to know if there is a BOCC majority that wants to explore this further, and, if so, move forward. He agreed that public input is important, and this meeting platform is problematic. He said he finds cumulative voting interesting, but feels it is not within the realm of possibilities until the general assembly changes. He said changing to single member districts can be done without the legislature. He said there are ways to create districts that do not carve the County up like a pizza.

Commissioner Dorosin said many voters told him that they were unaware they could have voted for two candidates in District 1. He said he believed that the BOCC could have something ready for the 2022 primary.

Commissioner McKee said he does not believe that people threw their votes away by just voting for one candidate, but rather voters made a conscious decision to vote for just one candidate. He said the ballot clearly tells the voter if it can vote for one or two candidates. He said this discussion has come up over the years, and nothing has moved forward, so it must be that people do not want to change the process.

Commissioner Price said she agreed with Commissioner McKee. She said this election process has been going on for 12 years, and no one has challenged or changed it. She said it is important to determine the problem that the BOCC is trying to solve. She said she would support having a task force to look at this issue further, in anticipation of the 2022 election. She said people have the right to do what they like with their votes, and she is more concerned about guaranteeing voting rights, and access to voting. She said this election was not unfair.

Chair Rich said she did not say it was unfair, but she said that there were thousands of single shot votes. She said it is a different kind of race than the other Orange County Board of Commissioners has to run.

Commissioner Price said that is correct, but the residents are exercising their voting rights.

Commissioner Dorosin said he has brought this topic up for 4 years, and he wanted to highlight the inequities that exist since changing to this district system. He said this is not about the most recent election.

Commissioner Greene agreed there is not enough time to get it on the 2020 ballot, for all the reasons that have been stated. She said it is not just the BOCC that is interested in discussing this issue, but rather the community is interested. She said the BOCC owes it to itself and the community to have this discussion at length in the fall.

Commissioner Marcoplos said he agreed with Commissioners Greene and Dorosin.

Commissioner Marcoplos said if one wins the Democratic primary, then one has basically won the election. He said this leaves some residents feeling powerless, and this is where cumulative voting, or rank choice voting, could come into play. He said one of the benefits of moving ahead with a thorough and deliberate process is that the BOCC will learn the type of legislature, with which it is dealing, in the meantime.

Commissioner Bedford agreed that the timeline of November 2020 is too soon.

Commissioner Bedford said this should not be the work of the Commissioners, but rather the work of unbiased and independent individuals (e.g. NAACP, UNC School of Government, League of Women Voters, etc.). She said she read the minutes from previous years, and this issue is incredibly complex, and new issues arise in each conversation.

Commissioner Bedford said she is not sure that March 2022 will be good either, because the census data must be included. She said it is also important to include the two new members of the BOCC.

Commissioner Bedford said she does not think Orange County needs the attention of the legislature right now. She said she was concerned to educate herself on Orange County election history, and it is very important to insure that all voices are represented, and any new districts would have to be carefully considered to insure that. She said she would not want to further exacerbate the rural/urban divide. She said she is willing to tackle this, and 2021 may be a better time than this fall. She said it is important to get out of the current crisis, so that staff can afford this proper attention.

Commissioner Dorosin said he disagrees that the BOCC needs to wait until the census numbers come back, because whether or not the BOCC wants to change the method is independent of the census data. He said the policy aspect of the conversation can proceed while the data is pending.

A motion was made by Commissioner Dorosin, seconded by Commissioner Greene establish a committee to study revising the electoral method for members of the Orange County Board of Commissioners, and the committee should involve a broad range of residents of the community, including UNC staff, with expertise in elections, community-based non-profits. This committee could be charged to do its work in the fall of 2020, depending on the pandemic. The goal of this committee is to have a report and various options presented to the Orange County Board of Commissioners, who will hold the public hearings, and put a proposal before the voters in March 2022 primary. And talk with Board of Election as to when a decision would have to be made to get it on the March 2022 primary.

Commissioner Greene seconded the motion, for the purpose of discussion. She said she agrees, in whole, with the motion, but not with the make up of the committee. She said she was thinking more of an independent/professional group. She said she is not sure that the BOCC can decide on the make-up of the committee this evening.

Commissioner Dorosin said he would accept a friendly amendment.

Commissioner Dorosin proposed that the BOCC make a decision on the make-up of the committee by December 1st.

Commissioner Price asked if it is clear who will determine the make up of the committee. She said personally, she would want members of the local community to be involved, and not just outside professionals.

Commissioner Dorosin said the BOCC would determine the make up of the committee by December 1, 2020.

Commissioner McKee reiterated that this virtual platform does not provide sufficient public input, and before the BOCC goes forward with any motion, it is important to have this discussion again once face-to-face meetings resume.

Commissioner McKee said this discussion should occur in conjunction with the census data. He said he will vote against this motion, as it is important to have public, face to face discussion and then proceed with the formation of a committee.

Commissioner Marcoplos said he disagreed, and there is a lot of interest in changing the way that commissioners are elected. He said waiting for face to face discussions with the public will only lead to residents voicing opinions on the way they want to be represented, not whether or not the BOCC should look into the issue in the first place. He said having a date certain is important.

Commissioner Bedford said it is bad governance to have a motion on an issue that was not on the agenda and to pass it tonight. She said Commissioner Dorosin could write it up and bring it back at another time. She said if there will be a survey about the district tax, then a question on this topic could also be included. She said if a date certain is preferred, then she would recommend December 10th, so new BOCC members could participate. She said she cannot vote for this motion tonight.

Commissioner McKee said having the public speak about what they want is exactly what the BOCC needs to hear. He said the public's interest in this topic is not going to wane by waiting for face-to-face meetings.

Commissioner Price asked Commissioner Dorosin if he would mind delaying this vote and coming back with a more spelled out plan before the BOCC goes on summer break. She said she is still unsure about the committee, how to select it, and who should make these decisions. She said she does support the overall idea, but does not want to rush.

Commissioner Greene said the BOCC would be better served if this motion were made at a later meeting, before the summer break. She said this motion should not clarify who would be on the committee. She said the BOCC does not know what will happen with this pandemic, and if online meetings continue in the fall, then this is not a good platform for this type of discussion.

Commissioner Dorosin amended his motion, which Commissioner Greene seconded for purposes of discussion:

- a. Establish a committee to consider alternatives methods to elect the Orange County Board of Commissioners.
- b. The Orange County Board of Commissioners will select members for this committee by January 31, 2021;
- c. The committee will meet to discuss alternative options and will bring their recommendations to the Orange County Board of Commissioners by July 31, 2021;
- d. The Orange County Board of Commissioners will review the recommendations, conduct public hearings, seek public input, and, if need be, to make a decision in time to be included in a referendum on the March 2022 primary.

Commissioner McKee asked John Roberts if one can amend one's own motions. John Roberts said yes.

Commissioner Greene said she liked the second motion much more, but suggested changing "if needed" to "if possible".

Commissioner Dorosin said the BOCC could revise it at a later time, if need be.

John Roberts said the rules of procedure only allow two amendments, so Commissioner Greene's amendment is moot.

VOTE: Ayes, 6; Nays, 1 (Commissioner Bedford)

**7. Reports
NONE**

8. Consent Agenda

- **Removal of Any Items from Consent Agenda**
- **Approval of Remaining Consent Agenda**

A motion was made by Commissioner Price, seconded by Commissioner Dorosin to approve the remaining items on the Consent Agenda.

VOTE: UNANIMOUS

- **Discussion and Approval of the Items Removed from the Consent Agenda**

a. Minutes

The Board approved approving the minutes from April 14 and 21, 2020 as submitted by the Clerk to the Board.

b. Motor Vehicle Property Tax Releases/Refunds

The Board adopted a resolution, which is incorporated by reference, to release motor vehicle property tax values for five taxpayers with a total of five bills that will result in a reduction of revenue in accordance with NCGS.

c. Property Tax Releases/Refunds

The Board adopted a resolution, which is incorporated by reference, to release property tax values for one taxpayer with a total of one bill that will result in a reduction of revenue in accordance with North Carolina General Statute 105-381.

d. Arts Commission – Appointments

The Board approved the Arts Commission appointments as reviewed and discussed during the April 23, 2020 Work Session.

e. Distinguished Budget Presentation Award

The Board recognized the budget staff of the Orange County Finance and Administrative Services Department for earning the Government Finance Officers' Association (GFOA) Distinguished Budget Presentation Award for the 2019-20 fiscal year budget document.

f. Fiscal Year 2019-20 Budget Amendment #9

The Board approved budget and grant project ordinance amendments for fiscal year 2019-20 to Animal Services; Human Rights and Relations; and Criminal Justice Resource Department.

g. Approval of a Resolution Authorizing a Revision in the Orange County FY 2018-2019 HOME Program Design

The Board approved a revision in the resolution adopted May 1, 2018, as amended by the resolution adopted December 2, 2019, which authorized the Orange County FY 2018-2019 HOME Program Design and authorize the Chair to sign.

h. Duke Energy Easement for Northern Campus Project

The Board approved and authorized the Chair to sign an easement to Duke Energy at the site of the Northern Campus construction project, 1020 U.S. 70 West, Hillsborough, NC.

9. County Manager's Report

Bonnie Hammersley said the Economic Development Department and the CFO from the Finance Department worked with the committee on the emergency small loan grant program, and will be giving a detailed report to the Orange County Board of Commissioners at the May 19th meeting.

10. County Attorney's Report

John Roberts said he sent out a summary of the two Covid-19 response bills.

John Roberts referred to the eviction diversion program, and said an update will be provided at the May 19th Business meeting. He said staff will be asking the BOCC to approve an eviction diversion program.

John Roberts said he responded last week to Commissioner Dorosin's questions about the possibility of war bonds in a recent meeting, and in his response he mentioned the Community Investment Fund. He said Annette Moore, Human Rights and Relations Director, is very interested in establishing something like this as an additional funding opportunity for an eviction diversion program.

Commissioner Dorosin asked if it would be possible to get some general information about the community investment fund program.

John Roberts said the County would have no authority over it, but fosters community spirit and would be managed by an outside entity. He said it would be for established for purposes such as eviction diversion, etc. He said something similar exists for Animal Services, and Bob Jessup, Bond Counsel, would be happy to speak with the BOCC about this idea.

11. *Appointments
NONE

12. Information Items

- April 21, 2020 BOCC Meeting Follow-up Actions List
- Tax Collector's Report – Numerical Analysis
- Tax Collector's Report – Measure of Enforced Collections
- Tax Assessor's Report – Releases/Refunds under \$100

13. Closed Session
NONE

14. Adjournment

A motion was made by Commissioner Greene, seconded by Commissioner McKee to adjourn the meeting at 9:30 p.m.

VOTE: UNANIMOUS

Chair

Penny Rich,

Donna S. Baker
Clerk to the Board