

APPROVED 9/1/2020

**MINUTES
ORANGE COUNTY
BOARD OF COMMISSIONERS
VIRTUAL SPECIAL MEETING
JULY 14, 2020
7:00 p.m.**

The Orange County Board of Commissioners met for a Virtual Special Meeting on Tuesday, July 14, 2020 at 7:00 p.m.

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

COUNTY COMMISSIONERS ABSENT: Commissioner Earl McKee

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 Special Meeting on July 14, 2020. Members of the Board of Commissioners participated in the meeting remotely. As in prior meetings, members of the public were 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).

1. Call to Order

2. Announcements, Petitions and Comments by Board Members

Commissioner Bedford said she was accepted to take the Global Climate Reality Training, and is looking forward to it.

Commissioner Greene said she had no comments.

Commissioner Marcoplos said he is concerned about UNC opening up and he is wondering what the Board's role is in this, how to stay on top of UNC's plans, and how the Board can affect these plans through its role in the County.

Commissioner Price petitioned that Orange County declare June 19th as an official holiday, and said she sent a draft of a proposed resolution that she will address at the September 1st meeting.

Commissioner Dorosin said he thought last week's public forum went well. He said he has heard a lot of good feedback from the community, and he looks forward to the follow up on what the Board heard. He said he was sorry that Commissioner Price could not attend, but the comments she sent were powerful. He said he is glad the Human Relations Commission (HRC) is engaged, and the Chapel Hill-Carrboro City Schools' Board of Education (CHCCS BOE) will be discussing SROs at an upcoming meeting.

Chair Rich said she also thought the listening session went well. She said a comment was made about the Health Department clinic hours, and she looked at the hours at both clinics. She said there is room for improvement, and it may be possible to cut a few hours from Sunday

and add them to Saturday. She asked staff look at this, and bring information back to the Board of County Commissioners (BOCC).

Chair Rich referred to UNC, and said the County has been working with UNC for about three weeks. She said UNC is working hand in hand with the Health Department, and this information is in the notes that she shares with the Orange County Board of Commissioners each week. She said that Orange County has no jurisdiction over UNC. She said those involved are all concerned about keeping Orange County residents safe.

Chair Rich said it is not clear how many students are coming back, but some students are already coming back. She said everyone should be concerned about the students coming back, and the plan is to keep the communications open between all entities.

Chair Rich referred to the Governor's press conference about the re-opening of grades K-12, and said plan B will be followed. She said she is happy to speak with anyone who has further questions, and there is so much that is still unknown.

Bonnie Hammersley added that she is included on weekly calls with the Provost, and possible plans if they have to go to the off ramp (shut down). She said Provost Bolen has offered to talk with the elected boards, and the avenue for bringing questions is to let her know, and she will take the question to her meeting with the Towns and UNC. She said there is uncertainty, and no one knows the impact of the students coming back. She said UNC is trying to keep all informed.

Commissioner Price asked if there has there been any word from the Chambers of Commerce regarding concerns about students coming back.

Chair Rich said the Chambers are looking forward to having more business back, and they will welcome students back cautiously.

Commissioner Marcoplos asked if the University has a plan to ramp up testing and test locations. He asked if there will be testing locations near transit.

Chair Rich said testing will be run through student health. She said she will forward any information that she receives from UNC.

3. Resolution Regarding a Financing Agreement between Orange County Schools and J.P. Morgan to Provide Computers for Students

The Board considered adopting a resolution approving a financing agreement between Orange County Schools (OCS) and J.P. Morgan for the purchase of computers for students for FY 2020-24 to replace outdated and out of warranty equipment using a sustainable and predictable funding model.

Paul Laughton, Finance and Administrative Services, reviewed the item below and the resolution:

BACKGROUND:

In 2012, OCS embarked on a 1:1 computer initiative, providing individually assigned laptops to each student in grades 3-12. Teachers were also assigned laptops to complement the District's instructional approach to include digital access. Teachers, administrators, instructional support staff, and most central office employees use a Windows laptop or desktop.

In 2016, OCS refreshed its hardware used in the 1:1 program. Students from grades 3-12 were assigned individual Chromebooks and each classroom in grades K-2 was provided a cart of iPads. There were significant improvements provided by the 2016 refresh, including better performance, better security and greater ease of device management.

The end of reasonable life for the devices purchased in 2016 has arrived. These devices have served students and staff well, but increasing hardware failure rates, the concomitant expiration of the warranty coverage and general expectations for device longevity have the District in need of device replacement for students and staff.

With the unexpected coronavirus crisis and its significant impacts on instruction and operations, the District is more reliant than ever on reliable and portable technology for students and staff. Consequently, the need to ensure individually assigned technology is available to ALL students, including K-2, is acute. Similarly, staff reliance on portable technology to ensure remote work is efficient and effective has been increased significantly in this crisis.

Working closely with the District's legal counsel, the District's Information Technology staff developed a Request for Proposals (RFP) to solicit bids in accordance with State and District purchasing requirements. The RFP sought bids on 8,000 Chromebooks for students in grades 1-12, including loaner equipment and 1,000 Windows laptops for all staff assigned computers to perform their work. Kindergartners will use repurposed iPads the District already has. The RFP also required accidental damage coverage to ensure the equipment would be continuously maintained for the next four years.

Three vendors responded to the RFP. The evaluation criteria listed in the RFP were used to determine the best responsive bid. Based on the evaluation criteria, the District's Information Technology staff recommended CDW-G as the vendor to receive the award. While the price difference between the two lowest bidders is slight, the staff device being proposed by the lowest bidder is nearly a half a pound heavier than the device proposed by CDW-G. In the evaluation, teachers unanimously indicated that weight was a significant factor for them, particularly if they were to use these devices in tablet mode while roaming the classroom. During the Orange County Board of Education's June 22, 2020 Work Session, the Board unanimously approved the selection of CDW-G as the vendor, as well as approving J.P. Morgan as the financing institution for the purchase.

FINANCIAL IMPACT: The total purchase cost is \$4,516,816.75. The district is utilizing currently available funds of \$1,516,816.75 from its Article 46 Sales Tax Technology project and School Capital Technology project towards the purchase. This leaves a balance of \$3,000,000, which will be installment financed with J.P. Morgan over a four (4) year period, with annual installment payments of \$771,116.94 over the fiscal years of 2020-21 through 2023-24. Article 46 Sales Tax proceeds would be used to cover the required annual installment payments of \$771,116.94, and are included in the Orange County Schools Technology Plan project within the County's Capital Investment Plan.

RES # 2020-042

RESOLUTION

**ORANGE COUNTY BOARD OF COMMISSIONERS
ORANGE COUNTY, NORTH CAROLINA**

WHEREAS, the Orange County Board of Education wishes to enter into a continuing contract for financing with J.P. Morgan, LLC pursuant to N.C. Gen. Stat. § 115C-528 for the purchase of certain computer hardware, software, and related equipment to be used for public school purposes; and

WHEREAS, the contract will require the Board of Education to pay J.P. Morgan up to \$3,084,467.76 over the 2020-21, 2121-22, 2022-23, and 2023-24 fiscal years; and

WHEREAS, the Board of Education will pay J.P. Morgan in approximate installments of \$771,116.94 in the 2020-21 fiscal year, \$771,116.94 in the 2021-22 fiscal year, \$771,116.94 in the 2022-23 fiscal year, and \$771,116.94 in the 2023-24 fiscal year; and

WHEREAS, the contract may be a continuing contract for capital outlay subject to the provisions of N.C. Gen. Stat. §§ 115C-441(c1) and 115C-528, including the approval of the Orange County Board of Commissioners.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Orange County Board of Commissioners agrees to appropriate sufficient funds to the Orange County Board of Education in ensuing fiscal years to meet the J.P. Morgan contract obligations so long as the amount the Board of Education shall be obligated to pay under that contract shall be generally equal to the amounts noted above. Said funds shall be a part of, and not in addition to, regular appropriations made to the Board of Education. Said funds obligated by this contract for fiscal years 2020-21, 2021-22, 2022-23, and 2023-24 shall be budgeted by the Board of Education for this purpose, and the Orange County Board of Commissioners shall not be obligated to increase its annual appropriation to the Orange County Board of Education by the amount due under the contract.

Todd Jones, OCS Chief Technical Officer, introduced himself.

Commissioner Dorosin said he has a lot of concerns about student privacy; what type of monitoring the schools do; the type of privacy waiver students are expected to sign; and any disciplinary measures that can be taken based on off site usage. He said if staff cannot respond tonight, he would like detailed answers to be sent afterwards.

Todd Jones said all of the data storage provided by OCS is cloud based, and there are strict protections on access to that student data. He said this cloud provider is very familiar with the K-12 space.

Todd Jones said the student's devices go through a filtering system to insure that inappropriate content is not being accessed. He said the monitoring system is hosted by MCMC, a state organization that provides computing service throughout the state for schools and local government. He said the schools do not proactively comb the data, but rather look to classroom teachers to monitor in the classroom, and teachers can request audits of the websites being accessed by students. He said principals and the CTO also have the right to review the data. He said student technology still authenticates through the districts filters, regardless of the location of the device.

Commissioner Dorosin asked if there is a written policy that the district can share.

Todd Jones said OCS has policies for students and teachers usage of computers, and he will share them with the Orange County Board of Commissioners.

A motion was made by Commissioner Bedford, seconded by Commissioner Price for the Board to adopt the resolution approving the financing agreement and authorize the Chair to sign the resolution regarding the agreement between Orange County Schools and J.P. Morgan for the purchase of computers for students for FY 2020-24 to replace outdated and out of warranty equipment using a sustainable and predictable funding model.

Commissioner Bedford expressed gratitude to both school boards for their service as they develop plans for re-opening. She said the BOCC is here to support the schools, and she is glad for the flexibility offered in the plans.

Commissioner Price asked if the cost of maintenance could be further explained.

Todd Jones said maintenance costs are included. He said the district has opted for accidental damage coverage, given the rough and tumble world of K-12. He said this allowed the district to forego additional charges, and leveled the playing field with fines etc. He said this helped move the district forward in its equity goals.

VOTE: UNANIMOUS

4. Adjourn

A motion was made by Commissioner Bedford, seconded by Commissioner Price for the Board to adjourn the meeting at 7:29 p.m.

VOTE: UNANIMOUS

Penny Rich, Chair

Donna S. Baker
Clerk to the Board

Submitted for approval by David Hunt, Deputy Clerk to the Board.