

**MINUTES OF BOARD OF COUNTY COMMISSIONERS
OF GUILFORD COUNTY
WORK SESSION**

The Board of County Commissioners
met in a duly noticed Work Session on November 14, 2017 at 1:00 P.M.
in the Blue Room, 301 West Market Street, Greensboro NC.

Present: Chairman Jeff Phillips; Vice Chairman Alan Branson; Commissioners Justin Conrad, Alan Perdue (via Telephone), Katie “Kay” Cashion; Melvin “Skip” Alston (left at 3:12 P.M.); Carolyn Q. Coleman; Hank Henning (left at 2:30 P.M.).

Absent: Commissioner J. Carlvena Foster

Also Present: County Manager Marty Lawing, Deputy County Manager Clarence Grier, County Attorney Mark Payne; Clerk to Board Robin Keller, members of the community, and members of the Media.

1. WELCOME AND CALL TO ORDER

Chairman Phillips called the meeting to order at 1:03 P.M., and stated that he would be reordering the items to be discussed.

1. CONSIDERATION OF GUILFORD COUNTY FAMILY JUSTICE CENTER – HIGH POINT EXPANSION

Commissioner Cashion read the motion to the Board, and spoke to the previous work session and the failure to make a motion.

Commissioner Cashion motioned, Commissioner Henning seconded to approve moving forward with Guilford County FJC expansion into High Point including the following 2017-2018 budget amendments:

- 1. Increase both Appropriated Fund Balance and the Family Justice Center budget by \$53,227 and authorize the creation of the following three new positions for a Family Justice Center in High Point – a Client Services Coordinator (January 2018 start date), an Administrative Assistant (May 2018 start date), and a Navigator position (May 2018 start date). Recruitment processes and timelines will allow for the department to fill the positions by the stated start dates.**
- 2. Increase both Miscellaneous Revenues and the Family Justice Center budget by \$30,000 to reflect the appropriation of funds expected to be received from High Point for preliminary design work for the new center.**

Motion Passes 8:0

Absent:

Commissioner Foster

Commissioner Cashion spoke to the benefits of the Family Justice Center (FJC), and shared the details that support an FJC location in High Point.

Chairman Phillips thanked the Board for their collaboration to ensure a second location of the FJC in High Point. He also extended thanks to, FJC Director, Catherine Johnson for her continued efforts.

Ms. Johnson thanked the Board and their collaboration with High Point.

Commissioner Coleman emphasized the need for a diverse staff to represent the community in the FJC in High Point.

Commissioner Conrad noted the lack of High Point City Council representatives in attendance today as troubling and problematic. He expressed frustration as this project directly impacts the lives of citizens, and the lack of prioritization from the High Point leadership.

Chairman Phillips recognized the challenges that continue to face the FJC, and emphasized the efficacy of the FJC to positively impact the lives of County citizens, and emphasized that he was looking forward to partnering with the High Point council to work together collaboratively.

Commissioner Alston spoke to the Health and Human Service Advisory Board, which required Board approval to amend the budget as appropriated.

Ms. Johnson spoke to an upcoming conference and the opportunity to collaborate with High Point in the future. Johnson listed a diverse group from different communities, and recognized the social services in attendance.

Commissioner Alston motioned, Commissioner Henning seconded to appropriate the grant.

Motion carries: 8:0

Absent: Commissioner Foster

3. MWBE PROGRAM UPDATE

County Manager Marty Lawing introduced the item and provided additional background.

Susan Crotts, Purchasing Director, reviewed the report and thanked the Board for their audience. She highlighted the packets and outlined a Power Point Presentation (PPP). Crotts elaborated the details of the report, and stated that the report was tailored to address the inquiries the Board had made from a previous regular meeting update.

Shelia Willett, Purchasing, spoke to the centralized bidder registration system that ensures that all vendors possess a diversity code, and reviewed the previous system its faults. Ms. Willett spoke to the diversity program initiatives.

Ms. Crotts outlined the payment reporting structure. She emphasized the list of disparate services among the county. She spoke to the architectural and engineering services as professional services. She spoke to the previous MWBE services and that those services were state-mandated services. She

reviewed the differences between daycare and room and board equal opportunity. The report provides a general overview of all bids in diversity. She outlined the summary of payments by purchasing programs. Crotts outlined the diversity goals and program initiatives. Crotts stated that the County worked to find a different rate for daycare and room and board. She stated that the portion was not previously in place, and emphasized a number of graphs and statistics that highlight the differences.

Commissioner Coleman spoke to the high number of white males that continue to dominate the County's contracted firms. She asked about architects, and how the present system adds to the disparity of ethnicity. She stated that she had not heard of a law that stipulates the hiring of a firm with two architects on staff.

Ms. Crotts clarified that the architects and engineers portion would be discussed in the next item on the agenda, and continued to outline the number of payments received by diverse firms.

Commissioner Coleman asked Mr. Lawing about the 41%, and the requirement of two architects as the dominant professional services. She stated that it was a disservice to MWBE. She stated that the County needs to address the architect and engineer requirements.

Chairman Phillips stated that the Board would return to that topic soon.

Commissioner Alston asked for a breakdown on where the allocated 3.2M was expended.

Ms. Crotts provided a detailed breakout of the services and the allocation of funds depleted. She emphasized that 43,000 payment records were analyzed to obtain the 3.2M number. Crotts provided an overview of the state requirements for purchasing and bidding.

Ms. Willett stated that it was her responsibility for combing the bid applications to identify problematic numbers concerning diversity.

Commissioner Alston discussed the 10% standard of MWBE set in every application, and clarified what was evaluated.

Ms. Crotts reiterated the bid process, and stated that they are recommending the tracking of payments in the future to ensure diversity.

Robert McNiece, Facilities/Parks and Rec Director, stated that, from the payment end, diversity is already being tracked.

County Attorney Mark Payne reiterated McNiece's statement, and elaborated on the tracking of payments, and the subsequent long timelines for payment to reach contractors.

Commissioner Henning left the meeting at 2:30 P.M.

Commissioner Conrad left the meeting at 2:31 P.M.

Deputy County Manager Clarence Grier spoke to the transition of programs and getting the tracking connected between payment and purchasing. Grier stated that it was the County's goal to create an effective system. He emphasized that the Purchasing Department has provided a thorough scrub of the data to ensure that every vender is classified and tracked appropriately.

Chairman Phillips stated that they would need to move forward to remain on time.

Commissioner Conrad returned at 2:34 P.M.

Ms. Willett provided additional background regarding her part of the vendor vetting process; initiatives and outreach; and spoke of the upcoming workshop for HUB certification.

Ms. Crotts outlined the recommendations and reporting. She spoke to policy and technology updates. She stated the need to formalize an outreach and engagement plan. Provide notice and set a public hearing to adopt verifiable goals for construction projects estimated to cost \$300,000 or more.

Commissioner Coleman inquired about how the directors are evaluating purchasing.

Chairman Phillips spoke to the 16% MWBE total that the county has established and exceeded the state's goal of 10%.

Ms. Crotts stated that the goal setting aspirational and no authority is enforcing the goals.

Commissioner Coleman said the goal should be reachable regardless of region.

Commissioner Alston motioned, Commissioner Cashion seconded, to support staff to formalize an outreach engagement plan.

Motion passes 7:0

Absent:

Commissioners Henning and Foster

Chairman Phillips motioned, Commissioner Alston seconded to direct staff to proceed and prepare with establishing a public hearing.

Motion passes 7:0

Absent:

Commissioners Henning and Foster

4. REVIEW OF ARCHITECTS AND ENGINEER REQUIREMENTS

Robert McNiece, Facilities/Parks and Rec Director, presented the item, and outlined the HUB architects in use by the County. He stated that the County required two architects on all projects over \$500,000, however, noted that 80-90% were all under the \$500K.

Commissioner Henning returned at 3:00 P.M.

Commissioner Coleman inquired about the County requirements to hire firms that have two architects on staff.

Mr. McNiece elaborated that the County had changed the requirement to include a joint venture between two contracting firms. He spoke to the final changes, and stated that by removing the second architect requirement did not deliver any change to the bidding process.

Mr. Lawing spoke to the requirements and noted that at least one architect was needed, but potentially two separate firms could team-up with an engineer if neither firm has one on staff. He stated that staff are comfortable and prepared to remove the barrier for the County's requiring two licensed architects for bid submittal. Lawing did note however, that there was some risk of delays should an architect drop out. He shared that the previous policy had been created to protect the County from losing an architect midway through the project.

Commissioner Coleman expressed frustrations as to staff changes to the request for qualifications after several bids had been awarded. She spoke to the future inclusion of vendors, and to the architects present at the joint construction facilities meeting in August 2017. She stated that the meeting indicates there are minority architects available.

Ms. Crotts noted that the award must be granted to the most responsible, qualified bidder.

Mr. Lawing stated that the RFQ is taken into account.

5. ELECTRONIC LEGAL NOTICE UPDATE

Robin Keller, Clerk to the Board, provided an overview of the new NC General Assembly Session Law 181. She introduced members of staff included in rolling out the several phases of the project; the phases of the project that would be implemented initially. She discussed the estimated associated costs that the County would save, and emphasized that savings would also derive from other municipalities posting on the County website. She reviewed the law and the requirements of the County in order to effectively roll-out each phase. She stated that there has been interest from County municipalities that would like to utilize the County website. She elaborated the remaining phases including the hiring of new staff members to facilitate new roles in order to ensure organization and effective implementation. Keller outlined the project cost estimates that include the cost of the new hires. She emphasized the costs to the County during the first two phases would be cumbrous, but emphasized that immediate cost savings of phase three would benefit the County.

Commissioner Alston asked how it was determined that the phases were to be implemented. He asked if the County could opt-out of the municipality portion of the phase, which threatens to place the most cost on the County, and since the cost to post to the website is \$10, an option to opt-out would be in the County's interests.

Ms. Keller reviewed the overall process, and emphasized that the first phase could be implemented as soon as January 2018.

County Attorney Mark Payne stated that it was within the County's purview to implement phases as needed or determined.

County Manager Marty Lawing reiterated Payne's statement, and recommended the County to proceed with the plan as is.

Chairman Phillips stated that the concern was a good concern, and more clarification should be sought regarding the overall costs to the County before implementation in order to minimize costs on the County.

Commissioner Henning stated that it was a public service, but addressed the expenses to the County incorporating municipalities.

Commissioner Coleman stated that as a public service, it is taking away from private business and media entities.

Commissioner Henning stated that it was the right thing to do for the County, and emphasized that many in the County are not receiving information regarding public notices.

Ms. Keller delineated between the efficacy of posting to the media entities versus utilizing the County website, and noted further that by publishing solely to the County website provided greater public outreach and wider transparency for County information.

Commissioner Coleman asked how many hits the County website receives per month.

Hemant Desai, Information Technology Director, stated that during the months of August and September, the County website incurred 20K hits.

Discussion ensued among the Board regarding the implementation timeline, and the cost to benefit ratio of the ordinance.

Mr. Desai spoke to the first phase of the project, and the ease of implementing the phases; however, expressed concern regarding the third phase and the current challenge for accepting payments.

Chairman Phillips spoke to the present staffing constraints, and the stress that would put on staff, and the need to hire a part time individual to alleviate the challenges of implementing the third phase. He expressed caution regarding the costs wrapped up in the project over time.

Commissioner Alston reiterated that the County objective was to save the taxpayer money, and provide an effective public service across the County.

Commissioner Coleman stated that she was not convinced it would save money.

Ms. Keller elaborated on the overall costs for publishing notices in newspapers. She discussed the ambiguity among the citizenry who do not receive, or have regular access to, the one or two

newspapers the County publishes notices in at present. She noted that by providing citizens with a central, all-inclusive place to receive latest information regarding the County was imperative.

Commissioner Henning asked if the Board would be voting on this item today.

Ms. Keller stated that the reason for the initial meeting is to decide whether to move forward with the ordinance. She said that by December 1, the County needed to have an ordinance prepared for passage.

Chairman Phillips spoke to the specificity of the ordinance and the phases.

Mr. Payne provided background on the law and stated that the ordinance phasing could be negotiated.

Commissioner Henning motioned, Commissioner Conrad seconded to set a public hearing on December 7th, 2017 to consider the adoption of E-Filing public notices

Motion Carries 7:1

Commissioner Coleman abstained

Absent:

Commissioner Foster

Ms. Keller presented a template of the software that will facilitate the new process.

Commissioner Coleman inquired about why a citizen would come to the County website for information, as opposed to going to a newspaper. She claimed that more people are apt to go to the newspaper for information than they are to the County website.

Ms. Keller reviewed upcoming improvements and the efficacy of posting notices to the County website.

Mr. Desai provided additional information for how the County information will be expedited to citizens through the website.

Commissioner Alston asked about zoning posting on property, and how the County's procedure for posting zoning notices would be impacted.

Ms. Keller stated that the ordinance exempts the County from zoning notices, and resume as business as usual.

Chairman Phillips emphasized that the projected January 8th timeline was a good date to get started.

6. CAPITAL PROJECTS UPDATES

Mr. McNiece spoke to the capital projects: Guilford County Law Enforcement Center Building (LEC) renovations, Old Courthouse renovations, the Animal Shelter, and others.

Commissioner Coleman asked about space in the LEC

Mr. McNiece spoke to the space in the LEC, and emphasized the designs to maximize space without neglecting efficiency.

Chairman Phillips asked about moving to the third floor to utilize additional space.

Mr. McNiece provided information about moving to the third floor, and the need to maintain the space as a buffer for future expansion. He provided updates on: The Old County Courthouse renovations; Animal Shelter updates; HVAC in High Point Courthouse and Detention Facility; EMS Base Station; Guilford County/High Point Parking Deck; Independence Center Parking Deck; and the Guilford County New Courthouse HVAC.

Mr. Lawing discussed concerns with the Edgeworth Street building. He stated that there was not anyone interested in the building at present.

Staff discussed options for the Probation and Parole staff.

Mr. McNiece stated the Edgeworth building contained several construction issues. He provided an update on the Old County Courthouse renovation project, and stated that the replacement terracotta could take up to six months with a completion date scheduled for March 2019. He gave an update to the board on the HVAC updates in High Point at the Courthouse and the High Point Jail with expected completion in a few months. She shared that the EMS Base station was at 30% design for the project, and noted that the High Point Parking deck repairs have been completed with all spaces re-opened to the public. He shared that they are now working on automating parking management. He also noted that the Greensboro Parking deck project has also been completed.

Commissioner Cashion inquired about what would happen when the Juvenile Detention Center raises the age limit of the detainees it accepts, and how the population growth would impact the facility.

Mr. Lawing shared that there has been a state Department of Corrections meeting where the question had been raised if the State was planning to add new juvenile detention centers to the area. He was informed that a new detention center is going to be built in Rockingham County.

7. COMMISSIONER COMMENTS

Vice Chairman Branson presented a check for the GC DSS to Lawing.

8. ADJOURN

The Work Session adjourned at 3:40 P.M.

Chairman

Clerk to Board