

**MINUTES OF BOARD OF COUNTY  
COMMISSIONERS  
OF GUILFORD COUNTY**

Greensboro, North Carolina  
August 6, 2020

The Board of County Commissioners met in a duly noticed regular meeting on August 6, 2020 at 5:30PM, in the Commissioners' Meeting Room, 301 W. Market St., Greensboro, North Carolina.

PRESENT: Chairman Jeff Phillips, presiding; Vice Chairman Alan Perdue; Commissioners Alan Branson, Carolyn Q. Coleman (joined at 6:01PM), J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion and Melvin "Skip" Alston. All Commissioners participated via virtual communication.

ABSENT: None.

ALSO PRESENT: County Manager Marty Lawing; County Attorney Mark Payne; Deputy County Manager Clarence Grier; Clerk to Board Robin Keller; Ariane Webb, Deputy Clerk to Board; Jessica Wolf, Deputy Clerk to Board; Worley Smith, Communications Manager; Felicia Reid, DHHS-Public Health Division; Hemant Desai, Information Services Director; Dan Durham, Facilities/Property Management/Parks Director; Cynthia Barnes-Phipps, MWBE Program Director; members of staff and media. All staff and media participated via virtual communication. Virtual participation was made available to the public.

**I. INVOCATION**

Board Chaplin Ben Chavis offered the invocation.

**II. PLEDGE OF ALLEGIANCE**

Chairman Jeff Phillips led those present in the Pledge of Allegiance.

**III. WELCOME AND CALL TO ORDER**

Chairman Phillips welcomed those present and participating virtually, and called the meeting to order at 5:38PM. He introduced the addendum to the agenda for Board consideration.

**There being no objections, the Board approved the addendum to the agenda by general consensus.**

#### IV. SPEAKERS FROM THE FLOOR

Laura Way, President of Arts Greensboro, thanked the Board for their support and grant opportunities. She spoke to the impact of COVID-19 on the arts community in Guilford County, referencing the cancellation of the John Coltrane Festival, and spoke to the efforts of Emergency Management Director Don Campbell, who will present to their group next week regarding grant opportunities available through the county's allocation of CARES Act funding.

#### V. PRESENTATIONS

A. 2020-332 RESOLUTION HONORING THE LIFE OF CONGRESSIONAL REPRESENTATIVE JOHN LEWIS

Adopt Resolution Honoring the life and memory of Congressional Representative John Lewis.

#### Legislation Text

Commissioner Melvin "Skip" Alston read the resolution into the minutes and noted that the words in the resolution are insufficient to recognize all of Congressman Lewis' accomplishments and the impact he had upon the nation.

Chairman Phillips expressed his appreciation for the life and legacy of Congressman Lewis.

#### VI. CONSENT AGENDA

Chairman Phillips questioned if the Board wished to pull any items from the consent agenda. Commissioner Alan Branson requested item A.2. pulled from the consent agenda for further consideration.

**Motion was made by Vice Chairman Alan Perdue, and seconded by Commissioner Hank Henning to adopt the consent agenda.**

|                |   |
|----------------|---|
| <b>VOTE:</b>   | <b>Motion carried 8 - 0</b>   |
| <b>AYES:</b>   | <b>Jeff Phillips, Alan Perdue, Alan Branson, J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion, Melvin "Skip" Alston</b> |
| <b>NOES:</b>   | <b>None</b>   |
| <b>ABSENT:</b> | <b>Carolyn Q. Coleman</b>   |

**A. CONTRACTS**

1. 2020-322 DHHS-PUBLIC HEALTH DIVISION: WAKE FOREST UNIVERSITY HEALTH SCIENCES - ANTIMICROBIAL-RESISTANT GONORRHEA CONTRACT - \$408,620

Approve contract with Wake Forest University Health Sciences, in substantial form, in the amount of \$408,620, to be effective for the period June 1, 2020 to May 31, 2021.

[Legislation Text](#)

[Wake Forest Contract-Antimicrobial Resistant Gonorrhea FY21](#)

**Removed for Further Consideration**

2. 2020-324 APPROVE INTERLOCAL AGREEMENT BETWEEN DHHS-PUBLIC HEALTH DIVISION AND GUILFORD COUNTY BOARD OF EDUCATION

*Approve Interlocal Agreement, in substantial form, between DHHS-Public Health Division and Guilford County Board of Education for school nurse services in Guilford County Schools effective July 1, 2020 through June 30, 2021.*

[Legislation Text](#)

[GCS Contract 2020-2021](#)

3. 2020-325 CONTRACT WITH THE CITY OF GREENSBORO FOR HAZARDOUS MATERIALS RESPONSE

Approve contract, in substantial form, with the City of Greensboro for hazardous materials response to all contracted areas of Guilford County, to be effective July 1, 2020 for an initial term of three (3) years with two (2) one-year renewals.

[Legislation Text](#)

[Proposed HM agreement with GFD for FY21](#)

4. 2020-327 INFOR SOFTWARE AS A SERVICE SUBSCRIPTION RENEWAL

Approve, in substantial form, renewal of Software as a Service (SaaS) subscription agreement with Infor in the amount of \$472,500.01, starting from September 1, 2020 through August 31, 2021.

[Legislation Text](#)

[CM 2341 - INFOR INC](#)

**B. MISCELLANEOUS**

1. 2020-316 RECEIPT OF THE 2020-2021 GOVERNOR'S HIGHWAY SAFETY BIKE SAFE GRANT

Approve the receipt of the 2020-21 North Carolina Governor's Highway Safety Bike Safe Grant in the amount of \$5,000 and adopt the accompanying local government resolution.

[Legislation Text](#)

[\\$5,000 20-21](#)

2. 2020-317 RECEIPT OF THE 2020-2021 GOVERNOR'S HIGHWAY SAFETY DWI TASK FORCE AND DWI EDUCATOR GRANT

Approve the receipt of the 2020-21 Governor's Highway Safety DWI Taskforce and DWI Educator Grant totaling \$558,114 with \$139,529 in Federal/State revenue and a required 75% local match of \$418,585 which will be shared by the Guilford County Sheriff's Office (\$291,085) and the High Point Police Department (\$127,500); approve the accompanying local government resolution for the grant.

[Legislation Text](#)

[\\$139,529 20-21](#)

3. 2020-318 RECEIPT OF THE 2020-2021 GOVERNOR'S HIGHWAY SAFETY PROGRAM LAW ENFORCEMENT LIAISON GRANT

Approve the receipt of the 2020-21 Governor's Highway Safety Law Enforcement Liaison Grant in the amount of \$25,000 and adopt the accompanying local governmental resolution.

[Legislation Text](#)

[\\$25,000 20-21](#)

4. 2020-315 RECEIPT OF THE 2020-2021 GOVERNOR'S HIGHWAY SAFETY MULTI-AGENCY DWI TASK FORCE GRANT

Approve the receipt of the 2020-21 Governor's Highway Safety Multi-Agency DWI Taskforce grant totaling \$155,940 with \$132,549 in Federal/State revenue and a required 15% local match of \$23,391, and approve the accompanying local government resolution for the grant. This grant will be used to maintain funding for two existing grant-funded Deputy Sheriff positions.

[Legislation Text](#)

[\\$132,549 20-21](#)

5. 2020-326 APPROVAL OF MINUTES

Approve the following sets of minutes:  
07/16/2020 Recessed Regular Meeting  
07/17/2020 Reconvened Regular Meeting

[Legislation Text](#)

[dm071620](#)

[dm071720\\_Reconvened Mtg](#)

**ITEM REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION**

A.2. 2020-324 APPROVE INTERLOCAL AGREEMENT BETWEEN DHHS-PUBLIC HEALTH DIVISION AND GUILFORD COUNTY BOARD OF EDUCATION

Approve Interlocal Agreement, in substantial form, between DHHS-Public Health Division and Guilford County Board of Education for school nurse services in Guilford County Schools effective July 1, 2020 through June 30, 2021.

[Legislation Text](#)

[GCS Contract 2020-2021](#)

Commissioner Alan Branson questioned if the school nurses are providing assistance in other areas of the county during the pandemic.

Felecia Reid, DHHS-Public Health Division, shared school nurses are currently working full-time in the Communicable Disease section to assist the county with COVID-19 positive cases contact tracing efforts. She noted that are also collecting information on all students with chronic needs.

**Motion was made by Commissioner Alan Branson, and seconded by Commissioner Kay Cashion to approve Interlocal Agreement, in substantial form, between DHHS-Public Health Division and Guilford County Board of Education for school nurse services in Guilford County Schools effective July 1, 2020 through June 30, 2021.**

**VOTE: Motion carried 8 - 0**  
**AYES: Jeff Phillips, Alan Perdue, Alan Branson, J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion, Melvin "Skip" Alston**  
**NOES: None**  
**ABSENT: Carolyn Q. Coleman**

## **VII. PUBLIC HEARINGS**

### **A. 2020-307 PUBLIC HEARING ON ECONOMIC DEVELOPMENT INCENTIVE GRANT TO PREPAC MANUFACTURING US LLC**

Pursuant to N.C.G.S. 158-7.1, hold a public hearing for the purpose of receiving public input on an economic development incentive grant in the amount up to \$597,286 to Prepac Manufacturing US LLC towards construction of a new US manufacturing location expected to generate approximately \$26.5 million in capital investment and 201 new full-time jobs.

### **Legislation Text**

Chairman Phillips reviewed the virtual public hearing requirements under Session Law 2020-3 and announced the Board would recess this meeting and reconvene on Friday, August 7 at 5:30PM for a final vote upon tonight's public hearing items. He provided virtual participation credentials for the meeting.

Commissioner Carolyn Q. Coleman joined the meeting via virtual communication at 6:01PM.

Brent Christensen, Greensboro Chamber of Commerce, introduced the agenda item. He shared this project will create 201 full-time positions over five (5) years with a capital investment of \$26.5 million within the community. Christensen shared there would be a variety of positions created, and noted the specific location under consideration is in the Rock Creek community. He stated the requested incentive grant of \$597,286 is based upon 80% tax collection over seven (7) years.

Commissioner Kay Cashion questioned if they are leasing or buying the space.

Christensen clarified they are leasing an existing facility.

Commissioner Justin Conrad questioned the potential fire safety concerns associated with the location of the facility and if the site was located within the city limits of Greensboro. He questioned if the City was participating in the incentive.

Christensen stated that the site is not located within the city limits and would not participate in the incentive agreement, but they will provide water and sewer services. He shared he would provide the Board with information on which entity provided fire service to this area.

Jim Mathison with Prepac Manufacturing US LLC expressed his appreciation for the Board's consideration of the economic development incentive in support of the company's US expansion project.

Commissioner Branson clarified the Mount Hope Fire District would provide fire service to this location.

Commissioner Conrad spoke to the need to potential concerns fire protection services if the area is annexed into the city of Greensboro.

Christensen noted the long-standing agreement that this area will not be annexed by the city of Greensboro.

Brent Christensen shared that there is a long-standing agreement that that area will not be annexed.

Mr. Mathison stated the company is considering signing a long-term lease for an existing property, and spoke to the significant amount of equipment that would be placed in the facility as indicative of the long-term investment the company will make in the area.

Clerk to Board Robin Keller confirmed no citizens were present in-person or virtually to speak during the public hearing, nor were any written comments received regarding the hearing. She noted the Clerk's office would continue to receive comments for an additional twenty-four (24) hours following the hearing.

There being no in-person or virtual proponents or opponents, Chairman Phillips closed the public hearing.

## **VIII. NEW BUSINESS**

### **A. 2020-329 DELL / INTELLISITE THERMAL VISION SYSTEM**

Approve purchase of Dell / IntelliSite Thermal Vision system from Cumberland Group for total price not to exceed \$418,944.51, plus applicable sales tax. Price includes installation of 21 Camera systems in six (6) county locations, Dell GPU Server, configuration and training.

[Legislation Text](#)

[Guilford County Thermal Vision Quote 7-24-2020](#)

[Guilford County Thermal Vision Block Diagram v1](#)

[Dell Technologies Thermal Vision Solution Overview](#)

Hemant Desai, Information Services Director, introduced the agenda item and discussed the need for thermal cameras to detect body temperatures of visitors to high volume buildings such as, the County Courthouses, Public Health and Social Services facilities. He spoke to the benefits of the two-part system and noted the county is proposing installing the twenty-one (21) cameras at six (6) locations: the Greensboro and High Point Courthouses, both Public Health and Social Services locations. Desai stated the hardware will help reduce the number of paid staff currently deployed to take visitors body temperatures using handheld devices.

Commissioner Coleman questioned the cost of the equipment and the protocols in place if a visitor with a high body temperature is detected upon entry.

Desai discussed the current protocols and noted policies must be constantly reviewed to ensure the County is in compliance with CDC guidelines. He stated the total cost is \$418,944.51, which includes the cost of cameras, access to software licensing in different locations and a full year of support from the vendor.

Commissioner Coleman questioned if the purchase of the system would be the best use of funding, given the uncertain nature of the virus.

Desai shared that staff have discussed the potential longevity of the system. He noted that the body temperature software is independent of the hardware and, after one-month, if there is no need to check body temperatures the cameras can be used solely for security purposes, with an option to reactivate the body temperature check software, if needed in the future.

**Motion was made by Commissioner Melvin "Skip" Alston, and seconded by Vice Chairman Alan Perdue, to approve purchase of Dell / IntelliSite Thermal Vision system from Cumberland Group for total price not to exceed \$418,944.51, plus applicable sales tax. Price includes installation of 21 Camera systems in six (6) county locations, Dell GPU Server, configuration and training.**

Commissioner J. Carlvena Foster questioned the locations of the cameras throughout the county.

Desai stated approximately thirteen (13) of the twenty-one (21) cameras will be placed at entrances in the Greensboro and High Point County Courthouses, with the remaining cameras located at the Public Health and Social Services buildings in Greensboro and High Point.



Commissioner Foster shared she has seen these cameras in action at the High Point City Academy and Phoenix Academy, and expressed her support for the technology. She questioned where the data and notifications would be housed.

Desai shared this information will be sent to a monitoring station, which could be manned by Security staff via a standard personal computer, laptop or tablet, and noted this information could be viewed remotely by staff working from home. He confirmed the data would be sent as an alert via email to any designated staff on the network.

Commissioner Alston shared his attendance at the demonstration for the equipment and noted that, while it is not perfect, it is a tool that can be used detect body temperatures, but not the virus. He discussed the flexibility of the system and noted that there is still a need to man the monitoring system and assist visitors identified with high body temperatures. Alston confirmed this is an authorized expenditure of CARES funding.

Chairman Phillips questioned the number of staff taking temperatures at high traffic entrances.

Desai stated Social Services currently utilizes seven (7) people on a rotating basis to conduct temperature checks, while Public Health utilizes four (4) staff, and noted these numbers could change based upon plans to reopen the buildings to a larger number of visitors.

Chairman Phillips spoke to the potential decrease in staffing needs with implementation of the system. He clarified the system measures core body temperature, which is a more accurate measurement than that given by handheld thermometers.

Desai spoke to the false-positive error rates for both types of temperature checks.

Chairman Phillips discussed the importance of the system as a frontline effort to assist with virus detection. He questioned the cost per camera.

Desai stated the cost of each camera is approximately \$9,500.

Chairman Phillips questioned the capacity of the system to support additional cameras.

Desai shared the system has the potential to support between fifty (50) to sixty (60) cameras.

Commissioner Coleman expressed concern that the CARES funding will be spent more liberally than county dollars, and shared her preference to use the funds towards school reopening needs versus courthouse expenses. Coleman encouraged the Board to consider the potential changes that could impact the virus in two (2) to three (3) months before making a decision.

**Motion was made by Commissioner Melvin "Skip" Alston, and seconded by Vice Chairman Alan Perdue, to approve purchase of Dell / IntelliSite Thermal Vision system from Cumberland Group for total price not to exceed \$418,944.51, plus applicable sales tax. Price includes installation of 21 Camera systems in six (6) county locations, Dell GPU Server, configuration and training.**

**VOTE: Motion carried 8 - 1**  
**AYES: Jeff Phillips, Alan Perdue, Alan Branson, J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion, Melvin "Skip" Alston**  
**NOES: Carolyn Q. Coleman**

**B. 2020-330 MODIFIED RESOLUTION - HEALTH CARE COVERAGE FOR RETIRED GUILFORD COUNTY EMPLOYEES**

Approve amendment to the attached resolution and authorize staff to take all necessary steps to implement revisions as is appropriate

[Legislation Text](#)

[Draft Retiree Resolution August 8, 2020 revision for 30 year rehires with VER Excluded](#)

This item was postponed to later in the meeting to address staff technical issues.

**C. 2020-334 AMEND THE COMMUNITY LIFELINE SUPPORT DIVISION OF THE CARES ACT FUNDING PLAN TO RE-ALLOCATE \$500,000 FOR THE GUILFORD COUNTY NON-PROFIT ARTS ORGANIZATIONS**

Approve an Amendment to the CARES Act Funding Plan by Reallocating \$500,000 from the Community Lifeline Support Division of the Plan for a Non-profit Arts and Culture Organization Grant Program.

[Legislation Text](#)

[ARTS Greensboro](#)

County Manager Marty Lawing introduced the agenda item and noted the request was received from Arts Greensboro and High Point Arts Council to establish a non-profit arts and culture organization grant program. He noted that, if approved, the program would be similar to the county's existing non-profit grant program with a joint committee of members from both organizations reviewing applications and providing recommendations to the county. Lawing shared the initial allocation to the program would be \$500,000 from the \$7.5 million Community Lifeline allocation of the CARES Act Funding Plan. He noted approximately \$2.2 million has been awarded to non-profit organizations.

Commissioner Cashion noted the economic impact of the arts community is sometimes overlooked and noted this is another segment of our community that we have an opportunity to help. She shared these types of grant programs are being established in cities across the country and Guilford County has the opportunity to be the first county to implement a program of this type. Cashion expressed her hope the Board would support this item.

Commissioner Foster questioned the remaining funding in the Community Lifeline Support Division and questioned if this was the same source of funding for program administered by United Way. She spoke to ongoing conversations with Guilford County Schools (GCS) and non-profit agencies that are working to support students through remote and virtual learning, and questioned if the Board would consider allocating additional funds to these non-profit agencies, as well.

Lawing stated that, to date, \$2,257,000 of the non-profit allocation has been awarded. He noted staff anticipate awarding the full \$2 million allocation to fire departments and a little less than \$2 million has been given to assist with homeless needs. Lawing stated approximately \$2.7 million remains in the Community Lifeline Plan.

Commissioner Coleman requested a review of the potential expenditures these grant funds would cover for non-profit arts and culture organization programs, and questioned if there is another source of funding for this program, as there is a need allocate these dollars towards programs that address the basic needs of citizens, specifically food.

Chairman Phillips spoke to the guidance governing the allocation of these funds and clarified the remaining balance in the Community Lifeline Plan allocation if the item is approved. He noted the Board will continue to consider each need that is presented.

Commissioner Coleman questioned if these organizations needed assistance paying building rent or employee salaries, and questioned the status of the plan contingency funding.

Commissioner Cashion spoke in support of the item and noted these arts organizations have been closed since March. She stated these employees and businesses require support to pay their bills and feed their families, as they are unable to work. Cashion noted this is another group of citizens that would not be able to access resources except through programs such as the county's grant opportunities. She shared there is sufficient funding to expand these programs, if needed.

Commissioner Branson urged the Board to consider student safety when sending children into certain areas for internet access to support remote learning. He questioned the status of the school reopening plan if funding is being used to support non-profit organizations that will assist with remote learning. Commissioner Branson noted that he was having difficulty hearing and that his questions were not answered, and was unable to support the motion until he got clarification.

Commissioner Foster spoke to the ability of non-profit organizations to serve students participating in remote or virtual learning in small-group settings, and noted there are several

areas in the community that still do not have internet access. She shared these non-profits will also provide services to students when, or if, they choose to return to the physical school setting.

The board continued to debate the item.

**Motion was made by Commissioner Kay Cashion, and seconded by Commissioner Melvin "Skip" Alston to approve an amendment to the CARES Act Funding Plan by reallocating \$500,000 from the Community Lifeline Support Division of the plan for a Non-profit Arts and Culture Organization Grant Program.**

**VOTE: Motion carried 8 - 1**  
**AYES: Jeff Phillips, Alan Perdue, Carolyn Q. Coleman, J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion, Melvin "Skip" Alston**  
**NOES: Alan Branson**

**B. 2020-330 MODIFIED RESOLUTION - HEALTH CARE COVERAGE FOR RETIRED GUILFORD COUNTY EMPLOYEES**

Approve amendment to the attached resolution and authorize staff to take all necessary steps to implement revisions as is appropriate

[Legislation Text](#)

[Draft Retiree Resolution August 8, 2020 revision for 30 year rehires with VER Excluded](#)

Carol Campbell, Human Resources Benefits Manager, introduced the item and noted this resolution will allow 30-year retired employees interested in returning to work with the county will be able to resume health insurance coverage upon their second retirement.

**Motion was made by Commissioner Melvin "Skip" Alston and seconded by Vice Chairman Alan Perdue, to approve amendment to the attached resolution and authorize staff to take all necessary steps to implement revisions as is appropriate.**

**VOTE: Motion carried 9 - 0**  
**AYES: Jeff Phillips, Alan Perdue, Alan Branson, Carolyn Q. Coleman, J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion, Melvin "Skip" Alston**  
**NOES: None**

D. 2020-333 AUTHORIZE GUILFORD COUNTY TO SERVE AS THE AGENT FOR GUILFORD COUNTY SCHOOLS TO PURCHASE COMPUTER DEVICES TO BE USED FOR DISTANCE LEARNING USING THE CORONAVIRUS RELIEF FUNDS IN THE AMOUNT OF \$10,675,000 INCLUDING SALES TAX.

Legislation Text

nolenl 200729-085242-f8e 10.45.91.100.pdf

GCS Bid Totals

**Motion was made by Melvin "Skip" Alston, and seconded by Commissioner J. Carlvena Foster to authorize Guilford County to serve as the agent for Guilford County Schools to purchase computer devices to be used for distance learning using the Coronavirus Relief funds in the amount of \$10,675,000 including sales tax.**

Lawing introduced the item and stated Guilford County Schools (GCS) has chosen to utilize Guilford County as the purchasing agent to take advantage of any sales tax reimbursement. He shared they have gone through the bidding process and selected the Lenovo Chromebook at a price of \$349.25, including sales tax. Lawing stated that this purchasing model will allow GCS to purchase 1,900 devices, and discussed the sales tax reimbursement request process.

Commissioner Alston questioned if any sales tax reimbursement for purchases made with CARES funding will have to be refunded to the federal government.

Lawing stated there has been no guidance on this at the time and shared that, based upon recent conversations, additional information may be forthcoming.

County Attorney Mark Payne stated that any sales tax reimbursements received from CARES funding purchases will be set aside until further guidance is provided from the federal government.

Commissioner Alston questioned who would reach out to the federal government for additional information.

Payne stated they will wait on additional guidance from the federal government, as the reimbursement will not be available until the follow fiscal year.

Commissioner Alston noted this is a unique situation and expressed his interest in seeking more immediate guidance from the federal government.

Commissioner Coleman questioned why GCS chose to purchase computer devices versus iPads or tablets.

Angie Henry, GCS Chief Financial Officer, stated they are purchasing age-appropriate devices, based upon feedback from their teaching and learning teams. She noted iPads have been identified as more appropriate for grades K-3 and these will be purchased with GCS CARES Act funding, and Lenovo Chromebook laptops and more appropriate, and will be provided, for grades 4-12. Henry confirmed they are purchasing laptops for grade 4-12 teachers and Macbooks for grade K-3 teachers, which will remain the property of the school system.

Commissioner Coleman questioned if insurance will be maintained on the devices.

Henry stated the purchase price includes a 3-year warranty on the Lenovo Chromebook and a 4-year warranty on the iPads, along with mobile device management, which will allow them to track devices remotely.

Commissioner Conrad requested clarification that this purchasing model will allow the county to save approximately \$600,000, but it is a purchase that GCS would move forward with, regardless.

Henry confirmed and noted that this model will allow GCS to purchase 1,900 computers with the county's sales tax reimbursement. She explained how the school system charges sales tax on these purchases to local dollars, to ensure reimbursement is not received on federal grant funds.

Commissioner Conrad acknowledged some concerns regarding the use of electronic devices during the prior school year, and noted that, regardless of the source of funding, the devices will be purchased with taxpayer dollars.

Commissioner Branson questioned remote learning opportunities for students without internet connectivity and questioned if any funding can be used to provide access to these students.

Henry shared they have received a grant to purchase 125 devices to create "Smart Buses" that can provide internet service, but noted they can only connect if there is a cell phone tower in range. She noted that these devices worked best in apartment complexes and would be used in urban areas. Henry shared external hotspots have been added to 24 schools for 24-hour internet access in school parking lots, and noted they may reopen certain school sites to allow students to access broadband services within the building for a portion of the day.

Commissioner Branson expressed his hope that broadband connectivity will be available to all students throughout the entire county.

Henry stated GCS is a member of a larger group made up of local universities and government that is exploring the potential to expand broadband availability throughout the county.

Chairman Phillips questioned if COVID relief funds can be used to support broadband connectivity efforts across the county.

Payne confirmed this would be a valid use of COVID funding.

Vice Chairman Perdue spoke to certain issues related to broadband connectivity, such as the availability of service providers in a certain area and the ability of residents in this area to pay for the service.

**Motion was made by Melvin "Skip" Alston, and seconded by Commissioner J. Carlvena Foster to authorize Guilford County to serve as the agent for Guilford County Schools to purchase computer devices to be used for distance learning using the Coronavirus Relief funds in the amount of \$10,675,000 including sales tax.**

**VOTE: Motion carried 9 - 0**

**AYES: Jeff Phillips, Alan Perdue, Alan Branson, Carolyn Q. Coleman, J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion, Melvin "Skip" Alston**

**NOES: None**

G. 2020-321 AUTHORIZE GUILFORD COUNTY TO SERVE AS THE AGENT FOR GUILFORD COUNTY SCHOOLS TO PURCHASE COMPUTER DEVICES TO BE USED FOR REMOTE LEARNING USING FUNDS THAT WOULD HAVE BEEN APPROPRIATED TO THE LOCAL CURRENT EXPENSE FUND IN THE AMOUNT OF \$5,000,000

Authorize Guilford County to Acquire Computer Devices Using \$5,000,000 of the FY 2020-21 Local Current Expense Allocation for Guilford County Schools.

#### [Legislation Text](#)

Chairman Phillips requested the Board move forward with the item as Ms. Henry was currently available to answer any questions.

**Motion was made by Commissioner Melvin "Skip" Alston, and seconded by Commissioner J. Carlvena Foster to authorize Guilford County to Acquire Computer Devices Using \$5,000,000 of the FY 2020-21 Local Current Expense Allocation for Guilford County Schools.**

Lawing introduced the item and reviewed the resolution approved by the GCS Board of Education requesting the County act as a purchasing agent for 5,290 laptops for staff using their current expense fund. He spoke to the county's ability to receive sales tax reimbursement of approximately \$337,500 on this purchase.

Chairman Phillips clarified these funds were approved by the Board with adoption of the FY 2020-21 budget, and the school system is would like to redirect operating funds towards the purchase of these computers.

Lawing confirmed.

Commissioner Conrad spoke to the potential weather-related issues that are impacting connectivity. He clarified the potential for savings associated with sales tax reimbursement with the County serving as purchasing agent.

**Motion was made by Commissioner Melvin "Skip" Alston, and seconded by Commissioner J. Carlvena Foster to authorize Guilford County to Acquire Computer Devices Using \$5,000,000 of the FY 2020-21 Local Current Expense Allocation for Guilford County Schools.**

**VOTE: Motion carried 9 - 0**

**AYES: Jeff Phillips, Alan Perdue, Alan Branson, Carolyn Q. Coleman, J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion, Melvin "Skip" Alston**

**NOES: None**

Chairman Phillips thanked Ms. Henry for joining the meeting.

**E. 2020-290 HIGH POINT MENTAL HEALTH HVAC RENOVATIONS PROJECT**

Approve the contract, in substantial form, with Bar Construction Company in the amount of \$703,000 for the High Point Mental Health HVAC Renovations project.

[Legislation Text](#)

[Contract Draft CM 2245 - Bar Construction 6-17-20](#)

[Event 681 - Certified Bid Tab Summary 050719](#)

[MWBE Memo 2020-0511 c3](#)

Dan Durham, Facilities/Property Management/Parks Director introduced the item and discussed the bid process.

**Motion was made by Commissioner Melvin "Skip" Alston, and seconded by Commissioner J. Carlvena Foster to reject all bids and rebid the project.**



Commissioner Alston spoke to the motion and reiterated his concerns with the lack of African-American vendor participation on the project. He discussed the reports received from three (3) African-American contractors solicited for HVAC services and noted these vendors reported they were not contacted regarding the bid. Alston urged the Board to reject this bid as Bar Construction did not make a “good faith” effort and rebid the process, as this amount of African-American participation is unacceptable.

**A Substitute Motion was made by Commissioner Alan Branson, and seconded by Vice Chairman Alan Perdue, to approve the contract, in substantial form, with Bar Construction Company in the amount of \$703,000 for the High Point Mental Health HVAC Renovations project.**

Commissioner Branson questioned the information initially received regarding bids from African-American vendors.

Cynthia Barnes-Phipps, MWBE Program Director, noted that she did speak in error during the last meeting, based on her misinterpretation of information received from the contractor. She shared that, subsequently, a more extensive review of the information revealed that the contractor did advertise with a minority media news outlet and contacted minority vendors. Barnes-Phipps shared that, in her professional opinion, Bar Construction did perform a good faith effort, in accordance with statutory requirements.

Chairman Phillips questioned if, in Ms. Barnes-Phipps professional opinion and based upon her estimation of the work completed in preparation for the July 16, 2020 regular meeting and since that time, has Bar Construction satisfied the good faith effort requirements and would she recommend awarding this contract to the contractor.

Barnes-Phipps confirmed that she would continue to recommend awarding the contract to Bar Construction and noted that they have reached out to MWBE vendors and have met the statutory requirements, though there are no African-American businesses participating on the project.

Commissioner Coleman expressed her concerns with the lack of support for the county’s MWBE initiatives. She urged the Board to work harder to assist African-American vendors with economic growth.

Commissioner Alston questioned which of the three African-American HVAC vendors included in the contractor’s report were contacted by Bar Construction.

Barnes-Phipps stated the contractor contacted J.G. Andrews, who reported they received the information, but did not bid on the job. She noted they also contacted HVAC Concepts, who chose not to bid.

Commissioner Alston stated that HVAC Concepts was not included on the list provided to the Board and questioned other vendors that were not contacted by the contractor. He questioned the

good faith efforts point scoring system and deadlines associated with the bid process and contacting vendors. Alston noted there is no proof of good faith outreach efforts. Staff clarified that they were included and where the information was found in the packet.

Commissioner Hank Henning encouraged the Board to rely upon staff guidance if they have reviewed all information and are providing recommendations.

Commissioner Foster shared that, as a Commissioner, it is their role to ensure county funds are distributed equally and noted the Board tabled this item to give the MWBE director additional time to provide information that the contractor operated in good faith. She stated that three (3) meetings related to this process have been conducted, two (2) of which occurred today. Foster expressed her disappointment with staff's response to questions related to their recommendation of awarding the project to Bar Construction, despite the discrepancies and information that has been revealed.

Commissioner Alston expressed his dissatisfaction that African American sub-contractors received such an insignificant portion of the contracts. He urged the board to strongly reconsider moving forward and expressed his vehement opposition to approving the item, as presented.

Commissioner Coleman and Commissioner Foster echoed Commissioner Alston's frustration with the bid results, and the efforts of staff and the general contractor to engage the African American business community.

**A substitute to the Substitute Motion was made by Commissioner Melvin "Skip" Alston, and seconded by Commissioner Carolyn Q. Coleman to disqualify Bar Construction for not meeting good faith efforts and award the contract to the second lowest bidder.**

Commissioner Alston noted the second lowest bidder is an African-American general contractor.

Chairman Phillips questioned the risk of liability if, under the recommendation that good faith efforts were satisfied, the lowest bidder is not awarded the contract.

Payne stated there is an increased liability of risk anytime a bid is rejected and shared that staff have determined good faith effort requirements were satisfied. He noted that it is not uncommon for the Board to disagree with staff recommendations, but confirmed this also adds to the level of risk. Payne stated the Board does have the authority to reject the bid, but the motion on the floor creates more risk than rejecting all bids.

Commissioner Coleman questioned if the contractor signs a document ensuring that they act with integrity during the bid process.

Payne shared the statutory requirements require an affidavit of good faith, which does not include language related to integrity. He emphasized the statutes related to good faith efforts to recruit MWBE participation.

**A substitute to the Substitute Motion was made by Commissioner Melvin "Skip" Alston, and seconded by Commissioner Carolyn Q. Coleman to disqualify Bar Construction for not meeting good faith efforts and award the contract to the second lowest bidder.**

**VOTE: Motion failed 3 - 6**  
**AYES: Carolyn Q. Coleman, J. Carlvena Foster, Melvin "Skip" Alston**  
**NOES: Jeff Phillips, Alan Perdue, Alan Branson, Justin Conrad, Hank Henning, Kay Cashion**

**Substitute Motion was made by Commissioner Alan Branson, and seconded by Vice Chairman Alan Perdue to approve the contract, in substantial form, with Bar Construction Company in the amount of \$703,000 for the High Point Mental Health HVAC Renovations project.**

**VOTE: Motion carried 6 - 3**  
**AYES: Jeff Phillips, Alan Perdue, Alan Branson, Justin Conrad, Hank Henning, Kay Cashion**  
**NOES: Carolyn Q. Coleman, J. Carlvena Foster, Melvin "Skip" Alston**

Commissioner Alston expressed his frustration with the Board's decision and lack of African-American participation on the project.

**F. 2020-294 BUILDING ENVELOPE REPAIRS - HIGH POINT COURTHOUSE AND RUSSELL STREET (LANGFORD) BUILDING**

Approve the contract, in substantial form, with Frank L. Blum Construction in the amount of \$907,059.

[Legislation Text](#)

[FBlum Affidavit C 1](#)

[MWBE Memo 2020-0619](#)

[Certified Bid Tabulation](#)

[DRAFT - CM 2255 - Blum Construction Company](#)

Durham introduced the agenda item and project goals to remove the leaking skylight in the atrium of the High Point Courthouse and repairs that would occur at the Russell Street Building.

**Motion made by Commissioner Melvin “Skip” Alston, and seconded by Commissioner J. Carlvena Foster, to reject all bids and rebid the project.**

Commissioner Alston expressed his concerns with the designation of disabled veteran as a MWBE classification and spoke to his increasing frustration with the lack of outreach to and participation by African-American vendors on this project, as well.

Barnes-Phipps provided an overview of her follow-up efforts and shared the vendor did provide a call log, in addition to conducting an email notification process. She discussed the reasons submitted by certain African-American vendors explaining why they did not submit a bid for the project.

Commissioner Alston questioned if the Board received a copy of the call log.

Barnes-Phipps shared she was unsure if this information was included in the packet forwarded to the Board.

Commissioner Alston expressed his concerns that the Board did not receive all information requested.

Commissioner Branson spoke to the list of MWBE vendors contacted by the contractor that was included in the packet distributed to the Board.

The Board discussed the information they received.

**Substitute Motion was made by Commissioner Alan Branson, and seconded by Commissioner Justin Conrad, to approve the contract, in substantial form, with Frank L. Blum Construction in the amount of \$907,059.**

Chairman Phillips questioned if, in Ms. Barnes-Phipps professional opinion and based upon her review of the information provided, the general contractor satisfied the statutory requirements and the county’s expectations related to good faith efforts, and does she continue to recommend awarding the contract to this contractor.

Barnes-Phipps stated that, based on the statutory requirements, and documents received and reviewed, she is still under the opinion the contractor made good faith efforts and reiterated her concern over the lack of African-American vendors who bid on the project. She noted that, over the past three (3) weeks, the general contractor has provided additional documentation along with any information requested, and reaffirmed that they have met the minimum requirements.

Payne clarified the “disabled” designation is a category included in the state’s Historically Under-utilized Business (HUB) office definition of MWBE classifications, pursuant to state statutes.

Commissioner Coleman stated the County has not adopted that definition in our policies.

Payne stated that while the County has not adopted this definition, we cannot exclude the statutory designation.

Commissioner Alston shared that he publicly disagrees with this assessment.

Commissioner Coleman stated that when the state adopts a new statute, the County Attorney or the State should notify the county of these changes. She requested a copy of the statute.

**A substitute to the Substitute Motion was made by Commissioner Melvin “Skip” Alston, and seconded by Commissioner Carolyn Q. Coleman, to reject the bid from Frank L. Blum Construction and award the contract to the second lowest bidder.**

**VOTE: Motion failed 3 - 6**  
**AYES: Carolyn Q. Coleman, J. Carlvena Foster, Melvin "Skip" Alston**  
**NOES: Jeff Phillips, Alan Perdue, Alan Branson, Justin Conrad, Hank Henning, Kay Cashion**

**Substitute Motion was made by Commissioner Alan Branson, and seconded by Commissioner Justin Conrad, to approve the contract, in substantial form, with Frank L. Blum Construction in the amount of \$907,059.**

**VOTE: Motion carried 6 - 3**  
**AYES: Jeff Phillips, Alan Perdue, Alan Branson, Justin Conrad, Hank Henning, Kay Cashion**  
**NOES: Carolyn Q. Coleman, J. Carlvena Foster, Melvin "Skip" Alston**

Chairman Phillips expressed his disappointment with staff while reviewing information over the past few days on an agenda item that was presented to the Board last month. He expressed his concerns that the Board’s questions were not answered adequately and sufficiently, and directed staff to ensure all agenda items are thoroughly vetted before being placed on meeting agendas.

## **IX. HEALTH AND HUMAN SERVICES UPDATE**

Lawing provided an update and shared the re-launch of the Small Business Grant Program on August 3, and noted 383 applications have been received to date. Lawing discussed the press releases and outreach campaign underway, and noted approximately \$2.2 million has been awarded through the Non-Profit grant program, to date.

Deputy County Manager Clarence Grier provided an update on the Non-Profit grant program and reiterated approximately \$2.2 million has been awarded to organizations, to date. He discussed the remaining balances of the initial allocation to the Greensboro and High Point United Way offices, and noted a total of 198 applications requesting \$8.4 million have been received.

Commissioner Coleman requested this update provided in writing. She questioned the amount of the remaining balance in the Community Lifeline CARES allocation.

Chairman Phillips stated the remaining balance is \$2.7 million.

Commissioner Alston questioned the additional allocation to each United Way program and the remaining balance of available funding.

Commissioner Coleman questioned the remaining balance of funding for United Way of Greensboro.

Chairman Phillips explained the United Way of Greensboro has recommended funding organizations with approximately \$288,000 over the initial allocation that was provided to them for non-profit organization grants. He stated Grier is suggesting an additional \$1.5 million redirected to the United Way for distribution.

Commissioner Coleman expressed concern with not providing sufficient funding to meet the needs of non-profit programs.

Lawing clarified the County has approximately \$20 million in CARES Act funding that has not been appropriated.

Commissioner Coleman questioned if this unappropriated funding would be available to assist with funding other projects, such as a backpack feeding campaign.

Lawing recommended re-evaluating the initial allocations and transferring funds to areas of greater need at the end of August. He spoke to the potential for additional funding and extending expenditure deadlines with US House and Senate bills under consideration.

Commissioner Coleman expressed concern with potential food issues in the community.

Lawing recommended considering these types of programs during the re-evaluation at the end of August.

Chairman Phillips spoke to the specific guidance defining how CARES Act funding can be spent.

Commissioner Alston questioned the status of a rent/mortgage or utilities grant program for impacted small businesses and if qualifying criteria could be expanded to cover the period from June-August.

Lawing spoke to the potential for a phased approach to the grant program, which has commenced with the second phase on August 3.

Commissioner Alston questioned the timeframe for the second phase and spoke to the needs of business owners still impacted by the pandemic.

Chairman Phillips shared that these timeframes and program criteria could be reviewed within the next few weeks.

Commissioner Alston spoke to the need to evaluate available funding and the ability to continue providing assistance. He questioned if the county has developed a face mask giveaway program for families that cannot afford to purchase washable face masks and free hand sanitizer.

Lawing stated the COVID policy team will include this on their agenda for discussion. He shared that local municipalities have been notified of their CARES funding allocations along with agreements explaining how these funds can be utilized.

Commissioner Alston questioned the status of a work session to discuss inter-governmental contracts and agreements.

Chairman Phillips stated that he will work with the Board to discuss the potential for a work session.

**X. APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS.**

**A. 2020-323 APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS BOARDS AND COMMISSIONS**

Approve the following appointments and reappointments to various Boards and Commissions:

Guilford County Planning Board

Reappoint Caroline H. McKinley to 2nd term as District 1 Designee (October 7, 2019 - October 6, 2022)

[Legislation Text](#)

[CMcKinley\\_Reapp\\_080719.pdf](#)

[CMcKinley\\_Resume\\_080719.pdf](#)

**Motion was made by Commissioner J. Carlvena Foster, and seconded by Commissioner Hank Henning, to approve the following appointments and reappointments to various Boards and Commissions:**

### **Guilford County Planning Board**

Reappoint Caroline H. McKinley to 2nd term as District 1 Designee (October 7, 2019 - October 6, 2022)

**VOTE:** Motion carried 9 - 0  
**AYES:** Jeff Phillips, Alan Perdue, Alan Branson, Carolyn Q. Coleman, J. Carlvena Foster, Justin Conrad, Hank Henning, Kay Cashion, Melvin "Skip" Alston  
**NOES:** None

Commissioner Coleman questioned the status of funding for our homeless population.

Lawing noted many have requested reimbursement for supplies, salaries and various other expenses. He shared staff will provide a summary of the applications for assistance from non-profit organizations with the Board.

Commissioner Coleman questioned if the county is providing assistance with feeding the homeless population.

Chairman Phillips noted that for those being assisted with hotel stays while awaiting COVID-19 test results, the county is assisting with all needs, including food. He shared non-profit organizations, with the assistance of CARES funds awarded by the United Way, have taken the lead on efforts to meet the needs of our homeless population.

### **XI. COMMENTS FROM COUNTY MANAGER**

Lawing shared Grier and Barnes-Phipps have been working on the request for qualifications (RFQ) for the disparity study, and noted that a copy has been emailed to the Board for review and feedback prior to release for bid.

### **XII. COMMENTS FROM COMMISSIONERS**

Commissioner Cashion shared her participation in the National Association of Counties (NACo) annual meeting, and stated the president's focus for this year is educating the public on county government and its impact upon citizens. She shared Guilford County has been promoting the benefits of county government for years through Citizens' Academy. Cashion announced her reappointment as Vice Chair on the Justice & Public Safety and Arts & Culture committees, and her appointment to the Urban Counties, Veterans and Resiliency committees. She shared her experience meeting Congressman John Lewis and spoke to his strength, humility and inspirational nature.



Vice Chairman Perdue extended his thoughts and prayers to those in Brunswick County and surrounding areas impacted by the recent hurricane, and first responders who assisted with mitigation efforts.

Commissioner Alston expressed his disappointment with the night's votes on the construction contracts and requested Payne provide follow-up on the HUB office definition of "disabled" as a MWBE designation.

Payne confirmed he would send the statutory guidance.

Commissioner Branson shared his attendance at the NCACC's Annual Virtual Conference and discussed some of the presentations provided during the conference. He noted it has been approximately 150 days since the start of the COVID pandemic, in addition to tropical storms and hurricanes that have impacted citizens and first responders. Branson discussed the efforts made by the county related to MWBE participation, including multiple classes for MWBE vendors, initiating a disparity study and expressed his interest in gaining additional participation.

Chairman Phillips expressed his deepest appreciation for first responders and front-line providers for their continuing efforts and placing themselves in harm's way while providing services to all citizens. He thanked Jim Albright and Vice Chairman Perdue for their efforts in shaping Guilford County into one of the best Emergency Services providers in the country. Phillips reminded the public that, following closed session, the Board would recess the meeting and reconvene on Friday, August 7, 2020 at 5:30PM. He provided credentials on how to join the meeting virtually.

**XIII. HOLD CLOSED SESSION PURSUANT TO N.C.G.S. §143-318.11 FOR THE PURPOSE OF CONSULTING WITH THE COUNTY ATTORNEY.**

**Motion was made by Vice Chairman Alan Perdue, and seconded by Commissioner Alan Branson to hold closed session pursuant to N.C.G.S. §143-318.11 for the purpose of consulting with the County Attorney.**

**VOTE: Motion carried 8 - 0**  
**AYES: Jeff Phillips, Alan Perdue, Alan Branson, Carolyn Q. Coleman, J. Carlvena Foster, Justin Conrad, Kay Cashion, Melvin "Skip" Alston**  
**NOES: None**  
**ABSENT: Hank Henning**

The Board recessed the meeting and entered into closed session at 9:27PM.

The Board returned from closed session and reconvened the meeting at 10:21PM.

**XIV. RECESS UNTIL AUGUST 7, 2020 AT 5:30PM**

**PRESENT:** Chairman Jeff Phillips, presiding; Vice Chairman Alan Perdue; Commissioners Alan Branson, J. Carlvena Foster, Kay Cashion and Melvin "Skip" Alston. All Commissioners participated via virtual communication.

**ABSENT:** Justin Conrad, Hank Henning, Carolyn Q. Coleman

**ALSO PRESENT:** County Manager Marty Lawing; County Attorney Mark Payne; Deputy County Manager Clarence Grier; Clerk to Board Robin Keller; Ariane Webb, Deputy Clerk to Board; Worley Smith, Communications Manager; members of staff and media. All staff and media participated via virtual communication. Virtual participation was made available to the public.

**Motion was made by Commissioner Melvin "Skip" Alston, and seconded by Commissioner J. Carlvena Foster, to recess the regular meeting until Friday, August 7, 2020 at 5:30PM.**

**VOTE:** Motion carried 6 - 0

**AYES:** Jeff Phillips, Alan Perdue, Alan Branson, J. Carlvena Foster, Kay Cashion, Melvin "Skip" Alston

**NOES:** None

**ABSENT:** Justin Conrad, Hank Henning, Carolyn Q. Coleman

There being no further business, the meeting was recessed by unanimous consent of the Board at 10:21PM.

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Jeffrey M. Phillips, Chairman

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Robin Keller, Clerk