

APPROVED 11/5/2020

**MINUTES
ORANGE COUNTY
BOARD OF COMMISSIONERS
VIRTUAL WORK SESSION
OCTOBER 8, 2020
7:00 p.m.**

The Orange County Board of Commissioners met for a Virtual Work Session on Thursday, October 8, 2020 at 7:00 p.m.

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

COUNTY COMMISSIONERS ABSENT: NONE

COUNTY ATTORNEYS PRESENT: John Roberts

COUNTY STAFF PRESENT: County Manager Bonnie Hammersley, Deputy County Manager Travis Myren, Interim Clerk to the Board Greg Wilder, and Assistant Deputy Clerk II Allen Coleman (All other staff members will be identified appropriately below.)

Chair Rich called the meeting to order at 7:01 p.m.

Chair Rich asked John Roberts if a roll call was needed.

John Roberts said yes.

Chair Rich proceeded with roll call, and said Commissioner Greene would be late.

Due to current public health concerns, the Board of Commissioners is conducting a Virtual Work Session on Thursday, October 8, 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 <http://www.orangecountync.gov/967/Meeting-Videos> and on Orange County Gov-TV on channels 1301 or 97.6 (Spectrum Cable).

1. Alcohol Beverage and Control Board Voting Membership and Financial Statement Analysis

John Roberts reviewed the following item:

PURPOSE:

To provide:

- 1) An update on the BOCC commissioner being an ABC voting member
- 2) A financial analysis of the ABC Board revenue, profitability and funding capacity

BACKGROUND:

LEGAL – Voting Member Information

The BOCC has expressed interest in having the commissioner appointee to the ABC Board be a voting member rather than a non-voting liaison. There are multiple options available to the BOCC if the BOCC is dissatisfied with some aspect of ABC operations or governance or if the BOCC simply believes changes should be made for other reasons. 1) Change the Chair. The BOCC has full authority to appoint the Chair. 2) Change or reduce salaries. Again full authority

to do so rests with the BOCC. 3) Adopt standards of conduct for ABC board members. 4) Appoint commissioners or senior county employees to the ABC board. Both have been done by counties in North Carolina. This fourth option is further explored below.

As authorized by statute the BOCC appoints both the members and the Chair of the ABC Board and members serve three-year terms. Due to the fact that terms are for three years it may be administratively best to appoint a commissioner who has at least three years left in office. However, this is not absolutely necessary because vacancies are filled by the BOCC to complete the term of the member who created the vacancy and should a commissioner leave office another could be appointed to fill the ABC role for the duration of the original appointee's term.

There may be some concern about the prohibition of dual office holding if a commissioner is appointed to the ABC board, however, so long as the appointment is ex officio the dual office holding prohibition is not a concern. Under North Carolina law ex officio appointees have the same rights and authority as any other appointee. Regarding the dual office non-issue North Carolina General Statute §128-1.2 reads:

Ex officio service by county and city representatives and officials. Except when the resolution of appointment provides otherwise, whenever the governing body of a county or city appoints one of its own members or officials to another board or commission, the individual so appointed is considered to be serving on the other board or commission as a part of the individual's duties of office and shall not be considered to be serving in a separate office. As used in this section, the ter "official" means (i) in the case of a county, the county manager, acting county manager, interim county manager, county attorney, finance officer, or clerk to the board and (ii) in the case of a city, the city manager, acting city manager, interim city manager, city attorney, finance officer, city clerk, or deputy clerk. As used in this section, the term "city" has the meaning provided in G.S. 160A-1.

One important consideration in appointing a commissioner to the ABC board is the appointment would create occasional conflicts of interest for the appointed commissioner. That commissioner could not vote, and would have to be excused from voting, on ABC board members' salaries, the ABC board travel policy, or other items that could have a financial impact on the commissioner.

There are two current ABC board members whose terms expire 6/30/21. According to the Orange County advisory board webpage Patrick Burns is serving the first of two potential terms and Jane Cousins is serving the second of two terms. Should the BOCC determine to appoint one, or more, of its own members to an ABC board position one of these two positions is most realistic for the appointment because outright removal of ABC members may only be for cause. Of the remaining members' terms one expires in 2022 and two expire in 2023.

FINANCIAL- Revenue, Profitability and Funding Capacity

The Chair requested a financial statement analysis of the ABC Board to determine additional funding capacity in view of the ABC Board not approving the County's FY 2020-21 funding request for the Drug Treatment Court program. The Drug Treatment program was funded at \$25,000 and not the requested \$32,500. The Vice-Chair requested a listing of distributions to sub-recipients for FY 2019-20 (Attachment 1).

The following are key financial and revenue metrics from the ABC FY 2019-20 Financial Audit.

ABC Key Financial metrics include:

- Net position increased by 9.27%
- Total Sales increased 12.47%
- Retail liquor sales increased 22.48%
- Working capital increased 28.8%

Table 1 below indicates the historical year trend in ABC profits before distribution and distribution to sub-recipients. As noted on Table 1 below, the ABC distribution as a percent of profits has increased from 39% in FY 2014-15 to 65% in FY 2019-20. These increases resulted from BOCC Petitions and Benchmarking Analyses (Attachments 2 and 3).

Table 1

Orange Alcoholic Beverage Control Board						
Historical Year Financial Trend						
	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Profit Before Distributions	\$1,780,957	\$ 1,564,997	\$ 1,303,231	\$ 1,074,918	\$ 1,458,916	\$ 1,249,749
Profit as Percent of Income	9.91%	8.37%	9.77%	5.35%	6.83%	5.20%
Statutory Distributions						
Law Enforcement	\$ 130,000	\$ 135,000	\$ 149,000	\$ 149,300	\$ 160,000	\$ 147,000
Alcohol Education	156,550	144,094	209,150	212,500	244,000	165,233
Local	400,000	400,000	500,000	500,000	535,000	500,000
Total Distributions	\$ 686,550	679,094	858,150	861,800	939,000	812,233
Total Distribution as % of Profit	39%	43%	66%	80%	64%	65%

Table 2 below is an updated Benchmarking Analysis as of June 30, 2019 comparing the Orange County ABC Board distribution to sub-recipients as a percent of profit which was 64%. The five counties of Alamance, Chatham, Durham, Wake and Mecklenburg have an average distribution as percent of profit of 70%.

Based on the ABC financial and sales performance and the Table 2 comparison of other County ABC Board distributions, the County's Drug Treatment funding request of \$32,500 for the Criminal Justice Resource Department does appear reasonable. A copy of this financial analysis has been provided to the ABC General Manager and Finance Director in order to allow ABC management to respond. Attachment 4 represents the ABC response.

Table 2

Alcoholic Beverage Control Board - Benchmarking Analysis						
As of June 30, 2019						
	Alamance	Chatham	Durham	Wake	Mecklenburg	Orange
Profit Before Distributions	\$1,490,023	\$ 224,751	\$5,094,539	\$23,520,812	\$27,934,328	\$ 1,458,916
Profit as Percent of Income	9.7%	5.07%	12.64%	15.57%	15.65%	6.83%
Statutory Distributions						
Law Enforcement	\$ 84,629	\$ 5,028	\$ 484,250	\$ 1,147,161	\$ 2,588,961	\$ 160,000
Alcohol Education	\$ 74,050	\$ 7,040	\$ 267,123	\$ 4,284,450	\$ 4,903,700	\$ 244,000
Local	\$ 955,176	\$ 124,181	\$2,555,555	\$11,884,086	\$13,291,176	\$ 535,000
Total Distributions	\$1,113,855	\$ 136,249	\$3,306,928	\$17,315,697	\$20,783,837	\$ 939,000
Total Distribution as % of Profit	75%	61%	65%	74%	74%	64%
				AVERAGE	70%	

RECOMMENDATION(S):

The Manager recommended the Board accept this as an information item for further discussion.

Commissioner Dorosin said he has expressed his feelings in prior meetings, but he does not understand the value of a Commissioner being present on the ABC Board, without being a voting member. He said Commissioners are excluded from closed sessions, ABC Board items, and other items. He said a Commissioner should have the same permissions and authority as other ABC Board members.

Commissioner Price said she thought it says somewhere in state law that a Commissioner cannot vote on a Board.

John Roberts said he is not aware of anything that prohibits Commissioners from voting. He said he would love to see any information that Commissioners may have.

Commissioner Price said a Commissioner is currently serving, and asked if there is a reason this person does not already have voting authority. She asked if there is a reason the Board of County Commissioners (BOCC) must wait for current ABC Board members to roll off, prior to appointing new members.

John Roberts said he is not familiar with how the ABC Board was originally structured, or why the ABC Board Commissioner representative does not have a vote. He said the BOCC would need to wait to appoint new members as ABC members can only be removed for cause, such as malfeasance.

Commissioner Price asked if there is a reason why the ABC Board Commissioner liaison cannot vote currently.

John Roberts said the board is not set up that way, and is a 5-member board. He said state statute says a 5-member board cannot be increased or decreased, other than by a legislative act.

Commissioner Dorosin said the abstract was very good. He asked if the ABC Board members get paid a salary, and if a Commissioner were a voting member, would he/she also receive a salary.

John Roberts said to his knowledge the ABC Board members receive a stipend. He said an appointed Commissioner would be eligible for that stipend, and thus would not be allowed to vote on issues relating to that stipend, due to his/her position as a County Commissioner.

Commissioner Greene joined the meeting at 7:10 p.m.

Chair Rich said the GoTriangle board also receives a stipend.

Commissioner Bedford said she was a liaison on the Orange County Partnership for Young Children. She said she is required to recuse herself when this board is voting on the allocation of state dollars that will financially benefit the County. She asked if the ABC Board would have similar restrictions.

John Roberts said this may be part of the non-profit's bylaws, and would not be applicable to a Commissioner individually as he/she is not benefiting personally from the vote.

Chair Rich said the BOCC will choose boards in December, and asked if the Commissioner that chooses the ABC Board would become the voting member when slots become available in 2021.

John Roberts said the liaison position would go away, and a voting member would be installed, but the BOCC could change the Commissioner who fills each role, if it so desires.

Commissioner Dorosin asked John Roberts if he recommends this change be made.

John Roberts said he does not have an opinion on this item, due to there not being any concerns about existing ABC board members. He said by changing this structure it would allow

the Board to have more authority, and enable the BOCC to have representation in ABC financial and personnel decisions.

Commissioner McKee said he does not hear of any concerns with the current ABC board members, and the BOCC goes to great lengths to get the community involved. He said he has served as the liaison to the ABC Board twice, and found the members to be very responsive to any input that he gave. He said he is not sure how this change would help the BOCC.

Commissioner Price said when she served on the Board she thought about this change, but realized that the BOCC appoints the other five members and the Chair of the ABC Board. She said those appointees represent the BOCC, and it is okay if the Commissioner liaison does not have a vote.

Commissioner Dorosin said it is important for the BOCC to have a vote on the Board. He said having a direct voice in decision-making is critical. He said there has always been heavy representation from law enforcement on the ABC Board. He said the ABC Board generates a lot of revenue, and is involved with social services programs about which the BOCC is concerned. He said having an equal vote is important.

Commissioner Rich said there are also other boards on which the BOCC has a vote, such as the Visitors Bureau, Home Trust, GoTriangle, etc.

Commissioner Bedford said both she and Commissioner Greene were on a seminar today about community engagement, and the timing was perfect for this agenda item. She said the discussion focused on the value of broad community participation, with which she strongly agrees. She said leadership should be spread out, diluted, and shared with the community. She said prior to becoming a Commissioner, she served on the ABC Board. She said she could have continued serving, but felt it was very much a conflict of interest and thus resigned once elected a Commissioner. She referred to the chart on Table 2, and said 17% is spent on law enforcement, but also 26% on non-profits. She said the ABC Board pays a living wage, which reduces its profit, and gives 64% of profit away. She said this could be higher, but given COVID, there may not have been as much revenue as normal, and it is wise to be conservative. She said the ABC Board has a rigorous capital improvement plan in place. She said if a funding request is needed, it should be made, but otherwise she would prefer to leave this board alone.

Commissioner Greene asked if the conflict of interest could be clarified.

Chair Rich said the possible conflict of interest is because the ABC Board members receive a stipend, and BOCC members should not vote of adjusting the stipend.

Commissioner Price said she could go either way. She said the difference with the ABC Board is that the Commissioners appoint each member to the ABC Board, as well as the chair, as opposed to other boards where Commissioners serve and have a vote, but do not select the other board members. She said there must be five members, and she does not want to remove any of the current ABC Board members.

Commissioner Dorosin said having one seat as a voting member would not eliminate participatory democracy. He said he does not see any issues of malfeasance, but does find the ABC Board to be very dependent on the staff. He said he heard a lot of grievances from ABC employees. He said having a Commissioner, as a voting member, is important as the liaison only has a power of persuasion. He said he would not recommend removing the current incumbent, but following John Roberts' comments to replace a member once their term is over.

Chair Rich agreed with Commissioner Dorosin. She said this item can come to a business meeting for a vote.

Commissioner Bedford asked if the ABC Board's opinion on this matter could be sought.

Commissioner Price agreed with Commissioner Bedford.

Commissioner Marcoplos said he supports voting yes to having a voting member on the ABC Board. He said influence in the votes is one thing, but the BOCC must also be fully informed on all matters of this board.

John Roberts said he would contact the Executive Director for comments, and feedback from the ABC Board.

Commissioner Price asked if there are any questions on the request.

Commissioner Bedford said she would recommend making the request to the ABC Board for additional funding, since the Executive Director says he is open to hearing it.

Bonnie Hammersley said staff will make that request.

Commissioner Price asked if there are any comments on the percentages.

Commissioner Dorosin said funding was increased a few years ago, and he raised it again this year, due to record profits. He said he was told the increase was unlikely due to paying the living wage and compression. He said there is a significant amount of revenue, and perhaps the percentages should be increased.

Chair Rich asked if the percentage issue should be included in the agenda item.

Commissioner Dorosin said he would not want to delay the first issue.

Bonnie Hammersley said previously the ABC Board funding went into the General Fund, although it was supposed to be identified for specific spending purposes. She said when the Criminal Justice Resource Department (CJRD) was created, the County identified positions that would be covered by ABC funds, including the Director of this Department. She said Cait Fenhagen, CJRD Director, has identified initiatives and programs that are needed in her department, and ABC funds have been requested to cover these items. She said the way the money is spent must be identified, and staff can make requests for more funding if necessary.

Gary Donaldson, Chief Financial Officer, said the audit was completed, and items were not funded due to being cautious about COVID/recession fall out.

Commissioner Bedford asked if someone from the CJRD should be a voting member, as opposed to a Commissioner.

Bonnie Hammersley said no, the voting member should be leadership, not staff.

Commissioner Price said it may be important to see where there are shortfalls. She said thinking back there was some good ideas, like pretrial diversion, that could have benefitted from funds.

Chair Rich asked if Bonnie Hammersley would proceed with an abstract for a future BOCC meeting.

Commissioner Greene said she does not see a benefit of having fixed set allotment as needs rise and fall each year. She said asking for what is needed is likely the best approach.

2. New Street Outreach and Harm Reduction Program

PURPOSE:

To share information about a new grant-funded county initiative supported through a collaboration between the Criminal Justice Resource Department and the Housing and Community Development Department with the Partnership to End Homelessness.

Caitlin Fenhagen, Criminal Justice Resources Director, and Corey Root, Homeless Programs Manager, presented the following item:

BACKGROUND:

Since 2017, each year people with lived experience of homelessness, housing and homeless service providers, the Orange County Partnership to End Homelessness, and other community stakeholders have identified a street outreach program as a gap in the Orange County homeless service system ([latest gap analysis update from 2019](#)). Orange County has had proven success with a street outreach program, connecting people living unsheltered with

services and housing, administered by Housing for New Hope -- this program ended when Housing for New Hope ended work in Orange County in 2016.

In April 2019, over thirty community stakeholders from the criminal justice system, healthcare, behavioral health system, and housing came together to participate in the Orange County Sequential Intercept Mapping Workshop facilitated by the North Carolina Department of Health and Human Services. A systems intercept map and Final Report were created ([SIM Final Report](#)) and one of the identified community gaps that emerged from this process was the need to divert people who are high utilizers of the courts, health care, and homelessness systems from further criminal justice contact.

At the same time, stakeholders from the criminal justice system including law enforcement, the District Attorney's office, the Orange County Criminal Justice Resource Department (CJRD), and criminal justice reform advocates are seeking to expand harm reduction deflection efforts in Orange County. The current pre-arrest diversion program administered by the CJRD (OC PAD) allows for law enforcement to divert first-offenders, but the OC PAD Advisory Committee, District Attorney's Office and all law enforcement chiefs have endorsed proceeding with a plan to expand to a separate harm reduction track, which would allow for diversion for low level offenses committed by individuals impacted by behavioral health concerns, homelessness and prior criminal justice involvement. These high utilizers will be linked to appropriate resources and will avoid the trauma of arrest, short-term incarceration and justice system involvement. This harm reduction model of diversion moves away from ineffective punitive models and unnecessary law enforcement response and increases public safety, enhances stability and improves public health.

With the onset of the COVID-19 outbreak in March 2020, homeless service providers reduced, changed, and eliminated existing services to comply with social distancing and other response recommendations. As a result, existing homeless service gaps, including street outreach, have been exacerbated and deepened. On any given night, there are thirty to forty people living unsheltered in Orange County. We are seeing these numbers increase during the COVID-19 response and recovery period. Research shows that street outreach programs that link people with housing improve health outcomes and positively impact spending in other sections including healthcare and the criminal justice system. In addition, recent national incidents of police brutality have led to a new urgency in addressing systemic racism in policing and a conversation about reinvestment in communities. Increasing therapeutic responses and deflection from the criminal justice system, where it is safe and appropriate, have been widely considered an evidence-based best practice for improved outcomes for individuals. Reimagining law enforcement as one of the conduits for referring people in crisis to behavioral health treatment experts and peer support is an important example of a reinvestment in impacted communities.

In August 2020, the CJRD and Housing Departments were awarded an Emergency Solutions CARES Act grant in the amount of \$256,225.00 for the Street Outreach and Harm Reduction Program. This one year of funding will support three positions to administer the program, which is designed to connect people living unsheltered with housing, therapeutic interventions, critical resources and ongoing peer support and case management. The program will also increase harm reduction efforts and reduce unnecessary law enforcement response and justice involvement, where deflection is appropriate.

RECOMMENDATION(S):

The Manager recommends the Board receive the presentation as information.

Caitlin Fenhagen made the following PowerPoint presentation:

Slide #1



**Orange County
Street Outreach and Harm Reduction Program**

Presentation to the Board of County Commissioners
October 8, 2020





Slide #2

Orange County has a demonstrated community need for street outreach

- [Orange County Sequential Intercept Mapping \(SIM\)](#)
 - Facilitated by N.C. Department of Health and Human Services
 - April 2019
- [Homeless System Gaps Analysis](#)
- Expansion of Pre-Arrest Diversion/Deflection (OC-PAD)
- COVID-19 community response
- Focus on re-imagining public safety



Slide #3

This new program will connect people living unsheltered with housing and services

- Funded by Emergency Solutions Grant CARES Act (ESG-CV)
- Begin operation October 5, 2020
- 12 months of funding

Positions	# Staff	Location
Harm Reduction Deflection Coordinator	1	OC Criminal Justice Resource Department
Street Outreach Peer Navigators	2	OC Housing & Community Development with OC Partnership to End Homelessness



Corey Root presented the following slide:

Slide #4

The program design uses a trauma-informed, relationship-based model

- Ongoing engagement and harm reduction
- People living unsheltered, many behavioral health issues
- Visits to campsites, hospitals, jail, streets
- Connections to housing, food, medical care, treatment services, transportation and employment
- Therapeutic assessment, case plans, case management
- Referral contact for community members, law enforcement, and businesses
- Reduce policing and justice involvement



Cait Fenhagen resumed the PowerPoint presentation:

Slide #5

There are several sustainability and program needs to address

- Program funding starting Fall 2021
 - \$257,000 annually
- Downtown office space
- Street Outreach one of several gaps to fill to end homelessness
 - Overlap with Behavioral Health Task Force Priorities
 - Crisis/Diversion Center
 - Day Center with integrated services
 - Increased behavioral health services



Slide #6

Contact us to talk further

- Caitlin Fenhagen, Criminal Justice Resource Director
 - 919-245-2303
 - cfenhagen@orangecountync.gov
- Emila Sutton, Housing and Community Development Director
 - 919-245-2492
 - esutton@orangecountync.gov
- Corey Root, Homeless Programs Manager
 - 919-245-2496
 - croot@orangecountync.gov



Commissioner Price said this is an exciting report, but she is concerned about access to housing, and asked if there is enough housing in Orange County to meet the needs.

Corey Root, Homeless Programs Manager, said more affordable housing is always needed, but people are housed every month successfully. She said one of the gaps is permanent supportive housing. She said rapid rehousing started in early April, and is showing good results. She said the staff is good, and just keeps working. She said more people have been housed this year than ever before. She said more housing programs are needed.

Caitlin Fenhagen said involvement in the criminal justice system creates a barrier to accessing housing, especially ongoing criminal justice involvement. She said lack of housing also leads to increased criminal justice involvement. She said both issues go hand in hand.

Commissioner Price said she hopes this program would be successful. She said having housing inventory is important, but many people do not want affordable housing near them. She said there are ample luxury apartments being built, and she wants to make sure the BOCC is supporting the efforts referenced in this presentation.

Commissioner Dorosin said this program is very exciting. He said he remembered hearing about this in the criminal justice committee. He referred to the gaps analysis and pre-COVID discussions, and asked if there is a natural next step in which gap to tackle. He asked if the way to maximize the success of this program is to connect it to the next gap that will be addressed. He said he is excited about this program, but would like a slightly zoomed out perspective of the plan ahead.

Commissioner Dorosin referred to the \$257,000 grant, and asked if it will all go to staffing costs. He asked if there are other costs, and if there is additional grant funds available to meet them. He said sustainability is vital.

Corey Root said there are a number of gaps that are exacerbated by COVID, so the next logical step needs to come from the Partnership to End Homelessness (PTEH) leadership team. She said more non-congregant shelter is greatly needed, and people experiencing homelessness are at a higher risk for COVID. She said there are continued gaps around housing resource programs and permanent support housing, which could be the next priority.

Commissioner Dorosin asked if non-congregant housing means single room housing.

Corey Root said the CDC recommends having individual rooms for those experiencing homelessness. She said the County moved people into hotels in May, and FEMA is covering those costs.

Caitlin Fenhagen said the majority of the grant is for salary and benefits, but \$10,000 is for program services such as transportation, emergency supplies, staff mileage, etc.

Commissioner Greene said this is great news. She said looking ahead this is a great opportunity to redirect police funding; to do a community reset. She said this type of work should not be law enforcement's role, but rather social workers'.

Commissioner Marcoplos said this is really great work. He asked if homelessness is rising, and if the coming year will make the crisis more acute.

Corey Root said the latest numbers are from January 2020. She said they count once per year and it was 124, down from 132. She said numbers have been relatively flat over the past decade. She said she expects numbers to rise in the coming year, but homelessness often lags behind as an indicator by about 18-24 months. She said staff will keep a very close watch on the numbers. She said having the street outreach team will provide real time data, especially for those who are experiencing unsheltered homelessness.

Chair Rich said this is a great update. She said it will be a challenge to find ongoing funding, but she has great confidence in the staff.

Caitlin Fenhagen said law enforcement partners have been particularly supportive of this program, along with the downtown partners, and, of course, the Commissioners.

3. Government Alliance on Racial & Equity (“GARE”) Progress Report: Advancing Racial Equity and Transforming Government Progress Report

PURPOSE:

A Progress Report on the work of the Orange County Government Alliance on Race & Equity (“GARE”) staff cohort that has trained with other North Carolina jurisdictions since October 2019 to advance racial equity and create a plan to undo structural racism in County government.

BACKGROUND:

The Government Alliance and Race & Equity (“GARE”) is a national network of governments working to achieve racial equity and advance opportunities for all. GARE features three emphases:

- Supporting jurisdictions that are at the forefront of work to advance racial equity.
- Building pathways for new jurisdictions to begin doing racial equity work, including cohorts of new jurisdictions.
- Expanding and strengthening local and regional collaborations that are broadly inclusive and focused on achieving racial equity.

In the 2019-20 budget, the Orange Board of Commissioners approved funds to support a team of Orange County staff to be a part of a GARE North Carolina Learning Community of

government jurisdiction working to advance racial equity by addressing institution and structural racism. Each jurisdiction made a one-year commitment to the learning process.

Each jurisdiction received tools and resources, including:

- A racial equity training curriculum, to equip cohort participants to implement the training with other employees;
- A Racial Equity Tool to use in policy, practice, program and budget decisions;
- Support to identify and launch pilot projects that demonstrate racial equity outcomes in your jurisdiction;
- A capacity building plan and organizational structure to institutionalize equity within their jurisdiction;
- Example policies and practices that helped advance racial equity; and
- Support to develop a Racial Equity Action Plan

The Orange County team is comprised of fifteen diverse team members. Department Directors were asked either to self-select or to select a member of their staff for the team. If through that process the team was not filled, then co-leads selected county staff so that there was a diversity of members and skills and departments on the team. The members of the team are: Annette Moore, (Co-Lead), Human Rights and Relations, Nancy Coston, (Co-Lead), Social Services, Brenda Bartholomew, Human Resources, Melvyn Blackwell, Human Rights and Relations, Erica Bryant, Child Support Enforcement, Brennan Bouma, Asset Management Services, Diogenes DeLosSantos, Information Technology, Desmond Frierson, Criminal Justice Resource, Jennifer Galassi, Sherriff's Office, Ashley Hager, Food Council/County Manager's Office, Sarah Pickhardt, Emergency Services, Rachel Raper, Board of Elections, Juliet Sheridan, Health, Quintana Stewart, Health, Robert Williams, Solid Waste.

The One Orange GARE team developed a mission statement: One Orange is a commitment by Orange County leaders and staff to uncover and address implicit racial biases in our institution to ensure that race can no longer be used to predict life outcomes in our community.

GARE Training has been intense. Members of the team have not only had to attend training but also had meetings outside of the training, committee meetings, and additional homework. The pandemic has been an obstacle in getting both the training and the racial equity plan completed in September as we anticipated.

In May, with the murder of George Floyd and the ensuing protest, awareness of the need for racial equity has grown exponentially around the Country. In June, the Health Director, Quintana Stewart, declared structural racism a health crisis in Orange County. The Board of County Commissioners also passed a resolution condemning the murder of George Floyd and committing to dismantling structural and institutional racism in Orange County government and throughout Orange County. The Board directed the Department of Human Rights and Relations to lead the One Orange Racial Equity Team in developing a Racial Equity Plan using the Government Alliance on Race and Equity Model to bring a first draft of the plan back to the Board in September 2020.

Although the pandemic has impacted the work of the GARE core team, it has also created an opportunity for us to reimagine how we move forward, advancing racial equity as a region. Instead of looking at racial equity from a jurisdictional position, we believe we should be looking at racial equity collaboratively both within the county and regionally. In Orange County, working collaboratively, we could break down not only institutional racism but also systems racisms.

Other regional partners are Durham City, Durham County, Caswell County, Greensboro, and Raleigh.

Several weeks ago, we met with Chapel Hill and Carrboro to discuss having one Countywide Racial Equity Plan that would include different local community strategies. Now that Hillsborough is a member of GARE, we have invited them to be a part of this collaboration. We want leverage our shared resources with one another. This thinking would also carry over regionally as well. We believe the attached Report outlines the steps that we will take to put a comprehensive countywide racial equity plan together that is not only data-driven but keeps us accountable for the work we are required to do. The other jurisdictions will be taking this Racial Equity Progress Report to their Boards in October.

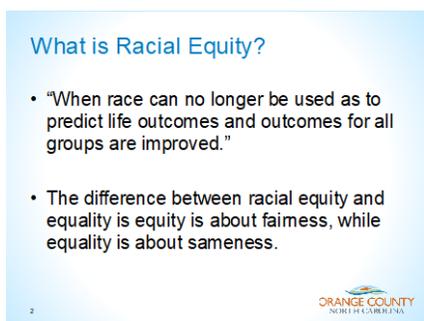
RECOMMENDATION(S): The Manager recommends that the Board provide staff with feedback on the Racial Equity Progress Report.

Annette Moore, Director of Human Rights and Relations made the following PowerPoint presentation:

Slide #1



Slide #2



Slide #3

Why Race?

- Normalizing conversations about race and operationalizing strategies for advancing racial equity allows us to build systems that address income and wealth inequity and recognize bias based on gender, sexual orientation, ability, age, religion, and other protected categories.
- Allows us to develop a framework, tools and resources that apply to other areas of marginalization, recognizing that different strategies will be necessary to achieve equity in other areas.

3



Slide #4

Why Race?

- Allows us to move past looking at just disparities to finding racialized systems that are costly, depress outcomes, and life chances for all groups.
- Systems that are failing communities of color are failing us all by depressing life chances and outcomes

4



Slide #5

Government Alliance on Race and Equity ("GARE")

- Support state and local jurisdiction that are advancing racial equity by addressing institutional and structural racism.
- Training staff to not only do the work but also build internal capacity to undue racism within their organization.
- Help expand and strengthen local and regional collaboration that are inclusive and focused on achieving racial equity

5



Slide #6

North Carolina GARE Learning Community Cohort

GOAL -Build organizational capacity to advance racial equity within the jurisdiction

- A racial equity training curriculum, with cohort participants who are equipped to implement the training with other employees,
- A Racial Equity Tool to be used in policy, practice, program and budget decisions,
- Support for identifying and launching pilot projects that demonstrate where to start achieving racial equity outcomes in each jurisdiction
- A capacity building plan and organizational structure to institutionalize equity within each jurisdiction,
- Example policies and practices that help advance racial equity, and
- Support on developing a Racial Equity Action Plan

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Slide #7

North Carolina GARE Learning Community Cohort
Cohort Teams

- Orange, Carrboro, Chapel Hill, Durham City, Durham County, Raleigh, Caswell County, Greensboro, and RMJJ
- Orange County Team -15 members.
- Team Name - "One Orange"
- Co-Lead - Nancy Coston
Annette Moore

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Slide #8

One Orange GARE Core Team

Brenda Batholomew, Human Resources
Melvin Blackwell, Human Rights and Relations
Erica Bryant, Child Support Enforcement
Brennan Bouns, Asset Management Services
Diogenes DeLosSantos, Information Technology
Diamond Frierson, Criminal Justice Resource
Jennifer Galassi, Sheriff's Office
Sarah Pichardt, Emergency Services
Rachel Raper, Board of Elections
Juliet Sheehan, Health
Quintana Stewart, Health
Robert Williams, Solid Waste

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Slide #9

One Orange Mission Statement

One Orange is a commitment by Orange County leaders and staff to uncover and address implicit racial biases in our institution to ensure that race can no longer be used to predict life outcomes in our community.

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Slide #10

Racial Equity as a Strategy for Change



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Slide #11

Racial Equity Tool

- The Racial Equity Tool Committee will lay out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impact of racial equity. The racial equity tool will help align racial equity goals with desired outcomes.

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Slide #12

Community Engagement

- Develop a plan to provide for meaningful community engagement. Consider the current and unlikely partners needed to accomplish the organizational outcomes. Who are the decision makers with whom you need to inform, consult, or collaborate?

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Slide #13

Racial Equity Index (Data Collection)

- The use of data and metrics to track progress of County's racial equity initiatives and to follow trends in racial disparities.
- Metrics will also facilitate the alignment of outputs with outcomes and the coordination of efforts across departments and jurisdictions.
- The Racial Equity Index will be a transparent public access to data with built public data dashboards to help assess questions of equity.
- The dashboards contained within the Index will include sub-county maps and key performance indicators (KPIs) to help track essential indicators and equity performance.
- Wherever possible these KPIs would be disaggregated by geography, race/ethnicity, income, and gender.

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Slide #14

Training

- The training committee will develop a plan to provide training to policymakers, managers, staff, boards and commission members, and community partners to build capacity to advance racial equity and to embed racial equity into countywide systems.

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Slide #15

Evaluation and Accountability

- The Evaluation and Accountability Committee will develop an Evaluation Plan based on the principles of the Results-Based Accountability (“RBA”) framework.
- RBA is a national model and provides a disciplined, data-driven, decision-making process to help local governments take action to solve problems.
- An Evaluation Plan will help local governments apply racial equity principles embedded into the Results-Based Accountability (RBA) methodology into Racial Equity Action Plans.

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Slide #16

Advancing Racial Equity

- Questions

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Commissioner Bedford thanked Annette Moore, and said it would be beneficial to have Racial Equity training for Commissioners at the January retreat. She said the work is very important, and Commissioners should have that vocabulary. She said Triangle J Council of Government is incorporating these topics into meetings, and encouraging participants to think broadly.

Commissioner Dorosin asked if the Town of Hillsborough is participating in the group of governments in the cohort

Annette Moore said the Town of Hillsborough was not involved in the cohort, but is now a member with GARE, and is included in the countywide initiative. She said this information will be presented to the Town of Hillsborough on October 12, 2020, and she will attend this meeting.

Commissioner Dorosin asked if there was a timeline for the items that were mentioned, and an arc over the next three months, six months, etc.

Annette Moore said the countywide team is focusing on creating timelines. She said she wants to move faster than the rest of the group, and negotiations are underway.

Commissioner Dorosin asked if there will be interim updates like this evening.

Annette Moore said the racial equity plan should not take a long time. She said this is just an outline of what needs to be done. She said it will take more time to complete the racial equity index. She said they are currently working on the projects for GEAR specifically.

Commissioner Dorosin referred to the BOCC listening session about policing, and asked if this fits into GARE in any way.

Annette Moore said the Human Relations Committee will be discussing this on Monday night, and having a community conversation about what defunding the police means. She said the GARE also seeks to provide racial equity training to boards and commissions.

Nancy Coston, Director of Social Services, joined the meeting at 8:44 p.m.

Nancy Coston said she was surprised that Social Service departments are not more involved in these efforts, as it is appropriate and necessary for them to be involved.

Commissioner Price said she is excited about this work, and stressed the importance of data collection and analysis.

Commissioner Greene said this was a really strong report. She asked if there are other cities or government entities that have made significant changes, from whom Orange County could learn.

Annette Moore said the premiere jurisdictions are King County (Seattle), Albuquerque, Austin, and another place in Wisconsin. She said there are a few counties/states that may be further along. She said she will pass along more information to the BOCC.

Commissioner Greene said it would be great to see this information.

Chair Rich said most Commissioners have received some training on racial equity.

4. Agricultural Preservation Board – Appointments Discussion

RECOMMENDATION(S): The Manager recommended that the Board discuss an appointment to the Agricultural Preservation Board.

A motion was by Commissioner McKee, seconded by Commissioner Price to nominate the Portia McKnight to the Agricultural Preservation Board

Roll Call ensued.

VOTE: UNANIMOUS

5. Animal Services Hearing Panel Pool – Appointment

RECOMMENDATION(S): The Manager recommended that the Board discuss an appointment to the Animal Services Hearing Panel Pool.

Position #4 – To Be Determined

Chair Rich said the BOCC passed a policy that if one is on an elected board, one cannot serve on an Advisory Board. She asked if that policy applies to this board, and to Bonnie Hauser, who is a school board member and listed for this board.

John Roberts said the advisory board policy only applies to certain boards, and this hearing panel is not covered. He said he is not sure if this would apply to Bonnie Hauser.

Chair Rich said there are two applicants for one position, but if Bonnie Hauser is no longer allowed to serve, then there would be two positions, allowing both applicants to serve.

Commissioner Dorosin asked if either position needs to be filled by a Chapel Hill resident.

Chair Rich said no.

Chair Rich said the position has been open since January, and the BOCC policy allows a vacant position to be filled after 6 months.

Commissioner Price said she had the same question about Bonnie Hauser, but noted that the new BOCC policy had no effective date.

John Roberts said the change is effective immediately. He said he has reviewed the policy, and it does not apply to this hearing pool.

Chair Rich asked how the BOCC would like to proceed.

Commissioner Dorosin said he would like to get more information on why certain boards are exempt from Advisory Board policy that was adopted on Tuesday, October 6th, 2020. He said the BOCC may want to amend this new policy.

John Roberts said the reason some boards are not included is because it is an advisory board policy, and this hearing pool is not an advisory board.

Chair Rich asked if Commissioner Dorosin wants to amend the advisory board policy.

Commissioner Dorosin said he would need more information from the Attorney.

John Roberts said he will have more information for the meeting on October 20, 2020.

Commissioner Price asked if task forces would fall under this policy as well.

John Roberts said the policy does not include taskforces, the election committee, or other short-term committees.

Commissioner Price said the BOCC may want to consider this more in the future.

A motion was made by Commissioner Dorosin, seconded by Commissioner Price to nominate Stacy Shakenal to the Animal Services Hearing Panel Pool.

Roll call ensued.

VOTE: UNANIMOUS

Commissioner Dorosin said he has a question for the Attorney that is covered as privileged communication, and asked if he could send this question via email.

John Roberts said email is fine, but noted his response would have to go to the entire BOCC, not just to Commissioner Dorosin.

Commissioner Dorosin said he understands, and it is completely fine to do so.

Adjournment

The meeting was adjourned at 9:02 p.m.

VOTE:

Penny Rich, Chair

Allen Coleman
Assistant Deputy Clerk II

Submitted for Approval by Gregory A. Wilder, Interim Clerk to the Board