

The Billion Dollar Question

An Open Letter to Chair Umstead and Durham County School Board Members:

I do hope this missive finds you and your families well. Let me first start off by stating that I support all of your and Durham Public Schools. I recently had the opportunity to meet with many of you about upcoming budget expenditures. I'm happy to say that for those I have met with, that we left with a better understanding of each other's budgets and indeed both parties learned a lot about the others work. I hope to do that with other willing parties. I want to make it abundantly clear, that I have always fully supported funding our schools and that still stands today. I also have a track record of respecting your decisions and recognizing that as professionals and public servants, you are doing the best you can to serve the residents of Durham.

To begin, there were remarks made in the community and in recent news article about the County not covering building repairs. While none of the comments were levied at me as I have a track record of supporting our schools, I would like to pose a few questions. Hopefully they, along with the attached document can aid in all of us having a more fruitful and honest dialog that can benefit the public.

The newspaper article mentioned an emergency meeting by the Board of Education to approve switching the chiller for \$346,140 at Durham School of the Arts. Based on the financial documents, it appears there have been funds available to support the DSA project from the 2016 bond referendum since 2017 that has not yet been spent and must be spend by November 2023. As of April 24, 2021, it appears that DPS has almost \$457K available in one project for DSA from the 2016 bonds. This can be found on Attachment II (page 6 of the attachments).

In addition to the bond dollars, funds were approved in October 2020 for DSA improvements totaling nearly \$7.8 million. This information is located on page 7. With funds available in multiple sources, why was there a project delay? Most important, why are commissioners being blamed, when its clear based on the data, funds have been and were available for some time?

If delays happened because of COVID or other challenges, I completely understand. What I don't understand is how the County can be blamed when dollars were made available for these projects and \$3.5 million remains unallocated to any project. I have looked at those past meetings and invite the public to do the same to see what the past board did in the way of funding. Further \$4.2 million in lottery funds have not been appropriated. Again, why is the County being called negligent and being blamed when the funds have been in place?

Please also provide some clarity as to why, with the students at DSA learning remotely until reopening April 8th, why DPS did not use the funding available to repair the chiller at DSA way before the reopening. Can someone please explain that? Instead, the County is being blamed that DSA students had to go back to remote learning.

The newspaper article mentioned Parkwood having HVAC issues and switching to digital because of a malfunctioning HVAC system. The detailed documents show on page 20 of Attachment III, funds were appropriated to replace HVAC systems at Parkwood in November 2019. Based on

when authorization was given to move forward on these projects, it appears the allocations could have happened months earlier. I understand if the project was delayed due to the challenges related to managing COVID-19 issues. Yet, the narrative in the paper made it appear as though the County was responsible for the project not getting created when in fact it was a part of an HVAC project created and approved November 25, 2019.

Based on the State reports, it appears there is an accumulated balance of not quite \$4.3 million in lottery funds. The County transferred an additional million dollars to DPS to support pressing capital needs. The \$1 million transferred meant the County had to use an alternative funding source to cover the apportioned debt. Has DPS used this annual million-dollar funding source? If DPS has not used the annual funds, do we need to revisit that action as a Board? Or is DPS planning to use those funds in the future for projects? What has been the historical pattern for use of lottery funds by DPS? Although it's clear there were balances in the previous years, the accumulated balance in 2021 appears to be at a larger scale than other years. What's happening with these patterns, why haven't the funds been used timely.

Further, the report stated, the County gave \$10 million in authority to support deferred maintenance issues in 2019. This is found on page 3. According to the documents, of that \$10 million, only \$6.5 has been appropriated. Again, there may be legitimate reasons for delays with project movement and slower spending, but the public messaging has made it appear the County has done nothing. Yet, based on page 3, of the \$10 million allocated in 2019, only \$1.46 million has been spent, which is about 15%. How can DPS facilitate faster spending rates on critical projects, especially given the significant increase in funding for DPS was allocated earlier this month for additional spending capacity?

Based on what I have outlined above, this issue seems to be more UNDER SPENDING as opposed to underfunding. It leaves one to wonder how and why this narrative of underfunding continues to be perpetuated by both members of your body as well as mine, when the facts clearly showcase the opposite.

There were also statements made in the public about the more than \$700 million for construction or needed repairs. The long range facility assessment presented at the January BOE 2019 meeting estimated a necessary \$727 million to address all facilities needs in DPS. I have been on public record for the \$727 million in capital improvements since the report was issued. I made multiple public statements about the funding before my election and pushed for parents in local PTA's to do the same. The last BOCC administration and staff sought the total amount but were only granted around \$468 million. I applaud the Board of County Commissioners for taking actions to getting funding to repair our schools. When some people on the school board have been asked about this Capital Improvement spending, I have seen members of this board act as if my fellow board members took no action. That is not true. When statements are made in the public by citizens who do not have the privilege or opportunity to know the ins and outs of our work, we should give them the correct information. Telling the TRUTH should not be hard. Asking questions should not be seen as acts of defiance. For many black and brown elected officials in Durham, telling the truth has often landed them in crosshairs of threats of violence. This needs to stop and I hope this emails aids in other elected officials speaking up to tell the truth. I pray you

have the courage to join me. Parents have enough to deal with and if we can relieve a little bit of pressure by telling them the truth we owe that to them.

I pledge to always defend my board and my staff when they have been falsely accused. I will defend them just as I defended many of those on the school board when your lives as well as those of your families, were threatened and many elected officials on all government bodies in Durham sat silent until I spoke up. I will continue to look at other allegations made and compare them to the data. I hope that we can get to a point where we look at the data first and then proceed to call one another before false allegations are made.

Chair Umstead, based on individual meetings you have had with our board members over the past few weeks I see that you are trying to lead by example. The same can be said for Dr. Mubenga. For that I offer an additional thanks and look forward to that continued work. I am prayerful your colleagues follow suit.

Seeing these detail reports, and knowing the efforts required to ensure timely project completion, I need to better understand the infrastructure dedicated to support capital projects and facility maintenance at DPS. If the infrastructure is not in place to timely execute projects, our children attending DPS schools, teachers and administrators suffer and will continue to suffer until it is remedied. We all know that Durham is currently still in the midst of multiple crisis. The Covid-19 pandemic, racism, gun violence and misinformation.

As with LEAs across the State, I know DPS has older buildings that require an increased level of service. For the past five years, what have been the staffing levels to support facilities management and capital project management at DPS? How do these levels compare to jurisdictions of similar size? What approaches will be done to bolster the infrastructure from existing resources to help facilitate faster project completion while maintaining accurate project costs?

We owe it to our students, parents, teachers and taxpayers to get this right. I have talked to many of the newly elected officials on the board. It was not until I told them about this funding that they even knew it existed. I find that very concerning, but I offer them the same grace that I would want as a newly elected, hence my email today. I also took the time to meet with past member. We as leaders are now better off because we have taken the time over the weeks to do the research and I know the public will be as well.

We are all well aware of the amount of funding that our communities will receive outside of tax dollars via ARPA. All told the direct injection from Congress that Durham Public Schools will receive is not just the \$90 million that we have previously seen in statements, but a grand total of almost \$140 million. While we have a certain amount of freedom with that spending, there are still stipulations for how it is used for and what it is used for in our district. That includes deadlines. Deadlines include planning or in this instance, better planning. We have already had to go back on multiple occasions, at least 3 times, to the Local Government Council to ask for extensions because the school board has not spent monies on projects. Our students and teachers deserve to have those dollars spent. Based on a Budget Meeting on yesterday, there is still \$49 million dollars left in past bond that has not been spent. That is not an accusation, it is an observation. I am hopeful that you can receive it as just that, a very real observation. While I will not go so far as to falsely

criticize your board or staff as many of your members have done my board and my staff, I will state that I have concerns about future planning based on some of the inquires I provided above.

I am aware that on last June the Board of County Commissioners and the School Board committed to start joint planning efforts. I do hope that collaboration leads to more efficient future work. I look forward to supporting your work as you improve upon your planning process. and I am thankful for those School Board Members who have met with me or are willing to meet with me in the coming days and weeks about both the Budget and ARPA. Indeed, as we continue to get guidance from the national level we must be measured in what we state to the public can/cannot pay for by these monies. That type of investment can be a game changer for our students, teachers and parents. We are likely to never see that type of spending in our lifetime. I know you all share my desire to be good stewards of that funding.

Based on the funding Durham Public Schools will receive/has on hand from various Bonds, the funding support from ARPA, as well as the funding received from our County Commission, Durham Public Schools will have access to approximately \$1 Billion. Can we expect the same underspending? I certainly hope, not. I'm sure the parents, students and educators feel the same way as I: Spend the Money. I would also like to point out that I have not mentioned, either of our respective reserve funds nor fund balances nor the AAA bond rating that gave us access to so much capital in the first place. I want everyone to see that even without listing those funds, DPS still has access to almost \$1 Billion Dollars.

This is not the time to be defensive, but a time to be decisive. I look forward to your thoughts on this issues. Actual answers, not more accusations. If the answers, don't exist for you, I would hope that we could move forward with spending the above-mentioned funds on things that will help our parents, teachers and students, all learn, eat, work, play and innovate in a safe and supportive learning environment. Please feel free to reach out to me about any of the questions I posed above. Again, I want to echo that I support fully funding our schools and my actions as a County Commissioner have not been contrary to that mission.

A while ago, a group of educators told the world, "We endorse Nimasheena Burns because of her team-building approach, her creative and reason-based orientation to problem solving, as well as the tenacity and professional experience she will bring to the budgeting and oversight process." I have no plans of retreating from that standard. My note today as well as the ones to follow, are just one of the ways of simply continuing to meet and exceed that standard for all those in Durham.

Yours in Service,

Commissioner Nimasheena Burns
Durham Board of County Commissioners