

**THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA**

Monday, December 1, 2003

9:00 A.M. Worksession

MINUTES

Place: Commissioners' Room, second floor, Durham County Government
Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman Ellen W. Reckhow, Vice-Chairman Joe W. Bowser, and
Commissioners Philip R. Cousin Jr., Becky M. Heron, and Mary D.
Jacobs

Absent: None

Presider: Chairman Reckhow

Welcome

Chairman Reckhow welcomed everyone to the meeting.

Election of Chairman and Vice Chairman of the Board of County Commissioners

Chairman Reckhow recognized County Attorney Chuck Kitchen to preside over the election of the Board's chairman.

County Attorney Kitchen stated that the Board must elect a chairman for the ensuing year, as required by general statute.

Attorney Kitchen recognized Commissioner Heron.

Commissioner Heron nominated Ellen Reckhow to serve as chairman for another year.

No other nominations were made.

Commissioner Heron moved, seconded by Commissioner
Bower, to approve the nomination of Ellen Reckhow as
Chairman of the Board.

The motion carried unanimously.

Attorney Kitchen congratulated Chairman Reckhow.

Chairman Reckhow presided over the election of vice chairman.

Commissioner Cousin nominated Joe Bowser to serve as vice chairman.

Commissioner Cousin moved, seconded by Commissioner Heron, to approve the nomination of Joe Bowser as Vice Chairman of the Board.

The motion carried unanimously.

Chairman Reckhow stated that she has enjoyed working with Vice-Chairman Bowser and other Board members. She looked forward to working with everyone again next year.

Vice-Chairman Bowser said he has also enjoyed serving on the Board, working with the Commissioners, and anticipates future accomplishments for Durham County and its citizens.

Agenda Adjustments

Chairman Reckhow announced that the Board had been asked to defer agenda item Nos. 3 and 4, "Ten-Year Plan to End Homelessness" and "Adequate Public Schools Facilities Policy", until the January 5, 2004 Worksession.

Approval of Public Official Bonds

The Board of Commissioners is required to approve the bonds of public officials on the first Monday of December of each year. Following approval, the bonds will be recorded in the Register of Deeds Office and then sent to the Clerk of Superior Court for safekeeping.

Resource Person(s): Chuck Kitchen, County Attorney, and Cathy Whisenhunt, Risk Manager

County Manager's Recommendation: The County Manager recommended that the Board approve the bonds, which meet statutory requirements.

Commissioner Heron moved, seconded by Commissioner Jacobs, to approve the Public Official Bonds.

The motion carried unanimously.

The Public Official Bond Certificate follows:

NORTH CAROLINA
DURHAM COUNTY

CERTIFICATE

As Chairman of the Board of County Commissioners of Durham County, North Carolina, this is to certify that on Monday, December 1, 2003, the following Public Official Bonds were approved by the Board of County Commissioners of Durham County; the Public Official, the amount of bond, and the bond number with the name of the surety were set forth:

POSITION	PUBLIC OFFICIAL	AMOUNT OF BOND	SURETY	BOND #
Financial Officer	George Quick	\$250,000	Hartford	20BSBAY8705
Tax Collector	Kenneth L. Joyner Jr.	\$250,000	Hartford	20BSBBT7693
Sheriff	Worth Hill	\$ 25,000	Hartford	20BSBBY9698
Register of Deeds	Willie L. Covington	\$ 50,000	Hartford	20BSBAA7561
Employees Blanket Bond	Employee Dishonesty Forgery or Alteration Theft, Disappearance and Destruction	\$250,000 \$250,000 \$250,000	Capital Indemnity	CPP1900145

Each bond is executed under seal in the name of the surety by an agent or attorney in fact. The Clerk of the Durham County Board of Commissioners has been instructed to record each of the bonds enumerated herein with the power of attorney attached thereto in the office of the Register of Deeds of Durham County, together with a copy of this Certificate attached to each bond. After said bonds have been duly recorded in the Office of the Register of Deeds, the original of bond together with the power of attorney and a copy of the Certificate shall be deposited with the Clerk of Superior Court of Durham County.

/s/ Ellen W. Reckhow
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

Policy on Payment of Impact Fees for Affordable Housing

In connection with the Impact Fee Ordinance adopted by the Board in September, a resolution was proposed establishing a policy on payment of impact fees on affordable housing by the County. The proposal would provide for the payment of impact fees when renter-occupied or owner-occupied housing is developed by a nonprofit organization. Based on the number of qualifying units, which information was provided by the Durham Affordable Housing Coalition, the initial cost would be approximately \$325,000. The policy provides that the payment be made without the actual transfer of funds, provided the amounts to be credited to the fund do not exceed the amount paid by the County for additional school capacity. Should the County elect to pay for for-profit, as well as nonprofit development for affordable housing, the amount estimated would be between \$1,500,000 and \$1,600,000 based on earlier estimates provided by Lanier Blum.

Resource Person(s): Chuck Kitchen, County Attorney

County Manager's Recommendation: The County Manager recommended that the Board give directions to staff as to any policy changes and direct that the policy be placed on the December 8, 2003 Regular Session agenda.

Chairman Reckhow recognized County Attorney Chuck Kitchen to present this item.

Attorney Kitchen discussed the eligibility criteria of the policy which provides that the County pay school impact fees for 501(c)(3) nonprofit organizations that develop affordable renter-occupied or owner-occupied housing. Owner-occupied housing is defined as housing developed with assistance from a government program for first-time homebuyers. The recommended qualifying income level is 80 percent of the HUD published area median income for housing offered and sold for no more than \$130,000 (provided the payment is limited to nonprofits). Affordable renter-occupied housing is defined as housing developed with assistance from a government program requiring affordability to households at or below 60 percent of the HUD area medium income. Organizations must certify in writing that the housing will remain affordable to the anticipated beneficiary or beneficiaries for a five-year period.

Attorney Kitchen responded to Commissioner questions concerning affordable housing.

Chairman Reckhow moved the item to the December 8, 2003 Regular Session agenda.

Livable Wage Proposal Review

At the October 7, 2003 Commissioner Worksession, DurhamCAN presented a proposal for a Durham County living wage ordinance seeking to “ensure that all people working in County Government and all those working for the County as employees of businesses with service contracts shall receive minimally at least a living wage calculated as the Federal Poverty Level plus 7.5% (\$9.85)”. Staff reviewed the proposal and gathered data on implementing such an ordinance. A Living Wage Taskforce was created and met several times to review impact data and develop a recommendation.

After significant research and review, the Taskforce determined that the following major issues must be considered regarding a livable wage: rate of pay, scope of coverage, provision of benefits, service contracts, compliance management, and costs.

On November 24, 2003, the Taskforce presented recommendations to DurhamCAN. The following recommendations were agreed upon:

1. Set a livable wage based on the federal poverty guidelines plus 7.5 percent (\$9.51 [adjusted annually]).
2. The living wage will apply to full-time County employees, at no additional cost to the County for the first year of implementation.

3. The living wage will also apply to full-time temporary employees, the hourly rate negotiated as needed between the County department and the individual temporary agency.
4. Further study is needed to determine the fiscal impact of the living wage on service contracts, part-time employees, and nonprofits.
5. Adopt the policy for living wage for all full-time County employees, effective July 1, 2004.

Resource Person(s): Chuck Kitchen, County Attorney, and Heidi Duer, Assistant to the County Manager

County Manager's Recommendation: The Manager recommended that the Board suspend the rules, adopt the Living Wage Policy with an effective date of July 1, 2004, and authorize the Manager to publish a request for proposal to evaluate the fiscal impact of living wage policy implementation on County service contracts.

Ms. Duer stated that at the onset, the Taskforce realized the large scope of the project, recommending in its report that a consultant be employed to study the livable wage proposal and to make recommendations to the County Commissioners. The recommendation was made that nonprofits not be involved in the program at this time. The program would become effective July 1, 2004.

Attorney Kitchen mentioned previous discussions about holding a public hearing. He suggested that the Board adopt the resolution as presented to allow the County Manager to proceed with the Request for Proposal (RFP) for a consultant. Cost figures could be presented at the January 12, 2004 Regular Session.

Chairman Reckhow recommended that the public hearing be held subsequent to the study.

Vice-Chairman Bowser disagreed with hiring a consultant at this time. He expressed the need for a public hearing to receive comments from service contractors.

Frank Hyman, DurhamCAN representative, commented that DurhamCAN is in agreement with the Manager's recommendation.

Chairman Reckhow requested that the Resolution Adopting a Policy on Paying a Living Wage be placed on the December 8, 2003 Regular Session consent agenda.

Commissioner Jacobs moved, seconded by Commissioner Cousin, to suspend the rules to vote to set a public hearing.

The motion carried unanimously.

Commissioner Cousin moved, seconded by Commissioner Heron, that a public hearing pertaining to a livable wage be scheduled for the January 12, 2004 Regular Session.

The motion carried unanimously.

Budget Ordinance Amendment No. 04BCC000031—Criminal Justice Resource Center—Community Learning Center

The Criminal Justice Resource Center (CJRC) requested authorization and funding to establish a “Community Learning Center” to meet the needs of students ineligible for either traditional school classroom settings or the alternative school at Lakeview School. The target population for the program would be students expelled from the Durham Public School system (permanently removed), suspended for 365 days (not allowed on DPS property, often due to a weapon charge), or not working towards high school graduation but may be performing on a middle or high school level.

The program would serve ten students, operating Monday through Friday from 9:00 a.m. until 12:30 p.m. The classroom would be equipped with ten individual workstations and computers with Internet access. Students would receive a reading test upon enrollment and every six months thereafter, use the Nova Net Curriculum (which is aligned with the NC Standard Course of Study), and work individually on a series of courses. A teacher and an assistant would be available to aid students. The Community Learning Center could operate throughout the year, allowing students to catch up on courses and continue their studies during the summer. A law enforcement officer would be present at check-in, during class hours, as well as at break times to ensure the safety of students and staff. A case manager would work with referring agencies, ensure proper enrollment, track attendance and testing, and provide individual counseling and follow-up. The program may be expanded in July 2004 to offer additional afternoon or evening sessions.

Resource Person(s): Gudrun Parmer, Director, Criminal Justice Resource Center, and Dr. Bert L’Homme, Associate Superintendent for Instructional Services, Durham Public Schools

County Manager's Recommendation: The Manager recommended that the Board suspend the rules; authorize the creation of the Community Learning Center through June 30, 2004, after which its efficiency and effectiveness will be evaluated; and approve Budget Ordinance Amendment No. 04BCC000031 for \$55,920 to move \$27,960 from the Commissioners’ Contingency account for the County’s share of the program and revenue to be received by the City for its share of the program. In addition, approve a .5FTE Case Manager position in the CJRC.

FY 2004 Commissioners' Contingency Account		
	<u>Appropriation</u>	<u>Balance</u>
Original Budget		\$400,000
Donation to Lincoln Hosp School of Nursing-statue at LCHC	\$20,000	\$380,000
Literacy Council additional funding	\$32,500	\$347,500
First in Flight Memorial-Raleigh Durham Airport	\$50,000	\$297,500
Community Learning Center—CJRC	\$27,960	\$269,540

County Manager Michael M. Ruffin introduced the agenda item.

Gudrun Parmer, Director, Criminal Justice Resource Center, made a presentation pertaining to the Community Learning Center.

Ms. Parmer and Dr. L'Homme responded to Commissioner questions and comments.

Commissioner Heron advised Ms. Parmer to consider similar programs and determine the possibility of coordination.

Vice-Chairman Bowser supported a trial run on the proposal.

Commissioner Heron suggested that students enrolled in an alternative school or in the Community Learning Center be given medical examinations to determine whether a medical condition could be causing behavioral problems.

Chairman Reckhow advised that the assessment be conducted in May for FY 2004-05 budget purposes.

Commissioner Jacobs moved, seconded by Commissioner Cousin, to suspend the rules in order to vote.

The motion carried unanimously.

Commissioner Jacobs moved, seconded by Commissioner Cousin, to authorize the creation of the Community Learning Center through June 30, 2004, after which its efficiencies and effectiveness will be evaluated; approve Budget Ordinance Amendment No. 04BCC000031 for \$55,920 to move \$27,960 from the Commissioners' Contingency account for the County's share of the program and revenue to be received by the City for its share of the program; and approve a .5 FTE Case Manager position in the CJRC.

The motion carried unanimously.

The budget ordinance amendment follows:

DURHAM COUNTY, NORTH CAROLINA
FY 2003-04 Budget Ordinance
Amendment No. 04BCC000031

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2003-04 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$298,250,901	\$27,960	\$298,278,861

Expenditures:

<u>Activity</u>			
<u>GENERAL FUND</u>			
Public Safety	\$36,580,339	\$55,920	\$36,636,259
Other	\$18,768,459	(\$27,960)	\$18,740,499

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 1st day of December, 2003.

(Budget Ordinance Amendment recorded in Ordinance Book _____, page _____.)

Update on Client Wait Times at DSS

DSS has experienced a significant increase in demand for services and requested additional staff positions to address the accompanying increase in client wait times and crowding in the lobby at Duke Street. These positions were not approved in this year's budget process. The issues of long wait times and large crowds were particularly acute this summer with the heat and demand for emergency assistance for energy bills. DSS had long lines early in the morning at Duke Street and had many days with standing-room-only crowds in the lobby, creating a safety hazard and the potential for a violent response among clients. DSS realized it must "think outside the box" and develop other strategies to address these issues, creating a Wait-Time Workgroup comprised of agency staff to develop potential solutions.

Resource Person(s): Dan Hudgins, Director; Catherine Williamson-Hardy, Director, Family Economic Stability; Arnold Dennis, Director, Family Economic Independence; and Sharon Hirsch, Director, Customer Access and Program Support

County Manager's Recommendation: The Manager's recommendation was that the Board accept the report from staff and provide policy guidance.

Mr. Hudgins and DSS staff gave an update on caseloads, the changes made, and progress to date in reducing client wait times.

Catherine Williamson-Hardy, Director, Family Economic Stability, discussed issues addressed by the Wait-Time Workgroup that convened on July 8, 2003.

Sharon Hirsch, Director, Customer Access and Program Support, explained the front-desk process and the “back office function” that was created to reduce wait times.

Arnold Dennis, Director, Family Economic Independence, spoke about appointment procedures.

Mr. Hudgins responded to Commissioner questions and comments.

No official action was taken on this item.

Benefits—Hospital Gap Policy and Dental Coverage for Retirees

At the October 7, 2003 Worksession, the Board approved a Hospital Gap Plan to cover the increased copays for in-patient (\$500) and outpatient (\$250) care. Human Resources was instructed to issue an RFP for the plan, not to exceed an annual cost of \$410,000 for employees and \$25,000 for retirees. This RFP was issued, but no bid was received that met all RFP requirements. Based on information developed by Human Resources, the County can self-insure this plan and engage a Third Party Administrator to pay claims for less cost to the County than using a product currently available. This program would be evaluated after the first six months of coverage to ensure its cost effectiveness.

Currently, retired employees are ineligible to participate in the County’s Dental Insurance Plan. At the October Worksession, Human Resources was instructed to verify the feasibility of allowing retirees who are eligible for County Retiree Health Insurance to participate in the dental plan at the retirees’ expense.

Resource Person(s): Debbi Davidson, Benefits Manager, and Tony Noel, Acting Human Resources Director

County Manager's Recommendation: The County Manager recommended approval of the self-insured Hospital Gap Plan with a Third Party Administrator and approval of offering dental coverage to eligible retirees effective January 1, 2004.

Chairman Reckhow recognized Debbie Davidson, Benefits Manager, and Tony Noel, Acting Human Resources Director, to make the presentation.

The Commissioners asked questions and made remarks throughout the presentation.

Ms. Davidson responded to the questions.

Commissioner Heron moved, seconded by Commissioner Cousin, to suspend the rules in order to vote.

The motion carried unanimously.

Commissioner Jacobs moved, seconded by Commissioner Heron, to approve the self-insured Hospital Gap Plan with a Third Party Administrator and approve offering dental coverage to eligible retirees effective January 1, 2004.

The motion carried unanimously.

Pay-for-Performance Enhancement

The Pay-for-Performance program was established to provide a systematic way to reward employees based on job performance and to provide recognition for high-quality performance. The program is also designed to provide an incentive for improving performance and productivity and to maintain a high level of employee performance and morale.

In 2002, the Pay-for-Performance program, which proved to be very unpopular with most employees, granted a \$1000, one-time lump-sum bonus to employees who received a performance rating of "Exceeds Expectations" in all high priority workplan objectives. Three hundred of the 1,700 evaluated employees qualified for the bonus. The program officially ended on December 31, 2002.

The current Pay-for-Performance program, that began in January 2003 grants, all employees a five-percent pay adjustment for "Meets Expectations" performance. This program officially ends on December 31, 2003. In response to a request to design a new plan that awards an increase for both "Meets Expectations" and "Exceeds Expectations" performance, HR requested input from employees and other jurisdictions and obtained information on the latest trends. This information was provided for Board review, discussion, and further direction.

Working within available funds, Human Resources recommended that the County provide a 3 percent pay increase for "Meets Expectations" performance and a 4.5 percent increase for "Exceeds Expectation" performance.

Resource Person(s): Elaine Hyman, Human Resources Manager, and Tony Noel, Acting Human Resources Director

County Manager's Recommendation: The Manager recommended that the BOCC approve the pay-for-performance enhancement that provides a 3 percent pay increase for "Meets Expectations" performance and an additional 1.5 percent increase for "Exceeds Expectation" performance.

Chairman Reckhow recognized Elaine Hyman, Human Resources Manager, and Tony Noel, Acting Human Resources Director, to make the presentation.

County Manager Mike Ruffin stated that the recommendation is in keeping with the Board's request: to keep the cost within the current budget limitations and differentiate between "Meets Expectations" and "Exceeds Expectations" performance.

Ms. Hyman talked about two pay-for-performance roundtable sessions conducted for Durham County employee input. Pay-for-performance survey data from other cities and counties was also discussed.

Mr. Noel reviewed information from surveys completed by Durham County employees. He commented that the proposed plan is projected to begin January 1, 2004, continuing for one full year to give each eligible employee an opportunity to receive the performance adjustment. The annual performance review and all other reviews would remain the same. Employees at the top of the range would be given a lump-sum payment.

Ms. Hyman distributed a chart showing the history of Durham County pay plans since 1986. She stated that the proposed pay plan was developed because employees expressed that an outstanding performance is justification for a greater reward.

Ms. Hyman and Mr. Noel responded to questions and comments.

Chairman Reckhow asked HR staff to consider a 1-percent differential between "meets" and "exceeds" expectations, expressing her view that 1½ percent appears high. She suggested that the most compensation possible be given (within budget limitations) for "meets" expectations with an additional 1 percent for "exceeds".

Chairman Reckhow directed staff to develop a review/appeal process.

Vice-Chairman Bowser suggested that the review process require that supervisors or department heads present justification to a committee for giving an employee the "exceeds expectations" rating.

Update on Human Resources, Budget, and Financial Computer Systems Replacement Project

The Enterprise Resource Planning Replacement (ERP) Project Team has been working for eight months to develop specifications and publish an RFP and is in the process of evaluating proposals received from potential vendors for new applications systems for Human Resources, Payroll, Finance, and Budget.

Last November, American Management Systems (AMS) announced that effective July 2005, it is terminating support of its Advantage Financial and HR applications software that Durham County has been using for approximately 14 years. As this will result in Durham County being unable to receive enhancements, day-to-day support, or any software modifications due to regulatory or legislative action, a project was initiated

to review, evaluate, purchase, and implement a new ERP application software package and supporting hardware.

The ERP Project Team, comprised of HR, Finance, Budget, and IT representatives, has extensively reviewed responses to RFP 04-001. Members of the Project Team presented an update on the status of the project including the vendor selection process, implementation planning, and projected costs. Identification of other issues (including staffing during implementation, conversion of historical data, detail computer and network requirements, and training of support and user staff) is underway but cannot be planned in detail until final vendor selection.

The ERP Project Team and sponsors will return to the Board at the February 2, 2004 Worksession to request approval of funding and authority to enter into a contract with the selected vendor. This will permit the vendor to begin working with the Project Team to detail tasks and schedules to meet the required July 2005 deadline for implementation of Durham County's ERP system.

Resource Person(s): Carolyn Titus, Deputy County Manager; George Quick, Finance Director; Pam Meyer, Budget Director; Jackye Knight, Human Resources Director; Perry Dixon, Information Technology Director; and the ERP Project Team

County Manager's Recommendation: The County Manager recommended that the Board receive the presentation.

Deputy County Manager Carolyn P. Titus introduced the item.

Mr. Dixon showed various slides to explain the project to the Board.

Mr. Dixon and Rick Cornell, Project Manager, responded to questions and comments from the Commissioners.

No official action was taken on this agenda item.

Justice Building Programming and Facility Master Plan Revisions

The Board was requested to consider revisions to the Justice Building Program and Facility Master Plan and authorize the County Manager to proceed with development of a design contract for the Justice Building project.

In March 2000, the Board adopted the Facility Master Plan that identified construction of a Justice Building as the highest priority project. The project was included in the Capital Improvement Program (CIP). The programming phase of the project, completed in October 2002, included two options for building occupancy. Option 1 included all functions related to the justice system and required 282,645 square feet. Option 2 recommended a building of 245,420 square feet and did not include Community Corrections and the Criminal Justice Resource Center. Option 2 was incorporated in the

2004-2013 CIP. However, during review and CIP approval, the Board requested that staff reconsider the occupancy of the proposed Justice Building along with the Judicial Building, Judicial Building Annex, and Eligibility Building, which resulted in the development of Option 3.

Option 3 places Community Corrections in the Judicial Building Annex, Criminal Justice Resource Center in the Eligibility Building, and Juvenile Justice and Guardian Ad Litem in the Judicial Building, resulting in a Justice Building of 228,974 square feet.

Resource Person(s): Glen Whisler, County Engineer

County Manager's Recommendation: The County Manager recommended that the Board support Option 3 for the Justice Building and authorize staff to develop a design contract to be considered in January 2004.

Mr. Whisler introduced Kevin Montgomery, Architect, O'Brien/Atkins Associates, PA, to make the presentation.

Mr. Montgomery spoke on the following topics:

- Objectives of the Facility Master Plan
- Focus of Master Plan
- County-Owned Buildings Available for General Government and Justice System
- Justice Building Options (1, 2, and 3)
 - ✓ Option 1: 282,647 GSF; Parking 1, 318 vehicles; cost \$82,820,450
 - ✓ Option 2: 245,421 GSF; Parking 1,122 vehicles; cost \$78,115,755
 - ✓ Option 3: 228,974 GSF; Parking 1,076 vehicles; cost \$74,497,357 (recommended option)

Vice-Chairman Bowser wanted to know if there was a cost figure to retrofit the Eligibility Building.

Mr. Montgomery replied that the cost has been estimated at \$120 per square foot, for a total cost of \$3.5 million.

Vice-Chairman Bowser inquired about ongoing costs to maintain the building.

Mr. Montgomery informed Vice-Chairman Bowser that energy efficiency of the building could be determined. The Eligibility Building has an historic designation that must be considered in the retrofit.

Vice-Chairman Bowser stated his concerns with the Eligibility Building and Option No. 3, including parking as a concern.

Chairman Reckhow voiced her concerns about the Eligibility Building, stating that public or private sectors should renovate the building.

Vice-Chairman Bowser encouraged the Commission to consider Option No 2.

Commissioner Jacobs stated that she could support Option No. 3.

Commissioner Heron echoed support of Option No. 3.

Vice-Chairman Bowser mentioned that the land cost is the same for all three options.

Vice-Chairman Bowser requested copies of utility and telephone bills for the Judicial Building Annex.

Commissioner Heron wanted to know how much money Durham County receives from the State to operate the court system and how much money Durham County expends to operate the court system.

Chairman Reckhow instructed the County Manager to obtain the requested information and move the item forward to the December 8, 2003 or January 12, 2004 Regular Session agenda.

Invitation

Chairman Reckhow announced that the Commissioners received invitations to participate in the Parkwood Christmas Parade to be held Sunday, December 7, 2003.

Adjournment

Chairman Reckhow adjourned the meeting at 2:35 p.m.

Respectfully submitted,

Garry E. Umstead, CMC
Clerk to the Board