

May 4th Work Session – Citizen Comments

Comment 1:

Gloria Jones

Would everyone take a moment and take a moment to exhale privately versus publicly, etc. The public may have rights to know, but this is not a case for the public at this point because everyone is bickering and it is not professional behavior by all parties. Personally, get the lawyers and persons involved to sit down together and then proceed from there.

We tend to put racism at the forefront when things get nasty. But is it really racism or just plain dislike for one or another. Don't display dirty laundry. We get enough of that at the highest level of politics. What a terrible message to send to our children how adults cannot reason together. This could have/should have been keep in house.

We have a greater issue with the ongoing virus. Please stop being nasty towards each other.

Comment 2:

Andy Shepard

Mrs. Heidi Carter has been unjustly accused of racism by County Manager, Mr. Davis. It is difficult to imagine that these are taken seriously given Mr. Davis past behavior. The Commission should not behold hostage to lies and intimidation. Ms. Carter has always worked hard for all constituents. As a contracted County Manager, he has a clear conflict of interest and fears Ms. Carter's vote to not renew in 2021. The Commission needs to end his contract now.

Comment 3:

Julia Love

Dear Durham County Commissioners,

I am appalled that you are allowing Wendell Davis to besmirch Heidi Carter, who has advocated tirelessly on behalf of all Durham residents with the highest ethical and moral standard. You have done nothing to protect or defend Heidi from what you and I know are baseless, unfounded, and suspiciously timed accusations. This reflects badly on you and Durham County. How can you allow this??? You look weak. I demand action - you must immediately discipline (up to and including termination of) Mr. Davis.

Mr. Davis didn't follow process in making his baseless accusations. In fact, I know there was an anonymous letter sent to you alleging Mr. Davis' actions have violated both the ethics guidelines of the ICMA (International City/County Managers Association) and a NC General Statute regarding election tampering by a city/county employee who reports to an elected body. These are serious infractions and if true should be grounds for dismissal. I demand action here. Have you looked into this?

Mr. Davis surprised everyone with both the suddenness and convenience of the timing of his baseless accusations. Do you really think Mr. Davis attacked Heidi out of the blue just before the election as anything other than a publicity stunt? Your acceptance of this behavior makes Durham look horrible. We are better than this. I demand better than this.

Do your job. Stop Wendell Davis' bad faith actions and SUPPORT HEIDI CARTER!

**Comment 4:
David Smith**

There have been serious allegations regarding one of our county commissioners and the county manager that need to be investigated quickly in order for our county to function during this time of crisis. Based on the structure of our county government the most appropriate way to investigate is from an outside source. Our elected officials are our representatives and the ones ultimately responsible to the citizens. The decision of who should investigate should fall to them.

The county attorney as an employee of the commissioners is subject to influences that would not be present by someone selected directly by the commissioners. Once the investigation is complete the attorney and board will have to work together and there is potential for strained relations. An outside investigator would be free to do an unbiased investigation. In addition to the allegations against one of our commissioners, the timing of the allegations (three weeks before an election) must also be investigated. Neither investigation should be seen as punitive but as a way to clear the reputation of those involved.

I hope this matter will be investigated soon so the board and administration can move on with the running of our county.

**Comment 5:
Barker French**

We understand that there will be a discussion about the investigation into allegations made by the Manager against Commissioner Carter.

Both of us have known Heidi Carter for many years mostly in her capacities as a Durham School Board member, a Chair of the Board of Education, and in her current role as a member of the Board of County Commissioners. In all the public comments we have seen or heard there has never been a hint of bias, racial or otherwise. Commissioner Carter continually promotes fair and objective discussions.

The Manager's approach to handling his complaints seems to have skipped an important step—bringing the complaint to the Board of County Commissioners first for initial discussion and adjudication. Rather, the Manager chose to try his complaints in the “court of public opinion”. This inflamed the community and prospectively impacted the then upcoming election of a new

Board of County Commissioners. In the three years prior to this complaint the Manager never mentioned any problem with Commissioner Carter. Why now?

**Comment 6:
Tim Knechtel**

Why have the Durham County Commissioners not disciplined Mr. Davis for his ham handed efforts to influence the election of the Durham County Commissioners. As a supposedly professional manager he knows full well there are well established methods and processes to be followed for the filling of claims of racial discrimination. That he took his ridiculous claims public through the press just prior to the election should be seen for the transparent effort to adversely impact the election process. As a senior county employee he should be fired or severely disciplined for his outrageous breach of process. The timing and method of his actions were clearly indicative of this breach of ethics, lack of professionalism and judgement.

His actions and those of an obviously orchestrated effort to intimidate elected members of the County Commission is pathetic. Heidi Carter is not the issue Mr. Davis is the issue and his behavior is the problem. The Commission should have dealt with this issue immediately. His ethics and lack of professionalism should require his immediate termination. I suspect that his actions have violated professional standards and wonder if he is guilty of violating North Carolina statutes regarding election tampering by an employee who reports directly to the County Commission.

Mr. Davis is a disgrace to Durham County.

**Comment 7:
Diana Knechtel**

I am writing to express my outrage regarding the actions of City Manager Mr. Davis —specifically those revolving around his accusations of racism against Heidi Carter in late February. These accusations were false and were obviously carefully timed to impact the outcome of the recent elections for County Commissioner in which Heidi was running for re-election. His actions were both unethical and malicious and completely inappropriately handled for a person in his position. In framing my argument, I would like to first assure you that I am aware that racism is a serious issue and that we must do our best to address and correct situations where racism is a factor. However, Heidi Carter's character and actions are above reproach and she was targeted maliciously and with complete lack of professionalism.

I will start by providing yet another character reference for Heidi Carter who I have known for over 20 years. She is one of the most passionate people I know who clearly cares about the well-being of all people who call Durham County their home. She works tirelessly for all of us, regardless of religion, ethnicity, race or other parameter that may define us. She cares about Durham deeply and has dedicated many years to serving all of us as a School Board Member, School Board Chairwoman and eventually as County Commissioner. Durham is a diverse county and we should expect and demand that our elected officials work for all of us. Heidi has always

been that person and she has made it her mission to grow in knowledge and effectiveness as she continues to serve. Heidi pursues excellence which occasionally may cause people who are falling short of expectations to lash out negatively rather than taking responsibility for their actions. This is not an example of racism. I am proud to have Heidi serve as County Commissioner and respect her intensity, her perseverance and her ethics and most of all her empathy in formulating her understanding of local issues.

However the real purpose of this email is to call for the immediate dismissal of our City Manager who used his position to promote false representations of Heidi Carter and her motives and character. I was extremely disappointed at the ineffective response by the Commissioners in addressing this issue at the time. The following points support my argument for Mr. Davis's termination:

- Mr. Davis used an inappropriate process to make a personnel complaint which should have been directed through the HR department or another internal channel and handled in a private manner appropriate for a personnel issue.
- Mr. Davis had not mentioned any concern about Heidi in the previous three years. These accusations were made so abruptly and so publicly that it appears there were ulterior motives underlying his actions.
- His interview quotes and video clips to broadcast his racism allegations in the media were unacceptable and appear to have been a further attempt to damage Heidi's reputation and impact election results.
- His conduct brought negative publicity to Durham County and tarnished its reputation.
- The publicity stunts that Mr. Davis used to communicate a personnel grievance would not be tolerated from an executive in any private or public entity and should not be tolerated here.
- There was an anonymous letter sent to the Commission alleging that Mr. Davis' actions may have violated both the ethics guidelines of the ICMA (International City/County Managers Association) and a NC General Statute regarding election tampering by a city/county employee who reports to an elected body. These are serious infractions and if true should be grounds for dismissal.
- His actions have irreparably damaged his relationship with a Commissioner, harming the dynamics and functionality of the Commission with the County Manager.
- His accusations have created an environment of fear within the county government where employees are afraid to make statements that could bring retribution.

I feel that the Commissioners failed to deal with his unacceptable actions and conduct in a professional and timely manner allowing the situation to fester. By not taking action, the Commissioners appeared weak and intimidated both by Mr. Davis and the small group of critics at public comment. The Commissioners should recognize that Mr. Davis has violated the standards of conduct for any professional employee and particularly for an executive.

I urge you to take the investigation of Mr. Davis seriously and to act with principle and professionalism. Heidi Carter did not deserve this treatment and we need to stand up for her and all other elected officials who are doing their best to make Durham County an attractive and supportive place to live and work for all of us.

**Comment 8:
Anne Gardner**

This letter is written in strong support of Heidi Carter!

As a long term Durham resident, I am very disturbed by the allegations leveled against Heidi Carter by Mr Davis. I find the accusations of racism to be completely baseless and politically motivated. Heidi has worked tirelessly for years to improve the education system in Durham and to make this a better place to live for all of its' citizens.

Racism is a very serious accusation and must be treated accordingly by the Commissioner's. At the same time, the Commissioner's MUST also thoroughly investigate the political motivation and the lack of professionalism on the part of the County Manager. Up until this point it appears that the focus has been completely one sided. The unethical behavior of the County Manager must immediately be addressed.

The Commissioner's owe nothing less to Heidi Carter and to all of the residents in Durham!

**Comment 9:
Lonna Harkrader**

I am shocked and alarmed that Commissioner Heidi Carter has been unjustly accused of racism by Durham County Manager Wendell Davis and that nothing has been done to look into this matter so many weeks after the fact. The relationship between the County Manager and the Board of Commissioners should be one of respect and cooperation. Mr. Davis has proved himself to be incapable of conducting himself in a way that is responsive and business like as he carries out his job as directed by the County Commission. The County Commissioners should long ago have fired Mr. Davis or put him on leave of absence while his inappropriate behavior in sending a letter that was made public criticizing Comm. Carter right before the election. When I first read about this in the newspaper I thought he was trying to get rid of her so someone he liked had a better chance of getting elected. His judgement, his ethics, his integrity, his professionalism, his respect for others are all brought into question by his actions. I am ashamed the Durham County is represented by someone such as Mr. Davis who has created a hostile, unworkable environment as the Commissioners strive to carry out the business of Durham County.

**Comment 10:
Janine Wolf**

I am writing to you to let you know of my unequivocal support for Heidi Carter and to let you know of my concern for how the commissioners are handling the situation with Mr. Davis. Mr. Davis used an inappropriate process to make a personal complaint against Heidi. It should've been directed through the HR department or another internal channel and handled in a private manner

appropriate for a personal issue. Instead, the timing of his letter was very suspect. It had to be deliberate to cast a bad light on her reputation and impact the election.

Why would Mr. Davis want Heidi not to be reelected? His contract as county manager expires in mid 2021, and he obviously has concerns about whether Heidi will support a renewal of it.

The commissioners should have immediately dealt with his unacceptable actions and conduct. This is a racial stunt and it cannot be tolerated. His actions have damaged his relationship with a Commissioner. His accusations are intimidating to every board member for fear that if they criticize him or his work, he will excuse them of acting with racism. He should be put on administrative leave until there has been a determination by the commission of how to handle his actions.

Heidi Carter is a hard-working and fair citizen of Durham. She does not deserve this treatment. The commissioners need to take action immediately, not only for her safety but to deal with the inappropriate actions of Mr. Davis.

**Comment 11:
Eva Mogensen**

Hello to the county commissioners. Hoping all is well with you and your families.

I have not had too many instances to speak to a governing body but I felt that I should send a note to you since distancing doesn't allow face to face visits. I am saddened by the actions of Wendell Davis over the last year and particularly dealing with a person I know and respect. Heidi Carter has been on my radar for some years and I have always known her to be honest and forthright in her support with the Durham schools and the board of county commissioners. I have never heard or detected anything that would be close to being racist, as she has been accused of by Mr. Davis. In fact, that statement is ludicrous. Based on that I couldn't believe the media on Mr. Davis "complaints" about Heidi. It doesn't seem that that would be the appropriate way to handle such matters if he had a grievance with Mrs. Carter. I have now learned that an investigation will ensue. I hope that the full truth comes out so that the public can respect the Board for its appropriate handling of such matters. If Mr. Davis is found to be in the wrong for his remarks and what appears to be a "campaign" before voting, then he should be dismissed from his position. There is enough to be down in our County, we do not need mud-slinging. I cannot abide by such behavior. I do not know the relationship between Mr. Davis and the other board members. I am requesting that this matter be addressed by all without impunity.

**Comment 12:
Ann Rebeck**

In my professional career I have had cause to file a workplace grievance. It is not a pleasant experience but I was glad at the time our human resources had a process through which I could make my concerns known to the leaders of the organization.

With this personal experience in mind I was disturbed and confused when, during the recent election, the County Manager wrote a very public statement and that is was featured in the press regarding his complaints against Commissioner Carter. I had to ask myself "Is this the only way County employees can make their concerns known?" I have to believe that during his time as the County Manager, a robust grievance process was put into place, a process I could only assume Manager Davis did not follow.

I am also aware that Mr. Davis' actions may have violated both the ethics guidelines of the ICMA (International City/County Managers Association) and a NC General Statute regarding election tampering by a city/county employee who reports to an elected body. These are serious infractions and if true should be grounds for dismissal.

Based on these recent decisions, as a tax payer I have lost faith in Mr. Davis' ability to lead. At this critical time in our County we need strong, trustworthy leadership. With his actions Mr. Davis has created an environment of fear. I experienced his actions as that of a bully. That's not what I want for the many hard-working County Employees.

I hope you feel the same and will take action on behalf of the Durham County staff.

Comment 13:

Dick Rumer

In anticipation of the May 4th meeting of the Durham County Commissioners, I write to express my deep concern regarding the letter that County Manager Wendell Davis wrote to Commissioner Heidi Carter on February 11th, and his subsequent public comments.

Mr. Davis wrote Ms. Carter on County letterhead; my understanding is that makes the letter instantly a public document rather than a private communication. The letter makes serious accusations about Ms. Carter without detailing any prior effort to resolve the conflict or using whatever procedures Durham County government has through its Human Resources services. Coming as it did shortly before an election, this public letter raises questions about interfering with the election in a way that a private letter would have avoided. The net effect of this letter and Mr. Davis' subsequent statements expanding on the letter has been to generate more heat than light, and to harden positions rather than to generate understanding or conciliation.

It seems that this extraordinary public conflict between the Manager and a Commissioner is leading you to hire an outside law firm to investigate this matter broadly. I think that is appropriate, although I am unhappy that this distracts and divides Durham County leadership in this time of crisis. As part of that broad investigation, I think it is very important to examine Mr. Davis' behavior closely, to see if he followed the ethics and best practices of his professional peers, and to see if his behavior truly served the people of Durham. Durham deserves no less than the best professional behavior of all its employees, and it is the Commissioners who have the ultimate responsibility to see that those standards are met.

I appreciate the time and care that you and the Commissioners are devoting to this and other matters.

Comment 14:
Jean Domanico

My husband Paul and I have been Durham residents for over 30 years. We have three grown children who all graduated from Durham Public Schools. Over the years we have seen Heidi Carter serve the community selflessly both as member of the Board of Education and as a County Commissioner. She has worked hard, with honesty and integrity, for ALL of Durham's residents and we strongly support her.

Comment 15:
Kelly Witter

I am writing in support of Durham County Commissioner Heidi Carter. I have known Heidi Carter for 40 years and, as a Durham County taxpayer, appreciate her continued commitment to achieve fairness and equity for all in our County. As a County Commissioner, and previously as a School Board Member and Chair, Heidi thoroughly researches challenges faced by our County and seeks to identify and implement equitable and sustainable solutions. The characteristics that I admire most about Heidi are her work ethic, her commitment to fairness, her honesty, and her ability to communicate directly. I'm proud to know Heidi and am thankful for all she does for Durham.

Comment 16:
Clara Muschkin

I write in support of Heidi Carter, whose service to the Durham community has been unflinching, unbiased, and exceedingly valuable. Over these many years she has devoted herself to improving the lives of our children and families, unencumbered by prejudice or favoritism toward any race, ethnicity, neighborhood, or other category used in this political narrative to create divisiveness. I urge the Commissioners to strongly acknowledge and celebrate Heidi's myriad contributions, and to move quickly toward dismissing the hateful allegations against your colleague that can only hinder the Commission's work in future.

Comment 17:
Gin Wiegand

We are writing to express our outrage over the handling of the baseless charges Durham County Manager Wendell Davis publicly hurled against Commissioner Heidi Carter. We were not only shocked by his ludicrous claims of racism, but more importantly his timing in releasing his grievances just days before the election.

In the three previous years he held his position Davis said nothing, yet curiously he waited for a calculated time to launch his attack. It is clear to us that Mr. Davis's actions of releasing his complaints to the media rather than Durham County Human Resources, were hostile and only intended to damage Ms. Carters re-election chances and ultimately assassinate her character and reputation.

As the newspaper reports cited, Mr. Davis's contract was up for renewal and he was in fear of losing his position. It seem obvious to all that Mr. Davis's motivation was to denigrate his perceived challenger in hopes of keeping his job.

Mr. Davis's handling of his complaint cast serious doubt as to his professionalism, maturity, judgment and ethics. Is this really the type of person who should be running the business of our county? How can the County Commissioners continue to allow an employee who is so scheming continue in an important role?

In addition, and more importantly, it is our understanding that his actions are in direct violation of the ethic guidelines of the International City/ County Managers Association and may be in violation of election tampering. ELECTION TAMPERING! Why hasn't this man been fired months ago? Instead of handling this matter swiftly, we understand the board has hired a lawyer to figure out what to do next, thus spending more of our tax dollars unnecessarily. Another outrage!

Please take action now and excuse Mr. Davis from his duties!

**Comment 18:
Jeffrey Carter**

My name is Jeff Carter. I have lived in Durham County for the past 34 years. I am Heidi Carter's brother-in-law and I wanted to express my concerns about the claims made by Wendell Davis that she is a racist. I realize that the fact that Heidi is my sister-in law could reduce my credibility in the eyes of some people, as if my comments are simply to protect someone I love, regardless of the truth. But because I'm family, I have seen her in settings when the outside world isn't watching. I have seen the true Heidi Carter that most people don't have the opportunity to witness. I've known Heidi since 1979, and in those 41 years I have never seen any evidence of animosity or disrespect toward any race or ethnic group at all...none whatsoever. In fact, Heidi has been the person who sees and recognizes the marginalized and underserved, and instead of turning a blind eye like many do, the compassion she has for them compels her to act. That was one of the reasons she entered public office as a school board member in the first place—to help school kids in our community, the majority of whom are not Caucasian.

I think Davis claimed that Heidi is a racist for two reasons.

First, Davis' saying Heidi is a racist immediately shifts the focus from his job performance to her character. Heidi and her colleagues on the County Commission supervise Davis...he reports to them. Heidi has expressed her dissatisfaction with Davis' job performance. Rather than accepting

that feedback from one who is in authority over him and using it to improve his job performance, he accused her of being prejudice against African Americans to shift the focus from himself and his performance as County Manager to her character as a person.

Second, I believe Davis claimed that Heidi is racist is because she was running for re-election, and his hope was that if these racist claims were circulated in the media just prior to the election, she would not be re-elected. He didn't want her to be re-elected because it's likely she won't support renewing his contract as County Manager.

To Wendell Davis I would say: Learn to accept constructive criticism from superiors and use it to improve your performance. It is fine to disagree with feedback from those in authority over you, but learn to express your concerns with respect and work together with those in authority over you to come to an agreement rather than introducing racism to shift the focus off yourself. And remember that even if you do disagree with the Commissioners who are in authority over you, ultimately the County Manager's job is to do what the County Commissioners ask you to do. If you feel you can't do that, you should find another job.

To the County Commissions I would say: Exercise the authority you have been entrusted with by the people of Durham to govern. You have been elected to use your best judgement and wisdom to make Durham a better place. Davis' contract states that he works at the will of the Commission and can be dismissed without cause. If you feel that his job performance and conduct are unacceptable and he is unwilling to change, you should replace him. Also, I think an investigation into Davis' actions is warranted. Davis wrote a letter to Heidi accusing her of racism just prior to her bid for re-election, which could have been an effort to derail her bid for re-election. If true, Davis' actions violated both the ethics guidelines of the ICMA and a NC General Statute regarding election tampering by a city/county employee who reports to an elected body, and he should be fired.

**Comment 19:
Keith Lawrence**

I am writing in regards to the investigations of county commissioner Heidi Carter and county manager Wendell Davis.

I have known Heidi for many years -- both professionally and socially -- and feel qualified to attest to her character. Which is why I was surprised -- no, shocked -- to learn that she had been accused of racism. That is such a far departure from the person who I know, someone who has selflessly served this community for so many years and who has always thought of what's best for all of the people of Durham. And I think the people of Durham know this, as they have overwhelmingly re-elected her on many occasions.

I do not know Wendell Davis, and so will not hazard a guess as to why he would level such a destructive allegation like this. That said, I do find it more than a coincidence that these charges were leveled right before an election, and were leaked to the media. I was heartened to see that despite the suspicious timing of Mr. Davis's letter, Heidi was re-elected.

I realize that part of the investigation will focus on Heidi and the allegations and incidents cited in Mr. Davis' letter against her. She knows that his accusations of racism are completely unfounded, and she is prepared to cooperate fully in the investigation with the expectation that his claims will be confirmed to be false.

That said, I think it is only right and fair to investigate the actions of Mr. Davis. Was the process he used to make and publicize his grievance consistent with acceptable professional standards for an executive manager in his role, or did he violate any code of ethics for city and county managers? Or, even more seriously, were his actions an effort to tamper with an election?

Only by investigating both sides of this conflict will we get a more complete picture of what is the truth.

At a time when the nation is both suffering from a pandemic and at its polarized worst, now is the time for people to do their level best to get along. Lobbing incendiary accusations against a person who has represented this community so well for so many years and to make her an unwarranted target is disturbing, to say the least.

So, in the name of fairness, let's get to the bottom of this mess by fully investigating both sides of this. If you do, I feel certain Heidi will be fully exonerated. And if that is indeed the case, then Mr. Davis should be fired.

Thank you for considering these comments.

**Comment 20:
Ann Sotolongo**

I am writing this email (to be used for public record) to implore you to investigate to actions of Wendell Davis in regards to the process he took regarding a personnel complaint against Ms Heidi Carter.

As a Durham citizen of 33years, I was appalled by the unprofessional way in which our County Manager publicized his grievance. The MANAGER of Durham chose to air a grievance publically in a letter to the Indy newspaper. Was that the proper way a city manager files a personnel complaint? Is that professional? Is that the way Durham Commissioners want the Durham Manger to deal with problems in the future? Were his actions legal? What kind of skill set goes he have to solve major city problems if this is how he chose to act!

Mr. Davis' must be evaluated and action has to be taken to make sure Durham remains The Bull City, not The Bully City. In closing, I pose this question to each of you to consider in your hearts- Mr. Davis has a track record of harassment. If he is allowed to continue, YOUR name might appear in a newspaper complaint next, as that is Mr. Davis' modus operandi. On behalf of all Durham citizens, do the correct thing and investigate Mr. Davis' unprofessional actions.

Do it for Durham.

**Comment 21:
Greg Garneau**

There will always be some tension between a group of elected officials and the professional staff they oversee. It can be very difficult to determine lines of authority or the merits of a particular case before you.

It is clear nevertheless that Mr. Davis is circumventing the process required by this form of government and is making your task extremely difficult while confusing the public. Evidence for this are the angry reactions you have received and the time spent on a matter that should have been resolved within the offices of the Human Resources department of the very administrative structure Mr. Davis manages.

Instruct Mr. Davis to place his personnel complaint within the County administration and likewise instruct the investigative body to pursue the case to adjudication without publicity intended to bias the process one way or another.

Submitted with great respect for the long years of faithful service rendered by all parties to the matter.

**Comment 22:
Jeanne Ryan**

We have been residents of Durham County for the last 34 years, and this is the first time we have been compelled to communicate concerns to the Durham County Commissioners. So many wonderful things have been happening in Durham County, but we have been watching recent events with mounting concern. We are writing to ask that the board of County Commissioners promptly address the misconduct of County Manager, Wendell Davis. Mr. Davis has demonstrated both a lack of professional judgement and what appears to be intentional misconduct, possibly boarding on the edge of violating a NC general statute, within his role as the top appointed position in the County of Durham.

Mr. Davis alleges that frustrations with his lack of leadership expressed by a member of the board are indications of racial bias. The timing of his allegation, the lack of substantial evidence, his failure to follow proper channels, and his lack of professional judgement should be addressed by the board, and action should be taken.

In addition to the concerns noted above, we know the board is well aware of another very concerning personnel matter involving Mr. Davis. According to an article in the News & Observer from March 2017, Mr. Davis is accused of demoting and reducing the pay of a county employee who was competing with him for the county manager position. According to the article, the lawsuit states, "This is a case about an exemplary, well-respected woman who made her way as a leader

to the top echelons of the Durham County government, then had the temerity to challenge a man for the top position of the county manager.” This is a highly disturbing allegation. While we do not yet know the outcome of this case, the allegation alone creates a work environment where county employees may fear retaliation from the county manager for dissenting opinions. There is accumulating evidence that Mr. Davis is intolerant of strong women in his professional work, which alone makes him unsuitable to serve as the Durham County Manager.

We ask that the board move forward with reviewing Mr. Davis’ contract and terminating him if appropriate. This review should not require an external investigation—why do you need to investigate that which you have clearly seen for yourselves? Rather, it is the responsibility of the county commissioners to address the manager’s inappropriate actions and behavior and to replace him with someone who has the trust of the board, the trust of Durham County employees, and the professional skills and ethics that we should all be demanding.

**Comment 23:
Judy Thomson**

The Durham County Commissioners do not need an investigation to determine that Durham County Manager Wendell Davis' conduct was unacceptable when he publicly made allegations against Commissioner Heidi Carter. Mr. Davis used an inappropriate process to make a personnel complaint which should have been directed through the HR department or another internal channel and handled in a private manner appropriate for a personnel issue. The Commissioners should recognize that he has violated the standards of conduct for any professional employee, particularly for an executive. The timing of Mr Davis' allegations is also suspect, coming just days before an election in which Commissioner Carter was up for re-election. If the timing was not deliberate, then it was very poor awareness and judgement on his part if he did not understand that it might affect the outcome election. If it was deliberate, he appears to be in violation of NC General Statute 153A-99 regarding election tampering by a city/county employee who reports to an elected body.

- If the investigation goes forward and his allegations prove to be unfounded, there is no question that he should be terminated immediately. A racial stunt such as this cannot be tolerated. The Commissioners should have immediately dealt with his unacceptable actions and conduct since he is their direct report. They are negligent in their duty by not acting on his unacceptable behavior.
- By not taking action, the Commissioners appear to be weak and intimidated both by Mr. Davis and a small group of Commissioner Carter's critics at public comment.
- The infractions are grounds for termination for cause. If the Commissioners can't bring themselves to terminate Mr Davis for cause, then they should buy out the rest of the remaining one year of his contract now. This is the fastest way to be rid of him, allowing Durham to move forward.
- What are the Commissioners waiting for in order to terminate him, or at a minimum impose severe disciplinary action?

His contract says that he works at the will of the Commission and can be dismissed without cause. Dismiss him now.

**Comment 24:
Barbara Rumer**

Thank you for the opportunity to address you through this written statement. I have followed the allegations of racism against Heidi Carter by County Manager Wendell Davis with great sadness. No one wins when a county official chooses to attack an elected commissioner publicly, particularly without any attempt to resolve the situation privately.

This appears to be what happened when Mr. Davis chose to use county letterhead to write to Ms. Carter and the county commissioners alleging that Ms. Carter engaged in racist behavior. It was no surprise that the document quickly became public. The fact that he did this late in her campaign for reelection, just before early voting started, makes his behavior even worse and calls his motives into question.

When the County Commissioners arrange for a law firm to investigate the allegations against Ms. Carter, it is imperative that the investigation also include Mr. Davis's behavior. Durham County Government has mechanisms in place to deal with personnel issues, and Mr. Davis did not choose to use these. This is not appropriate conduct for any county employee, including the county manager. His behavior was out of bounds and needs to be investigated as part of the process.

If the county manager perceived that Ms. Carter exhibited racist behaviors and truly wanted her to see this and make changes to her behavior, he could have approached her directly for an honest conversation (a "courageous conversation" as such a discussion was described in health department racial equity work). If she were not receptive to this attempt, he should have taken the issue to the county human resources department. Neither of these things appears to have happened. This attempt to browbeat rather than resolve is not a behavior that is worthy of any county employee, particularly not the county manager. It certainly does not move the work of county government forward.

A few words about Heidi Carter: I have known her since the mid-1990's when our children attended the magnet schools that Durham Public Schools (DPS) was just opening. I know her to be passionate about education and the wellbeing of all of the children and families served by DPS. As a member and later chair of the DPS Board of Education and then member of the Board of County Commissioners, she has been a consummate public servant.

I have worked with her on several projects and found her to be insightful and unafraid to question the status quo or to admit when she didn't know something. She was respectful to all, even when she was strongly making a point. She is someone whose passion and skills serve Durham well. I don't want to see her driven away from her position by this inappropriate process.

As a recently retired county employee, I know we can do far better than staying stuck in the mess that the county manager created in this situation. While I recognize that Mr. Davis has done some very good things for the county, I believe that it is time to look carefully at his recent behavior and consider whether he is still a good match for his position.

I hope you will take very seriously your responsibility to investigate the county manager's behavior as well as what he alleges about Ms. Carter. Thank you.

**Comment 25:
Carole Stern**

The county commissioners are elected by the people of Durham County. To conduct their official work, they select and appoint the county manager. The county manager works at the discretion of the managers. When a disagreement between the county manager and the commissioners occurs, work is required by all parties to communicate and work through the conflict for the benefit of the citizens they all serve. If the conflict cannot be resolved through negotiations, an internal investigation by professionals is the recommended procedure.

Heidi Carter is a hard working and dedicated public servant who has served Durham as an elected official now for 16 years. She has served the public well and as a result she has been democratically elected by the majority of voters. As a county commissioner she has a duty to study county needs and advocate for the best programs.

If Davis feels he has been disrespected by Heidi Carter, he needs to follow the code of ethics for ICMA professionals and work with his Human Resources department. Instead Wendell Davis chose to make public accusations days before the election of the county commissioner; his actions represent an attempt to manipulate public sentiment.

**Comment 26:
Edward White**

I am writing to express my concern about the future effectiveness and operations of the County while Wendell Davis remains in his position as County Manager.

Allegations of racial bias must always be taken seriously and investigated, as I understand the board is doing. However, I also believe the Board must immediately take action to thoroughly investigate the conduct with which Mr. Davis has handled himself in this situation.

While I do think its extremely concerning and inappropriate that a County Manager would write and publish this sort of letter immediately prior to an important election, I would also like to highlight a very concerning pattern exhibited by Mr. Davis of intimidation and harassment of women who stand up to him in the workplace. I believe the Board has been negligent in their response to this issue thus far.

The County Manager's actions have caused irreparable damage to his relationship with the Board. How can the Board of Commissioners effectively take strong action to address COVID-19, the affordable housing crisis, or other urgent issues when they fear retaliation if they question or disagree with the County Manager? The answer is obviously that they can't, which is why for the

well-being of Durham County, Mr. Davis cannot continue to remain in his position. I believe Mr. Davis's contract must be terminated or bought out so that Durham can move forward.

Lastly, to Commissioner Howerton – You have given unprofessional, unsubstantiated, and inflammatory comments to the press, and you continue to perpetuate this conflict which is damaging to the future of Durham County. Perhaps you should heed your own advice about integrity and other elements of the ethics policy that you recently outlined.

Thank you for your consideration.

**Comment 27:
Jennifer McDuffie**

I am aghast that you have not defended your fellow commissioner, Heidi Carter, and fired the County Manager. You CAN do so without cause, but YOU HAVE CAUSE!

I have known Heidi Carter for over 15 years and she is often the one to get me to take a step back, look at an issue from the other person's perspective and think in new ways about how to make sure ALL the people of Durham are served. She has been a tireless, even-handed, open-minded public servant for as long as I have known her. HEIDI IS NOT A RACIST, and I think that there are several facts outside the simple truth that should point to this being an immature, unprofessional stunt by the County Manager to save his job:

1. These accusations have come out of nowhere. For three years, not a word was said by him against Heidi then all of a sudden these vile accusations are made.
2. His timing was and is obviously to incite people who will not do their own homework about an issue, but simply believe what they are told to believe via certain media, NOT to vote for Heidi - without legitimate cause.
3. His procedure did not use the proper channels and was completely unprofessional making the Commission look spineless and Durham look like a soap opera.

The Commission is better than this. Durham is better than this. Fire Mr. Davis for inappropriate conduct or, at the very least, put him on administrative leave until you conduct your investigation.

To do otherwise only makes yourselves look bad in the eyes of the residents of Durham County.

**Comment 28:
Wendy Sotolongo**

Heidi Carter has been a dedicated public servant for 15 years, serving on the school board, numerous community committees and as a county commissioner. Despite her years of service and broad community support, she is currently under attack due to allegations made during the heat of a contested political campaign. I encourage the county commissioners to do a thorough investigation to include: 1) the process Mr. Davis used to make and publicize his grievance, and

whether his judgement and conduct were consistent with acceptable professional standards for an executive manager in his roll, 2) whether Mr. Davis violated the code of ethics of the ICMA professional society for city and county managers, of which he is a member, and 3) whether Mr. Davis violated a NC General Statute regarding tampering with an election.

**Comment 29:
Sondra Cozart**

I am requesting that my statement in totality be read into the record as it would if I were able to personally appear.

After viewing the Durham County Commissioner Meeting last week, I am extremely disheartened. If a pattern of racism by certain members of this Board, was not previously obvious, it should be now. At the April 27, 2020 Board of County Commissioner meeting, Commissioner Howerton attempted to assure members of the public that their voice mattered and their voice had been heard and that the County Managers allegation of racism would be followed up on. In response, Commissioner Jacobs said that two issues were under investigation, the first being the County Manager's past letter alleging racism by members of this Board. Secondly, Commissioner Jacobs elaborated in great detail that there would be an investigation into the actions of the County Manager, who is an employee of Durham County, and whether he had violated any Ethics Policies or any laws...

Commissioner Howerton responded that she was not aware of parts of Commissioner Jacobs statement, but was not allowed to complete her thoughts or allowed to speak. In yet another display of disparate treatment and muzzling of the voice of an African American woman, Commissioner Jacobs chastised and criticized Commissioner Howerton, calling her hypocritical and completely shut her down.

As a citizen of Durham County, I would like to raise three questions for the Board to address.

- 1) Was Wendell Davis, County Manager retaliated against for raising a race-based complaint against a County Commissioner.
- 2) Was it appropriate / illegal to openly address the investigation into Durham County employee Wendell Davis at an open meeting?
- 3) Were all County Commissioners provided adequate notice prior to the announcement of the investigation issues?

**Comment 30:
Mark Hellman**

Thank you for the opportunity to make a public comment regarding the investigation that the board is conducting or will conduct into the County Manager's charge that County Commissioner Heidi Carter has acted in a racially biased manner toward him and others.

My main comment is simply this: Such an investigation must include (1) a review and evaluation of the County Manager's decision to express his unhappiness by writing a letter to Commissioner Carter during the recent election rather than by having a conversation with her some time ago and (2) a critical review of how his letter was distributed to news outlets and made public. I trust that the County Manager has expressed regret that his letter was made public since that has apparently prevented his concerns from being raised and possibly resolved in a collegial manner.
