

## ICRCM Emails

The following emails are from staff, specifically the City Attorney and City Manager and staff members, from Oct. 21-28, 2013.

## Shah-Khan, Mujeeb

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**From:** Turner Roth, Denise  
**Sent:** Monday, October 21, 2013 1:59 PM  
**To:** Shah-Khan, Mujeeb  
**Subject:** ICRCM

Sounds like we may need a change to the contract - the Museum believe the way the contract is written suggests that they only have until July 2015 to raised the matching funds. The intention I recall from the meetings was for them to have two and half years from Jan 2014 to raise those funds. Can you take a look at the agreement?

Also, as my presence on the board is an outgrowth of the agreement between the city and the museum, does that mean everything I receive in my participation on the board, handouts, financial, etc become public record?

Sent from Windows Mail

## Shah-Khan, Mujeeb

---

**From:** Shah-Khan, Mujeeb  
**Sent:** Monday, October 21, 2013 2:10 PM  
**To:** Turner Roth, Denise  
**Subject:** RE: ICRCM

We're drafting the contract (there's no contract yet) – so not sure what they're referring to. The contract we're putting together uses the Nussbaum Center contract as a model.

Council's action was to adopt your recommendations. The term sheet and the powerpoint gave them from September 3, 2013 to July 1, 2015 raise funds that would be eligible for offset. May make sense to change since the last repayment is due on Feb. 1, 2017.

And yes, everything is public record, unless it fits an exception. We can work on what will can be protected. But otherwise, anything you or the Mayor get will be public record.

**From:** Turner Roth, Denise  
**Sent:** Monday, October 21, 2013 1:59 PM  
**To:** Shah-Khan, Mujeeb  
**Subject:** ICRCM

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Sent from Windows Mail

## Shah-Khan, Mujeeb

---

**From:** Shah-Khan, Mujeeb  
**Sent:** Tuesday, October 22, 2013 12:29 PM  
**To:** McCrea, Jenifer B; Williams, Mike  
**Subject:** Fwd: ICRCM

S. Mujeeb Shah-Khan  
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY

PH: 336.373.2695  
FAX: 336.373.2078  
[mujeeb.shahkhan@greensboro-nc.gov](mailto:mujeeb.shahkhan@greensboro-nc.gov)  
[www.greensboro-nc.gov](http://www.greensboro-nc.gov)

Begin forwarded message:

**From:** "Shah-Khan, Mujeeb" <[Mujeeb.ShahKhan@greensboro-nc.gov](mailto:Mujeeb.ShahKhan@greensboro-nc.gov)>  
**Date:** October 21, 2013 at 2:10:25 PM EDT  
**To:** "Turner Roth, Denise" <[Denise.Turner@greensboro-nc.gov](mailto:Denise.Turner@greensboro-nc.gov)>  
**Subject:** RE: ICRCM

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Council's action was to adopt your recommendations. The term sheet and the powerpoint gave them from September 3, 2013 to July 1, 2015 raise funds that would be eligible for offset. May make sense to change since the last repayment is due on Feb. 1, 2017.

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Please let me know if you have any questions or concerns, or need more information.

**Denise Turner Roth**, City Manager  
City of Greensboro  
300 W. Washington Street  
Greensboro, NC 27402-3136  
Phone: 336.373.2002 Fax: 336.373.2117  
<http://www.greensboro-nc.gov>

## Shah-Khan, Mujeeb

---

**From:** Peterson-Buie, Becky  
**Sent:** Thursday, October 24, 2013 3:20 PM  
**To:** Shah-Khan, Mujeeb  
**Subject:** RE: Civil Rights Museum Contract

Ok.

Becky Jo Peterson-Buie  
Chief Deputy City Attorney  
City of Greensboro  
Post Office Box 3136  
Greensboro, North Carolina 27402  
(336) 373-2320  
(336) 373-2078 (fax)  
[www.greensboro-nc.gov](http://www.greensboro-nc.gov)

---

**From:** Shah-Khan, Mujeeb  
**Sent:** Thursday, October 24, 2013 3:19 PM  
**To:** Peterson-Buie, Becky  
**Subject:** Civil Rights Museum Contract

Jo –

I understand Jenifer is supposed to attend a deposition with you tomorrow morning. I need to pull her off that and have her work on finishing the contract for the Civil Rights Museum loan. We want to get that out so we can process the payment.

Hope that doesn't pose a problem.

Mujeeb

**S. Mujeeb Shah-Khan**  
CITY ATTORNEY

**OFFICE OF THE CITY ATTORNEY**

PH:336.373.2695  
FAX: 336.373.2078  
[mujeeb.shahkhan@greensboro-nc.gov](mailto:mujeeb.shahkhan@greensboro-nc.gov)  
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## Shah-Khan, Mujeeb

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**From:** Shah-Khan, Mujeeb  
**Sent:** Thursday, October 24, 2013 3:25 PM  
**To:** Turner Roth, Denise  
**Cc:** Williams, Mike; McCrea, Jenifer B  
**Subject:** RE: ICRCM

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Mike and Jenifer -- Anything else you'd recommend we add?

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**Sent:** Thursday, October 24, 2013 3:25 PM  
**To:** Peterson-Buie, Becky  
**Subject:** RE: Civil Rights Museum Contract

Thanks. We just need to get the ICRCM deal finished.

---

**From:** Peterson-Buie, Becky  
**Sent:** Thursday, October 24, 2013 3:20 PM  
**To:** Shah-Khan, Mujeeb  
**Subject:** RE: Civil Rights Museum Contract

Ok.

Becky Jo Peterson-Buie  
Chief Deputy City Attorney  
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## Shah-Khan, Mujeeb

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**From:** Shah-Khan, Mujeeb  
**Sent:** Thursday, October 24, 2013 3:42 PM  
**To:** Turner Roth, Denise  
**Cc:** Williams, Mike; McCrea, Jenifer B  
**Subject:** RE: ICRCM

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**From:** Turner Roth, Denise  
**Sent:** Thursday, October 24, 2013 3:26 PM  
**To:** Shah-Khan, Mujeeb  
**Cc:** Williams, Mike; McCrea, Jenifer B  
**Subject:** Re: ICRCM

Sounds good. I am not sending it until tomorrow, let me know if you have anything else.

On Oct 24, 2013, at 3:24 PM, "Shah-Khan, Mujeeb" <[Mujeeb.ShahKhan@greensboro-nc.gov](mailto:Mujeeb.ShahKhan@greensboro-nc.gov)> wrote:

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**From:** Turner Roth, Denise  
**Sent:** Thursday, October 24, 2013 4:01 PM  
**To:** Shah-Khan, Mujeeb  
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## Vigue, Mary

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**Cc:** Williams, Mike; McCrea, Jenifer B; Vigue, Mary  
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## Shah-Khan, Mujeeb

---

**From:** Shah-Khan, Mujeeb  
**Sent:** Friday, October 25, 2013 4:11 PM  
**To:** Lusk, Rick  
**Cc:** Vigue, Mary; Williams, Mike; McCollough, Mary; Druga, Marlene; Roberts, Jeff  
**Subject:** Re: Civil Rights Museum

We understand the risks.

S. Mujeeb Shah-Khan  
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY

PH: 336.373.2695  
FAX: 336.373.2078  
[mujeeb.shahkhan@greensboro-nc.gov](mailto:mujeeb.shahkhan@greensboro-nc.gov)  
[www.greensboro-nc.gov](http://www.greensboro-nc.gov)

On Oct 25, 2013, at 3:09 PM, "Lusk, Rick" <[Rick.Lusk@greensboro-nc.gov](mailto:Rick.Lusk@greensboro-nc.gov)> wrote:

As long as everyone understands the risk of not having a signed agreement and circumventing the internal control system. Have you coordinated payment with Marlene and/or Jeff?

Sent from my iPhone

On Oct 25, 2013, at 3:01 PM, "Vigue, Mary" <[Mary.Vigue@greensboro-nc.gov](mailto:Mary.Vigue@greensboro-nc.gov)> wrote:

Mujeeb and staff are working on the agreement. According to Mujeeb, we can proceed without the signed agreement.

**From:** Lusk, Rick  
**Sent:** Friday, October 25, 2013 2:49 PM  
**To:** Vigue, Mary; Williams, Mike  
**Cc:** McCollough, Mary  
**Subject:** Re: Civil Rights Museum

Has the loan agreement been signed? That is needed before the payment can be processed.

Sent from my iPhone

On Oct 25, 2013, at 11:14 AM, "Vigue, Mary" <[Mary.Vigue@greensboro-nc.gov](mailto:Mary.Vigue@greensboro-nc.gov)> wrote:

Denise wants to process the payment today. What do we need to do?

Thanks.

Mary Vigue  
Assistant to the City Manager  
City Manager's Office

City of Greensboro  
300 West Washington Street, Greensboro, NC 27401  
Phone: 336.373.2394

## Shah-Khan, Mujeeb

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**From:** Shah-Khan, Mujeeb  
**Sent:** Friday, October 25, 2013 4:12 PM  
**To:** McCrea, Jenifer B; Williams, Mike  
**Subject:** Fwd: Civil Rights Museum

FYI

S. Mujeeb Shah-Khan  
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY

PH: 336.373.2695  
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Begin forwarded message:

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**Date:** October 25, 2013 at 4:10:30 PM EDT  
**To:** "Lusk, Rick" <[Rick.Lusk@greensboro-nc.gov](mailto:Rick.Lusk@greensboro-nc.gov)>  
**Cc:** "Vigue, Mary" <[Mary.Vigue@greensboro-nc.gov](mailto:Mary.Vigue@greensboro-nc.gov)>, "Williams, Mike" <[Mike.Williams@greensboro-nc.gov](mailto:Mike.Williams@greensboro-nc.gov)>, "McCollough, Mary" <[Mary.McCollough@greensboro-nc.gov](mailto:Mary.McCollough@greensboro-nc.gov)>, "Druga, Marlene" <[Marlene.Druga@greensboro-nc.gov](mailto:Marlene.Druga@greensboro-nc.gov)>, "Roberts, Jeff" <[Jeff.Roberts@greensboro-nc.gov](mailto:Jeff.Roberts@greensboro-nc.gov)>  
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Phone: [336.373.2394](tel:336.373.2394)

## Shah-Khan, Mujeeb

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**From:** McCollough, Mary on behalf of Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 10:24 AM  
**Cc:** Keys, Jake; CMO; Shah-Khan, Mujeeb; Turlington, Donnie  
**Subject:** Civil Rights Museum Financial Audits  
**Attachments:** 2010-11 Audit Letter.pdf

*Mayor and Members of Council,*

*The City has completed its review of the 2010 and 2011 audits submitted by the International Civil Rights Center and Museum (ICRCM). Our review has deemed the audits to be acceptable. All questions have been answered by the ICRCM and its financial representatives. Therefore, I am comfortable moving forward with the first loan installment of \$750,000.*

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*I also attended my first meeting of the board on Monday and the Mayor will join me at the meeting next month.*

*Please let me know if you have any questions or concerns, or need more information.*

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Phone: 336.373.2002 Fax: 336.373.2117

<http://www.greensboro-nc.gov>

**\*\*Please note that email sent to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties\*\***

## Vigue, Mary

---

**From:** McCollough, Mary on behalf of Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 10:24 AM  
**Cc:** Keys, Jake; CMO; Shah-Khan, Mujeeb; Turlington, Donnie  
**Subject:** Civil Rights Museum Financial Audits  
**Attachments:** 2010-11 Audit Letter.pdf

*Mayor and Members of Council,*

*The City has completed its review of the 2010 and 2011 audits submitted by the International Civil Rights Center and Museum (ICRCM). Our review has deemed the audits to be acceptable. All questions have been answered by the ICRCM and its financial representatives. Therefore, I am comfortable moving forward with the first loan installment of \$750,000.*

*In addition, the Community Foundation is supporting the Museum by providing input into the best practices for nonprofit operations and the formation of an audit committee. Legal is working with Museum representatives to finalize an agreement between the City and the ICRCM that memorializes the terms expressed by Council through its September 3 vote, including how the City's interests will be protected. In the meantime, we are looking forward to receiving the 2012 audit from the ICRCM.*

*I also attended my first meeting of the board on Monday and the Mayor will join me at the meeting next month.*

*Please let me know if you have any questions or concerns, or need more information.*

*Denise*

**Denise Turner Roth**, City Manager

City of Greensboro

300 W. Washington Street

Greensboro, NC 27402-3136

Phone: 336.373.2002 Fax: 336.373.2117

<http://www.greensboro-nc.gov>

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## Vigue, Mary

---

**From:** Vigue, Mary  
**Sent:** Friday, October 25, 2013 11:15 AM  
**To:** Lusk, Rick  
**Cc:** McCollough, Mary  
**Subject:** Civil Rights Museum

Denise wants to process the payment today. What do we need to do?

Thanks.

Mary Vigue  
Assistant to the City Manager  
City Manager's Office  
City of Greensboro  
300 West Washington Street, Greensboro, NC 27401  
Phone: [336.373.2394](tel:336.373.2394)

**Vigue, Mary**

---

**From:** Vigue, Mary  
**Sent:** Friday, October 25, 2013 11:19 AM  
**To:** Druga, Marlene  
**Subject:** FW: Civil Rights Museum Payments

**From:** Davis, Larry  
**Sent:** Saturday, October 19, 2013 1:30 PM  
**To:** Vigue, Mary; McCollough, Mary  
**Cc:** Decker, Jon  
**Subject:** Civil Rights Museum Payments

Denise mentioned Thursday that she wants the civil rights payments to be handled quickly once the go ahead is given. Just as a FYI – the full potential allocation of \$750,000 has been established in 410-9515-04.5282. The budget ordinance and adjustment associated with the project have been processed. You should be able to write the check order without any delay.

LD

## Vigue, Mary

---

**From:** Vigue, Mary  
**Sent:** Friday, October 25, 2013 11:20 AM  
**To:** Druga, Marlene  
**Subject:** FW: ICRCM

**From:** Turner Roth, Denise  
**Sent:** Thursday, October 24, 2013 4:01 PM  
**To:** Shah-Khan, Mujeeb  
**Cc:** Williams, Mike; McCrea, Jenifer B; Vigue, Mary  
**Subject:** Re: ICRCM

That works-thanks.

On Oct 24, 2013, at 3:42 PM, "Shah-Khan, Mujeeb" <[Mujeeb.ShahKhan@greensboro-nc.gov](mailto:Mujeeb.ShahKhan@greensboro-nc.gov)> wrote:

We will. And if you need to get the payment out before the contract is signed by them (I know they want the financial institutions involved to look at it) – that won't be an issue. They've met their obligations for the first payment.

**From:** Turner Roth, Denise  
**Sent:** Thursday, October 24, 2013 3:26 PM  
**To:** Shah-Khan, Mujeeb  
**Cc:** Williams, Mike; McCrea, Jenifer B  
**Subject:** Re: ICRCM

Sounds good. I am not sending it until tomorrow, let me know if you have anything else.

On Oct 24, 2013, at 3:24 PM, "Shah-Khan, Mujeeb" <[Mujeeb.ShahKhan@greensboro-nc.gov](mailto:Mujeeb.ShahKhan@greensboro-nc.gov)> wrote:

The only thing I'd want to add is that we are finalizing the contract that will be used to ensure that the obligations of both the ICRCM and the City are fully set out and the that the method for ensuring that the City's interests are protected is clear. We can add that at the end of the first paragraph and it could simply say: "We are finalizing an agreement between the City and the ICRCM that memorializes the terms expressed by Council through its September 3 vote, including how the City's interests will be protected."

Mike and Jenifer – Anything else you'd recommend we add?

**From:** Turner Roth, Denise  
**Sent:** Thursday, October 24, 2013 2:11 PM  
**To:** Shah-Khan, Mujeeb  
**Subject:** ICRCM

I am doing the leg work to announcement payment to the museum. Do you have any comments or anything from your perspective you want me to reference?

Mayor and Members of Council,

The City has completed its review of the 2010 and 2011 audits submitted by the International Civil Rights Center and Museum (ICRCM). Our review has deemed the

audits to be acceptable. All questions have been answered by the ICRCM and its financial representatives. Therefore I am comfortable moving forward with the first loan installment of \$750,000.

In addition, I attended my first meeting of the board on Monday and the Mayor will join me at the meeting next month. As we continue to move forward with this loan process, the Community Foundation is supporting the museum by providing input into the best practices for nonprofit operations and the formation of an audit committee. In the meantime, we are looking forward to receiving the 2012 audit from the ICRCM.

Please let me know if you have any questions or concerns, or need more information.

**Denise Turner Roth**, City Manager  
City of Greensboro  
300 W. Washington Street  
Greensboro, NC 27402-3136  
Phone: 336.373.2002 Fax: 336.373.2117  
<http://www.greensboro-nc.gov>

## Shah-Khan, Mujeeb

---

**From:** Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 12:43 PM  
**To:** 'jswaine@sitinmovement.org'; 'skip@alstonrealtygroup.com';  
'george.clopton@ralphlauren.com'  
**Cc:** Vigue, Mary; Shah-Khan, Mujeeb  
**Subject:** FW: Civil Rights Museum Financial Audits  
**Attachments:** 2010-11 Audit Letter.pdf

All- the following was sent to Council this morning. We will work with John on the funds transfer. Let me know if you have any questions.

**From:** McCollough, Mary **On Behalf Of** Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 10:24 AM  
**Cc:** Keys, Jake; CMO; Shah-Khan, Mujeeb; Turlington, Donnie  
**Subject:** Civil Rights Museum Financial Audits

*Mayor and Members of Council,*

*The City has completed its review of the 2010 and 2011 audits submitted by the International Civil Rights Center and Museum (ICRCM). Our review has deemed the audits to be acceptable. All questions have been answered by the ICRCM and its financial representatives. Therefore, I am comfortable moving forward with the first loan installment of \$750,000.*

*In addition, the Community Foundation is supporting the Museum by providing input into the best practices for nonprofit operations and the formation of an audit committee. Legal is working with Museum representatives to finalize an agreement between the City and the ICRCM that memorializes the terms expressed by Council through its September 3 vote, including how the City's interests will be protected. In the meantime, we are looking forward to receiving the 2012 audit from the ICRCM.*

*I also attended my first meeting of the board on Monday and the Mayor will join me at the meeting next month.*

*Please let me know if you have any questions or concerns, or need more information.*

*Denise*

**Denise Turner Roth**, City Manager  
City of Greensboro  
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Greensboro, NC 27402-3136  
Phone: 336.373.2002 Fax: 336.373.2117  
<http://www.greensboro-nc.gov>

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## Vigue, Mary

---

**From:** Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 12:43 PM  
**To:** 'jswaine@sitinmovement.org'; 'skip@alstonrealtygroup.com';  
'george.clopton@ralphlauren.com'  
**Cc:** Vigue, Mary; Shah-Khan, Mujeeb  
**Subject:** FW: Civil Rights Museum Financial Audits  
**Attachments:** 2010-11 Audit Letter.pdf

All- the following was sent to Council this morning. We will work with John on the funds transfer. Let me know if you have any questions.

**From:** McCollough, Mary **On Behalf Of** Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 10:24 AM  
**Cc:** Keys, Jake; CMO; Shah-Khan, Mujeeb; Turlington, Donnie  
**Subject:** Civil Rights Museum Financial Audits

*Mayor and Members of Council,*

*The City has completed its review of the 2010 and 2011 audits submitted by the International Civil Rights Center and Museum (ICRCM). Our review has deemed the audits to be acceptable. All questions have been answered by the ICRCM and its financial representatives. Therefore, I am comfortable moving forward with the first loan installment of \$750,000.*

*In addition, the Community Foundation is supporting the Museum by providing input into the best practices for nonprofit operations and the formation of an audit committee. Legal is working with Museum representatives to finalize an agreement between the City and the ICRCM that memorializes the terms expressed by Council through its September 3 vote, including how the City's interests will be protected. In the meantime, we are looking forward to receiving the 2012 audit from the ICRCM.*

*I also attended my first meeting of the board on Monday and the Mayor will join me at the meeting next month.*

*Please let me know if you have any questions or concerns, or need more information.*

*Denise*

**Denise Turner Roth, City Manager**  
City of Greensboro  
300 W. Washington Street  
Greensboro, NC 27402-3136  
Phone: 336.373.2002 Fax: 336.373.2117  
<http://www.greensboro-nc.gov>

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## Vigue, Mary

---

**From:** Keys, Jake  
**Sent:** Friday, October 25, 2013 1:59 PM  
**To:** Vigue, Mary  
**Subject:** civil rights museum

Mary,

Amanda is asking for clarification on the civil rights museum payment of \$750K. Denise's message indicates they are ready to pay the full amount, but Amanda had reported that City would pay \$400K after the first audits, then the remaining \$350K following the 2012 audits due in January. I don't have this answer. Can you clarify?

**Jake Keys**, Communications Specialist  
City of Greensboro  
PO Box 3136, Greensboro, NC 27402-3136  
336-373-2105  
[www.greensboro-nc.gov](http://www.greensboro-nc.gov)

[Facebook](#)  
[Twitter](#)  
[YouTube](#)

## Vigue, Mary

---

**From:** Keys, Jake  
**Sent:** Friday, October 25, 2013 2:16 PM  
**To:** Vigue, Mary

[http://greensboro.granicus.com/DocumentViewer.php?file=greensboro\\_d5f996b5a9fc45ba9ecd37839f1ffe40.pdf&view=1](http://greensboro.granicus.com/DocumentViewer.php?file=greensboro_d5f996b5a9fc45ba9ecd37839f1ffe40.pdf&view=1)

I believe the manager is mistaken about this loan amount. From the September council meeting minutes:

“Moved by Councilmember Zack Matheny, seconded by Councilmember Tony Wilkins to make a friendly amendment that the \$400,000 loan be contingent on the review of the 2010 and 2011 acceptable audits. The motion carried by a majority voice vote.

City Manager Roth confirmed that the \$400,000 would be contingent on the 2010 and 2011 audits.”

It was my understanding that more money would be forthcoming in January with the 2012 audit. Has the council amended this plan? Or did the manager misspeak in this email?

Amanda

**Jake Keys**, Communications Specialist  
City of Greensboro  
PO Box 3136, Greensboro, NC 27402-3136  
336-373-2105  
[www.greensboro-nc.gov](http://www.greensboro-nc.gov)

[Facebook](#)  
[Twitter](#)  
[YouTube](#)

## Vigue, Mary

---

**From:** Keys, Jake  
**Sent:** Friday, October 25, 2013 2:17 PM  
**To:** Vigue, Mary  
**Subject:** FW: Civil Rights Museum Financial Audits

2<sup>nd</sup> email

**Jake Keys**, Communications Specialist  
City of Greensboro  
PO Box 3136, Greensboro, NC 27402-3136  
336-373-2105  
[www.greensboro-nc.gov](http://www.greensboro-nc.gov)

[Facebook](#)  
[Twitter](#)  
[YouTube](#)

**From:** Lehmert, Amanda [<mailto:amanda.lehmert@news-record.com>]  
**Sent:** Friday, October 25, 2013 2:10 PM  
**To:** N&R-Lehmert (E-mail); Keys, Jake  
**Subject:** RE: Civil Rights Museum Financial Audits

Found this also in the meeting minutes: Councilmember Matheny voiced concern for voting on the item when the audits were in complete; requested an amendment to the language to read 'clean' or 'acceptable' audits were complete; that the loan be contingent upon receipt and review of the 2010 and 2011 audits on or about September 20<sup>th</sup> by the City; asked how the numbers were determined; and confirmed that the additional \$315,000 would default back to the City if the 2012 audit was not completed by January 1<sup>st</sup>.

But this doesn't jive with the friendly amendment that follows, which seems to suggest that only \$400K of the loan would be available after the 2010/2011 audits were produced.

A,amda

**From:** Lehmert, Amanda  
**Sent:** Friday, October 25, 2013 1:58 PM  
**To:** 'Keys, Jake'  
**Subject:** RE: Civil Rights Museum Financial Audits

I believe the manager is mistaken about this loan amount. From the September council meeting minutes:

"Moved by Councilmember Zack Matheny, seconded by Councilmember Tony Wilkins to make a friendly amendment that the \$400,000 loan be contingent on the review of the 2010 and 2011 acceptable audits. The motion carried by a majority voice vote.  
City Manager Roth confirmed that the \$400,000 would be contingent on the 2010 and 2011 audits."

It was my understanding that more money would be forthcoming in January with the 2012 audit. Has the council amended this plan? Or did the manager misspeak in this email?

Amanda

**Vigue, Mary**

---

**From:** Vigue, Mary  
**Sent:** Friday, October 25, 2013 2:23 PM  
**To:** Keys, Jake  
**Subject:** ICRCM  
**Attachments:** Civil Rights Museum 9-3-13.pdf

Presentation form that night.

See slide two...

Mary Vigue  
Assistant to the City Manager  
City Manager's Office  
City of Greensboro  
300 West Washington Street, Greensboro, NC 27401  
Phone: 336.373.2394



## **City Council Meeting September 3, 2013**

### **International Civil Rights Center & Museum**



### **International Civil Rights Center & Museum**

#### **Council requested to consider loan:**

- Total Loan of \$1,500,000
  - Secured by lien on property
  - Begin in second position until tax credits expire
- FY 2013 Loan Installments:
  - 30 days following approval by City Council - Installment of \$400,000
  - Within 30 days following receipt of 2010 and 2011 audits for Museum - Installment of \$350,000
  - ICRCM must provide 2012 audit to City by January 1, 2014, to prevent the City from being able to seek the return of the \$750,000 installment
- FY 2014 Loan Installment:
  - After July 1, 2014, and within 30 days following receipt of 2013 audit - Installment of \$500,000
- FY 2015 Loan Installments:
  - After July 1, 2015, and within 30 days following receipt of 2014 audit - Installment of \$250,000



## International Civil Rights Center & Museum

### Loan Repayment Terms:

- Loans are at 2% interest
- Installment payments from City are to be repaid no later than two and one-half years following receipt of first payment
- Loan repayment obligation clock does not begin until January 1, 2014
  - Example, FY 2013 loan installments will not have a deadline for repayment until June 30, 2016. If the FY 2014 loan installment is paid on August 1, 2014, then repayment not due until February 1, 2017



## International Civil Rights Center & Museum

### Loan offset:

- any funds raised from Council adoption through July 1, 2015, by the ICRCM will offset the City's loan dollar for dollar
- Result in that portion of the loan being forgiven by the City and not subject to a repayment obligation
  - Example, if the ICRCM raises \$125,000 during a fundraising campaign during 2014, \$125,000 of the loan will be forgiven, and will no longer be an obligation of the ICRCM



## International Civil Rights Center & Museum

In exchange, ICRCM agrees to do the following:

- Until the loan is repaid in full, the ICRCM shall reserve two voting seats on the Sit In Movement, Inc. Board of Directors
  - City Manager and the Mayor of the City
- The ICRCM Board of Directors shall establish an Audit Committee by January 1, 2014
  - Minimum quarterly meetings
- The ICRCM and Sit In Movement, Inc. will begin a search for an executive-level staff member
  - Development Director
  - Must begin before January 1, 2014
- The ICRCM and Sit In Movement, Inc., shall provide a sustainability plan to the City Council by January 1, 2014
  - Include how to increase attendance, revenue, create reserves and an endowment
  - Must contain specific metrics and a timeline

## Vigue, Mary

---

**From:** Druga, Marlene  
**Sent:** Friday, October 25, 2013 2:33 PM  
**To:** McCollough, Mary  
**Cc:** Vigue, Mary; Roberts, Jeff  
**Subject:** Civil Rights Museum Loan Payment

**Importance:** High

Mary, In order to put in a check order for payment Monday, Jeff Roberts would need to have it by 3:30 or 3:45 at the latest. Are we still processing today? Thanks MD

**Marlene Druga**, Deputy Finance Director - Financial Services  
Financial and Administrative Services  
City of Greensboro  
300 W. Washington Street  
Greensboro, NC 27402-3136  
Phone 336.373.2094 Fax: 336.373.2138  
<http://www.greensboro-nc.gov>

## Vigue, Mary

---

**From:** Vigue, Mary  
**Sent:** Friday, October 25, 2013 2:36 PM  
**To:** Turner Roth, Denise  
**Cc:** John L. Swaine  
**Subject:** Re: Civil Rights Museum Financial Audits

Denise,

John is out of the office today. We will work with him on Monday to transfer the funds.

Please let me know if you have any questions.

Mary

On Oct 25, 2013, at 12:43 PM, "Turner Roth, Denise" <[Denise.Turner@greensboro-nc.gov](mailto:Denise.Turner@greensboro-nc.gov)> wrote:

All- the following was sent to Council this morning. We will work with John on the funds transfer. Let me know if you have any questions.

**From:** McCollough, Mary **On Behalf Of** Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 10:24 AM  
**Cc:** Keys, Jake; CMO; Shah-Khan, Mujeeb; Turlington, Donnie  
**Subject:** Civil Rights Museum Financial Audits

*Mayor and Members of Council,*

*The City has completed its review of the 2010 and 2011 audits submitted by the International Civil Rights Center and Museum (ICRCM). Our review has deemed the audits to be acceptable. All questions have been answered by the ICRCM and its financial representatives. Therefore, I am comfortable moving forward with the first loan installment of \$750,000.*

*In addition, the Community Foundation is supporting the Museum by providing input into the best practices for nonprofit operations and the formation of an audit committee. Legal is working with Museum representatives to finalize an agreement between the City and the ICRCM that memorializes the terms expressed by Council through its September 3 vote, including how the City's interests will be protected. In the meantime, we are looking forward to receiving the 2012 audit from the ICRCM.*

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*Please let me know if you have any questions or concerns, or need more information.*

*Denise*

**Denise Turner Roth**, City Manager  
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<http://www.greensboro-nc.gov>

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Internal Audit Division  
City of Greensboro



October 25, 2013

**TO:** Mary Vigue, Assistant to the City Manager  
**FROM:** Internal Audit Division  
**SUBJECT:** Civil Rights Museum / External Audits

The Internal Audit Division has completed our review of the Civil Rights Museum's Financial Statements as requested by the City Manager's Office. This review involved the analysis of financial statements provided to us for the years-ended December 31, 2010 and December 31, 2011.

These statements are titled "Sit-In Movement, Incorporated and Affiliated Entities". The affiliated entities include: Civil Rights Museum, LLC; International Civil Rights Center and Museum, LLC; Museum Landlord, LLC; and Museum Tenant, LLC. You may recall these entities being discussed in greater detail in our memo dated July 24, 2013. All of these entities are related parties that were formed in order to facilitate the development of the Museum.

The audited financial statements mentioned above both have an Unqualified Opinion by the local CPA Firm. This means that these statements fairly present the financial position at December 31, 2010 and December 31, 2011 in accordance with Generally Accepted Accounting Principles (GAAP). Additionally, all entities were combined to produce one set of financial statements for each year.

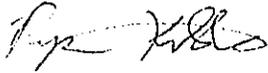
However, we feel that the following items are worth noting:

- These statements were not prepared in a timely fashion with the issuance dates being September 30, 2013 and October 14, 2013, respectively.
- Both years contain a note to the financials titled *Concentration Risk* which states, "The Project operates in Greensboro, North Carolina. Future operations could be affected by changes to the economy or other conditions in that geographic area. The Tenant receives 100% of its rental revenue from CRM, a related entity, in connection with the Sublease. If the operations of the CRM were to be negatively impacted, it could have a significant effect on the overall operations of the Project."
- Sit-In Movement, Incorporated, entered into a note agreement with Carolina Bank on July 28, 2009. The note payable as of December 31, 2010 is \$2,312,000. The balance due at December 31, 2011 is \$1,550,000.
- In the December 31, 2011 financials there is a note titled *Subsequent Event* which states, "Subsequent to December 31, 2011, Sit-In Movement, Incorporated defaulted on its loan

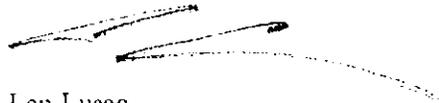
with Carolina Bank. Sit-In Movement, Incorporated is working on a Loan Modification Agreement.”

In summary, these financial statements have been prepared in accordance with Generally Accepted Accounting Principles and appear to be acceptable.

Please contact us with any questions that you may have.



Ryan Kildoo for Mickey Kerans  
Internal Auditor



Len Lucas  
Internal Audit Director

## Vigue, Mary

---

**From:** Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 2:37 PM  
**To:** Vigue, Mary  
**Subject:** Re: Civil Rights Museum Financial Audits

Thanks.

On Oct 25, 2013, at 2:36 PM, "Vigue, Mary" <Mary.Vigue@greensboro-nc.gov> wrote:

Denise,

John is out of the office today. We will work with him on Monday to transfer the funds.

Please let me know if you have any questions.

Mary

On Oct 25, 2013, at 12:43 PM, "Turner Roth, Denise" <Denise.Turner@greensboro-nc.gov> wrote:

All- the following was sent to Council this morning. We will work with John on the funds transfer. Let me know if you have any questions.

**From:** McCollough, Mary **On Behalf Of** Turner Roth, Denise  
**Sent:** Friday, October 25, 2013 10:24 AM  
**Cc:** Keys, Jake; CMO; Shah-Khan, Mujeeb; Turlington, Donnie  
**Subject:** Civil Rights Museum Financial Audits

*Mayor and Members of Council,*

*The City has completed its review of the 2010 and 2011 audits submitted by the International Civil Rights Center and Museum (ICRCM). Our review has deemed the audits to be acceptable. All questions have been answered by the ICRCM and its financial representatives. Therefore, I am comfortable moving forward with the first loan installment of \$750,000.*

*In addition, the Community Foundation is supporting the Museum by providing input into the best practices for nonprofit operations and the formation of an audit committee. Legal is working with Museum representatives to finalize an agreement between the City and the ICRCM that memorializes the terms expressed by Council through its September 3 vote, including how the City's interests will be protected. In the meantime, we are looking forward to receiving the 2012 audit from the ICRCM.*

*I also attended my first meeting of the board on Monday and the Mayor will join me at the meeting next month.*

*Please let me know if you have any questions or concerns, or need more information.*

*Denise*  
**Denise Turner Roth**, City Manager  
City of Greensboro  
300 W. Washington Street  
Greensboro, NC 27402-3136  
Phone: 336.373.2002 Fax: 336.373.2117  
<http://www.greensboro-nc.gov>

## Vigue, Mary

---

**From:** McCollough, Mary  
**Sent:** Friday, October 25, 2013 2:41 PM  
**To:** Druga, Marlene  
**Cc:** Vigue, Mary; Roberts, Jeff  
**Subject:** RE: Civil Rights Museum Loan Payment

Hey Marlene,

What do I put in the description area? Otherwise it is ready to go.

Thanks!!

~\*~\*~

*Mary McCollough, Executive Secretary*  
*Office of City Manager*  
*(336) 373-2002*



**From:** Druga, Marlene  
**Sent:** Friday, October 25, 2013 2:33 PM  
**To:** McCollough, Mary  
**Cc:** Vigue, Mary; Roberts, Jeff  
**Subject:** Civil Rights Museum Loan Payment  
**Importance:** High

Mary, In order to put in a check order for payment Monday, Jeff Roberts would need to have it by 3:30 or 3:45 at the latest. Are we still processing today? Thanks MD

**Marlene Druga**, Deputy Finance Director - Financial Services  
Financial and Administrative Services  
City of Greensboro  
300 W. Washington Street  
Greensboro, NC 27402-3136  
Phone 336.373.2094 Fax: 336.373.2138  
<http://www.greensboro-nc.gov>

## Vigue, Mary

---

**From:** Lusk, Rick  
**Sent:** Friday, October 25, 2013 2:49 PM  
**To:** Vigue, Mary; Williams, Mike  
**Cc:** McCollough, Mary  
**Subject:** Re: Civil Rights Museum

Has the loan agreement been signed? That is needed before the payment can be processed.

Sent from my iPhone

On Oct 25, 2013, at 11:14 AM, "Vigue, Mary" <[Mary.Vigue@greensboro-nc.gov](mailto:Mary.Vigue@greensboro-nc.gov)> wrote:

Denise wants to process the payment today. What do we need to do?

Thanks.

Mary Vigue  
Assistant to the City Manager  
City Manager's Office  
City of Greensboro  
300 West Washington Street, Greensboro, NC 27401  
Phone: 336.373.2394

## Vigue, Mary

---

**From:** McCollough, Mary  
**Sent:** Friday, October 25, 2013 2:52 PM  
**To:** Druga, Marlene; Roberts, Jeff  
**Cc:** Vigue, Mary  
**Subject:** check order for Civil Rights Museum  
**Attachments:** Check order.1st payment of loan.10.25.13.pdf

~\*~

*Mary McCollough, Executive Secretary*  
*Office of City Manager*  
*City of Greensboro,*  
*PO Box 3136, Greensboro, NC 27402*  
*☎ 336-373-2002 ~ 336-373-2117*



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# CITY OF GREENSBORO

## CHECK ORDER

PAY TO: INTERNATIONAL CIVIL RIGHTS CENTER & MUSEUM

ADDRESS: 134 S. ELM STREET

GREENSBORO, NC 27401

AMOUNT: \$750,000

CHECK NEEDED BY:	ASAP
VENDOR #	29863
DATE	10.25.13
CONTRACT NO.	
<input checked="" type="checkbox"/> PARTIAL	
<input type="checkbox"/> FINAL	
ACCOUNTING USE ONLY	
C/O #	

DESCRIPTION		AMOUNT
Per agreement with the International Civil Rights Center & Museum approved by City Council on September 3, 2013 Council meeting. Legal is currently working on the formal signed contract but has stated that 1 <sup>st</sup> payment can be made without it.		
1 <sup>st</sup> installment of loan.		\$750,000.00
TOTAL		\$750,000.00
CHARGE TO	CBR NO.	APPROVED FOR PAYMENT
410.9515.04.5282		<i>Mary A. McCollough</i>

Fin-Acct-16-425

Check Requested by:
<i>Mary McCollough</i>
QUESTIONS, PLEASE CALL ME AT EXTENSION 7366
WHEN READY: <u>INTEROFFICE MAIL</u>

## Vigue, Mary

---

**From:** Vigue, Mary  
**Sent:** Friday, October 25, 2013 3:01 PM  
**To:** McCollough, Mary; Druga, Marlene; Roberts, Jeff  
**Subject:** RE: check order for Civil Rights Museum

Our contact at the museum John Swain is out of the office today and I have been unable to reach him.

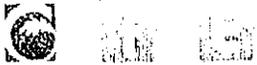
I will have the information on Monday to process this and transfer the funds.

Thanks.  
Mary

**From:** McCollough, Mary  
**Sent:** Friday, October 25, 2013 2:52 PM  
**To:** Druga, Marlene; Roberts, Jeff  
**Cc:** Vigue, Mary  
**Subject:** check order for Civil Rights Museum

~\*~\*~

*Mary McCollough, Executive Secretary*  
*Office of City Manager*  
*City of Greensboro,*  
*PO Box 3136, Greensboro, NC 27402*  
*☎ 336-373-2002 ~ 336-373-2117*



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## Vigue, Mary

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**From:** Vigue, Mary  
**Sent:** Friday, October 25, 2013 3:02 PM  
**To:** Lusk, Rick; Williams, Mike; Shah-Khan, Mujeeb  
**Cc:** McCollough, Mary  
**Subject:** RE: Civil Rights Museum

Mujeeb and staff are working on the agreement. According to Mujeeb, we can proceed without the signed agreement.

**From:** Lusk, Rick  
**Sent:** Friday, October 25, 2013 2:49 PM  
**To:** Vigue, Mary; Williams, Mike  
**Cc:** McCollough, Mary  
**Subject:** Re: Civil Rights Museum

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Sent from my iPhone

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Denise wants to process the payment today. What do we need to do?

Thanks.

Mary Vigue  
Assistant to the City Manager  
City Manager's Office  
City of Greensboro  
300 West Washington Street, Greensboro, NC 27401  
Phone: [336.373.2394](tel:336.373.2394)

## Shah-Khan, Mujeeb

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Phone: [336.373.2394](tel:336.373.2394)

## Shah-Khan, Mujeeb

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**From:** Lusk, Rick  
**Sent:** Friday, October 25, 2013 3:09 PM  
**To:** Vigue, Mary  
**Cc:** Williams, Mike; Shah-Khan, Mujeeb; McCollough, Mary; Druga, Marlene; Roberts, Jeff  
**Subject:** Re: Civil Rights Museum

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## Vigue, Mary

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**From:** Druga, Marlene  
**Sent:** Friday, October 25, 2013 3:17 PM  
**To:** Vigue, Mary; McCollough, Mary; Roberts, Jeff  
**Subject:** RE: check order for Civil Rights Museum

Mary. Jeff has the check order in hand and could put it into the system today for a check to come out on Monday (good funds after 2PM Monday.) Are you sure you don't want him to process the check today? M

**Marlene Druga**, Deputy Finance Director - Financial Services  
Financial and Administrative Services  
City of Greensboro  
300 W. Washington Street  
Greensboro, NC 27402-3136  
Phone 336.373.2094 Fax: 336.373.2138  
<http://www.greensboro-nc.gov>

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**From:** McCollough, Mary  
**Sent:** Friday, October 25, 2013 2:52 PM  
**To:** Druga, Marlene; Roberts, Jeff  
**Cc:** Vigue, Mary  
**Subject:** check order for Civil Rights Museum

~ M M ~

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## Vigue, Mary

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**From:** Vigue, Mary  
**Sent:** Friday, October 25, 2013 3:21 PM  
**To:** Druga, Marlene; McCollough, Mary; Roberts, Jeff  
**Subject:** RE: check order for Civil Rights Museum

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I will let them know that it will be available after 2pm on Monday.

Thank you for your help.

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## Vigue, Mary

---

**From:** Roberts, Jeff  
**Sent:** Friday, October 25, 2013 3:24 PM  
**To:** Vigue, Mary; Druga, Marlene; McCollough, Mary  
**Subject:** RE: check order for Civil Rights Museum

I will enter the check order using the copy, I can come and get the original.....who has it?

Jeff Roberts, Treasury Manager  
Financial and Administrative Services  
City of Greensboro  
300 West Washington Street  
Greensboro, NC 27402  
Phone: 336-373-2442 Fax: 336-373-2544

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Mary McCollough

Thanks!!!

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## Vigue, Mary

---

**From:** Shah-Khan, Mujeeb  
**Sent:** Friday, October 25, 2013 4:11 PM  
**To:** Lusk, Rick  
**Cc:** Vigue, Mary; Williams, Mike; McCollough, Mary; Druga, Marlene; Roberts, Jeff  
**Subject:** Re: Civil Rights Museum

We understand the risks.

S. Mujeeb Shah-Khan  
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY

PH: 336.373.2695  
FAX: 336.373.2078  
[mujeeb.shahkhan@greensboro-nc.gov](mailto:mujeeb.shahkhan@greensboro-nc.gov)  
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## Shah-Khan, Mujeeb

---

**From:** McCrea, Jenifer B  
**Sent:** Friday, October 25, 2013 4:31 PM  
**To:** 'John Swaine'  
**Cc:** Turner Roth, Denise; Williams, Mike; Shah-Khan, Mujeeb  
**Subject:** Sit-In Movement Inc Draft Agreement  
**Attachments:** City Loan - Loan and Security Agreement Sit In Movement - v1.doc

**Contacts:** John Swaine

Dear John,

Please find attached a draft copy of the Sit-In Movement Agreement with the City of Greensboro. I know you had a few people you wanted to take a look at this, so while it isn't final from our end, it's very close.

Some modifications will need to be made before it can be finalized. Specifically, we need to look at the language of Section 15 regarding 'ordinary course of business' and further we will need to add a definition of 'fundraising'.

Also, if you would be so kind as to add your attorney's name? The resolution I was working from did not have that information.

If you would like to make changes, please use track changes on this document with comments so we can talk about specifics.

Have a nice weekend.

Best,

Jenifer B. McCrea  
Roster Paralegal

OFFICE OF THE CITY ATTORNEY

PH: [336.374.2602](tel:336.374.2602)

FAX: [336.373.2078](tel:336.373.2078)

[jenifer.mccrea@greensboro-nc.gov](mailto:jenifer.mccrea@greensboro-nc.gov)

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