



Durham County

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Durham, NC 27701
(919) 560-0025

Meeting Agenda Board of County Commissioners

Michael D. Page, Chair
Brenda A. Howerton, Vice Chair
Fred Foster, Jr., Commissioner
Wendy Jacobs, Commissioner
Ellen W. Reckhow, Commissioner

Tuesday, September 6, 2016

9:00 AM

Commissioners' Chambers

Worksession (Tuesday meeting)

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

1. Opening of Regular Session - Pledge of Allegiance (5 min)

9:00 am Worksession Agenda

1. Citizen Comments (30 min)

16-1215

Citizen Comments

Agenda Text:

The Board of County Commissioners will provide a 30-minute comment period at a meeting once a month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the meeting to allow an opportunity for research prior to the meeting. **All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

Alignment with Strategic Plan: Citizen engagement aligns with all five of the

strategic goals by allowing the Board to receive comments and concerns from the community related to important issues in Durham County.

Resource Persons: V. Michelle Parker-Evans, County Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board receive citizen comments and direct staff to respond, as deemed appropriate.

2. Discussion Items:

16-1249

Adoption of NC457 Plan- 20 min

Agenda Text:

The Board is requested to consider closing the Nationwide Retirement System and the ICMA-RC 457 Plans by freezing new enrollments and any further contributions from existing participants, and adopting the State of North Carolina's 457 Plan effective 12/1/16.

Currently Durham County Government has fiduciary responsibilities for the Nationwide Retirement System and the ICMA-RC 457 Plans offered to its employees. Fulfilling these responsibilities requires investment and financial expertise that County employees do not possess. Adopting the State of North Carolina's 457 Plan puts the fiduciary responsibilities for Plan audits, investment reviews and due diligence on the NC State Treasurer.

Employees will enjoy the ability to access information about both the NC457 Plan and their existing NC401k Plan via a combined statement, a combined website, and an all-inclusive Annual Benefits Statement that includes information about both Plans, their Social Security benefits and their Local Governmental Employees Retirement System pension.

Also, the State of North Carolina has a Board of Trustees that meets quarterly to review both the NC401k and the NC457 Plans to ensure the funds' cost is as low as possible.

Alignment with Strategic Plan: This action aligns with the Strategic Plan Goal 5 of Accountable, Efficient and Visionary Government.

Resource Persons: Tripp Madden, Regional Retirement Education Manager for North Carolina Total Retirement Plans; Diane Pearson, Benefits Manager; Kathy Everett-Perry, Human Resources Department Director

County Manager's Recommendation: The County Manager recommends that the Board close both the Nationwide Retirement System and the ICMA-RC 457 Plans by freezing new enrollments and any further contributions from existing participants, and adopt the State of North Carolina's 457 Plan effective 12/1/16.

16-1236

Discussion of County-Owned Former DCVB Headquarters at 101 E. Morgan St.- 30 min

Agenda Text:

The Board is requested to discuss the level and form of compensation the Durham Convention and Visitors Bureau (DCVB) might receive now that they have handed their former headquarters at 101 E. Morgan St. back over to Durham County.

The County purchased the building at 101 E. Morgan St. in August 1994 for \$536,500 using certificates of participation that were paid down over a twenty year time period. The County purchased it for DCVB use because it was unclear if DCVB's legal status enabled it to own real property. DCVB entered into a long-term lease arrangement with the County, and lease payments from the DCVB were essentially equivalent to what twenty year's worth of mortgage payments (principal and interest) would have been on the building. DCVB also paid for all of the maintenance required over the 22 years they occupied the building.

On Nov.14, 2011, the BOCC agreed to convey ownership of the building to DCVB since they in essence had already paid us back for it. Due to ongoing legal questions, however, that conveyance was never finalized.

Though official board action was never taken in this regard, there was informal discussion and general agreement that because DCVB never received the benefit of building ownership (i.e. the money they would have received upon selling it when they moved), the County would compensate them in some other way.

Alignment with Strategic Plan: Goal 1 - Community and Family Prosperity - a well-funded and high functioning DCVB is important to the economic well-being of Durham.

Resource Persons: Shelly Green, President and CEO of the Durham Convention and Visitors Bureau

County Manager's Recommendation: The County Manager recommends that the Board discuss the level and form of compensation the DCVB might receive now that they have handed their former headquarters at 101 E. Morgan St. back over to Durham County.

Attachments:

[Request for Reimbursement of 101 E Morgan Street - backup for 9-6-16 wc](#)

16-1227**Resolution Authorizing Workers' Compensation Coverage to Unpaid Appointed and Sworn Volunteer Deputies of the Sheriff's Office****Agenda Text:**

The Board is requested to receive an overview on authorizing worker's compensation coverage to appointed and sworn volunteer deputies of the Sheriff's Office. If the Board concurs, the proposed resolution will be on the September 12, 2016 Board of County Commissioners' agenda for consideration. The information below has been provided by the Sheriff's Office.

These reserve deputies donate countless hours to supporting the Sheriff's

Office, both as part of the regular operations of the Agency and during special events such as providing security at parades. That these personnel volunteer their time to assist the Sheriff's Office, and the citizens of Durham County, is a very generous gift and it is only right that they should enjoy the same worker's compensation coverage of the Sheriff's regular employees should they be injured in the line of duty.

In accordance with the authority granted to the Board by N.C. General Statutes, §§97-2(3) and 160A-282, the Sheriff hereby requests that the Board of County Commissioners approve the attached Resolution which will extend workers' compensation coverage to these unpaid volunteers.

Alignment With Strategic Plan: This overview and resolution aligns with the County's Strategic Goal 3: Safe and Secure Community.

Resource Persons: Curtis Massey, Sheriff's Legal Advisor; Lowell Siler, County Attorney; and David English, Risk Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the overview information provided by the Sheriff's Office. If the Board concurs with the Sheriff's request, the resolution extending workers' compensation coverage to unpaid appointed and sworn volunteer deputies of the Sheriff's Office will be added to the September 12, 2016 agenda.

Attachments: [Resolution Authorizing Workers' Comp 4-16-15Clean](#)

16-1248

Discussion of Legislative Items for NCACC Legislative Goals Process - 30 min

Agenda Text:

The Board is requested to discuss legislative proposals suggested for consideration to move forward as part of the 2017 NCACC Legislative Goals process. The North Carolina Association of County Commissioners has initiated its semiannual process for approving statewide legislative goals for the 2017 General Assembly Session. All proposals must be submitted to NCACC by September 23rd and must be accompanied by either an adopted resolution of the Board, a letter from the Chairman or a letter from an affiliate organization.

Proposed goals will be referred to the appropriate steering committee for review and consideration. The complete process will culminate in January 2017 with the membership adopting final goals at the Legislative Conference. Staff requests that the Board review the attached proposals, discuss, and offer any additional proposals and instruct staff to finalize for adoption at the September 12, 2016 regular session.

Alignment with Strategic Plan: This item aligns with Goal 5: Accountable, Efficient and Visionary Government

Resource Persons: Deborah Craig-Ray, General Manager for Strategic Management, Public Affairs, Innovation and Special Projects

County Manager's Recommendation: The County Manager recommends that

the Board discuss the proposed legislative information and direct staff accordingly.

Attachments: [2017 NCACC Proposed Legislative Statewide Goals](#)

10. Adjournment