

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

Monday, August 4, 2014

9:00 A.M. Worksession

MINUTES

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

Present: Chairman Michael D. Page, Vice Chair Brenda Howerton and Commissioners
Fred Foster, Jr., Wendy Jacobs and Ellen Reckhow

Presider: Chairman Michael D. Page

Citizen Comments

The Board of County Commissioners provided a 30-minute comment period to allow Durham County citizens an opportunity to speak. Citizens were requested to refrain from addressing issues related to personnel matters.

Genna Cohen, a member of Jewish Voice for Peace expressed her concern about the money spent on security provided by G4S. She asked the Board to consider the issues overseas and drop the contract with the security company.

Sandra Korn, a member of Jewish Voice for Peace stated G4S had faced criticism from human rights groups and asked that Durham County drop the contract this month with the company.

Emily Schneider, a member of Jewish Voice for Peace shared how she witnessed human rights abuse by G4S while in Palestine. She requested that Durham County stop spending tax dollars on a company that enabled extreme violence and oppression.

Ralph McCoy, a member of Jewish Voice for Peace opposed the G4S contract stating they were complicit in multiple violations of international law in Israel and Gaza.

Ahmad Jitan, a member of Jewish Voice for Peace discussed how the checkpoints monitored by G4S did not make him feel secure in Palestine. He asked that Durham County drop the G4S contract.

Donna Hicks, a member of Jewish Voice for Peace concurred with the previous statements regarding G4S. She left a letter from Pastor Alan P. Felton, Resurrection United Methodist Church which outlined his experience with G4S for the Board to review.

Noah Rubin-Blöse, a member of Jewish Voice for Peace expressed her concern for the role of local government. She discussed a resolution passed by the City of Durham in 1986 and left a copy for the Board.

Jade Brooks, a member of Jewish Voice for Peace asked that the County join other institutions (Gates Foundation and the Methodist Church) by dropping the G4S contract. She asked that if another company was chosen to replace G4S, that the County rehire the same workers so unemployment would not be an issue.

Stephen Hopkins, shared his concern about unemployment of G4S employees if the contract was dropped.

Michelle Laws, encouraged the Board to consider the role of CAARE in the community. She stated the need for safety nets in the community and how CAARE built ways to keep those that exist.

Dr. E. Lavonia Allison, discussed the role that CAARE played with providing oral health care to the community.

Jesse Gibson, member of PAC One/District One notified the Board that a complaint was filed with the Sheriff Office because they failed to provide monthly County and City arrest reports as requested.

James Chavis, requested an open public meeting so the public could be made aware of the funds received by the Sheriff's department and what they were being used for.

Victoria Peterson expressed her concerns about the Sheriff's Department and the Board not following up with citizens. She mentioned she requested several reports in June 2014 and had not received a response back from the Sheriff. Ms. Peterson asked what education programs were being taught in the jail and asked for accountability of the Durham County Sheriff.

Chairman Page stated he would personally respond to Ms. Peterson and her concerns in regards to her request.

Commissioner Reckhow informed Ms. Peterson that item seven (7) on the agenda discussed the education initiative at the Detention Facility and suggested she stay to listen.

Malcolm Burchett, G4S Regional Vice President, Mid Atlantic Region discussed the issues brought forward by Jewish Voice for Peace and provided the Board with a booklet that outlined their commitment to fulfilling their responsibilities on human rights. Mr. Burchett asked the Board to honor the contract in place.

Helen Bynum, G4S Operations Manager, discussed the diversity of G4S in its hiring practices for hiring and promoting minorities and women.

Jasmine Meadows, G4S Human Resources Specialist, stated the company did not promote unethical conduct. She stated they promoted growth, safety and security for the County.

Catherine Chavis, G4S County contracted employee, shared her employment history with the company. She expressed how professional and courteous all employees were.

Dr. Louise Gooch, relinquished comments relevant to CAARE based on comments by other supporters.

Commissioner Jacobs moved, seconded by Commissioner Reckhow to suspend the rules and extend the public comment period to accommodate the additional speakers.

The motion carried unanimously.

John Tarantino, shared a musical satire for Ray Gronberg, Herald-Sun Newspaper Reporter.

Wanda Boone, Together for Resilience, shared the importance of CAARE linking together with other non-profits in order to meet the needs of those to be served.

Annie Clement, spoke on behalf of her husband Honorable Howard Clement regarding the much needed financial support for CAARE.

Update on County Security Agreement

Motiryo Keambiroiro, Director of General Services provided the Board with a financial update on the G4S Security contract. She mentioned the first contract was initiated on July 1, 2005 for \$511,684.93. Ms. Keambiroiro added the annualized FY2013 cost was \$963,202.44 and \$973,789.00 for FY2014. She stated G4S had served three (3) of its potential five (5) year agreement and as of July 1, 2014, G4S was on a month to month agreement with the County which was not to exceed \$908,956.00.

Commissioner Reckhow asked what the monthly cost was for G4S security services. Ms. Keambiroiro stated the annualized cost was \$908,956.00 so it would be a monthly breakdown of that amount. Commissioner Reckhow inquired about the long-term agreement. Ms. Keambiroiro responded the award/contract was issued in 2012 with an end year of 2017 if G4S had all five (5) renewals. Commissioner Reckhow asked how much money was being spent across all of Durham County for security services. Ms. Keambiroiro stated she did not have that complete figure due to the additional security services requested for events outside of the base contract; she would gather that information and report back to the Board with her findings.

Boxing and Wrestling Commission

Larry Dixon, Chair of the Boxing and Wrestling Commission shared a “*Update and Report*” presentation to the Board which discussed the following: Commission Members, Brief Bio of Mr. Aaron Snowell who was the Volunteer Advisor, State Boxing Commission Role, Boxing Related Businesses in Durham County, Boxing Commission Draft Work Plan for 2014-2015, Details of Planning a Boxing Event, and the Youth Involvement Boxing Essay.

Mr. Dixon asked the Board to also consider expanding the Boxing and Wrestling Commission from three (3) members to five (5) members. He mentioned he would provide that request in writing to the Board in the near future.

Commissioner Jacobs inquired about the last boxing event in Durham. Mr. Cecil Brown, Boxing and Wrestling Commission member stated there was an event at the Durham Marriott a couple weeks ago. Commissioner Jacobs asked had the Commission contacted Shelly Green at the Durham Convention and Visitors Bureau to help assist with promotions and negotiating venues. Mr. Dixon stated he spoke with Ms. Green and she was willing to meet with the Commission to provide her assistance.

Commissioner Foster asked Mr. Snowell to provide the Board with a summary of his role. Mr. Snowell stated he does philanthropy work as well as collaboration with non-profits.

Commissioner Reckhow asked in regard to the Youth Involvement Boxing Essay, were there other outlets to get the youth engaged in constructive activity. Mr. Dixon responded the purpose of the essay was to get children more involved in the sport. He stated the Commission planned to meet with Durham Public School (DPS) officials to obtain additional ideas on what they would like to see. Commissioner Reckhow suggested the Commission utilize the Holton Resource Center as a location for training and educating the youth. Mr. Brown responded the Commission considered the options mentioned and with the help of Mr. Snowell, the City, County, and law enforcement, they could make it happen.

Chairman Page stated the Board would follow up on the idea of expanding the Commission from three (3) members to five (5) members.

Friends of Russell Rosenwald School

Phyllis Mack Horton, Chair, Board of Directors and Gerry Coleman, Board Member shared a presentation on the "*Friends of Russell Rosenwald School*" which highlighted the following: Historical Journey, Legacy of Pride, Collaborative Efforts, Vision, Mission and Goals, Known Alumni, Fundraising Projects, and Partners.

Ms. Horton mentioned the National Rosenwald Conference would be held in Durham in June 2015. She also requested funding in the amount of \$18,000.00 from Durham County to build a handicap ramp.

Chairman Page commended Ms. Horton and Mr. Coleman on taking their non-profit and utilizing community resources to build upon.

Commissioner Jacobs mentioned the partnerships and asked if they connected with Preservation Durham. Ms. Horton responded Preservation Durham had been contacted along with Eno River and they would be updating their website to show that communication. Commissioner Jacobs asked if information was available at the History Hub and if the community knew about the tours offered. Ms. Horton stated information was at the History Hub and since they received the 501(c)3 title, they were working diligently to get the name and the legacy of the school out to the public.

Commissioner Jacobs asked Commissioner Reckhow if the school could benefit from the Durham Open Space & Trails (DOST) funding. Commissioner Reckhow stated the school would need to have a park or open space area for people to gather to make it eligible, the building itself would not make it eligible to receive DOST funding.

Commissioner Reckhow asked if the school worked with the Durham Public Schools (DPS) construction trade program which allowed students to work with local construction companies to get the ramp completed. She stated the size and scale would fit well for a student project. Commissioner Reckhow suggested Ms. Horton and Mr. Coleman contact Rick Sheldahl, the head of Vocational Education at DPS to verify if the trade program still existed and if so, if they could help with the project.

Chairman Page asked what the average attendance was for the National Rosenwald Conference. Joanne Abel, Board Committee Member stated they expected between 700 and 800 people. Chairman Page asked Ms. Horton and Mr. Coleman to keep the Clerk updated with information about the convention.

Comcast – Time Warner Cable Merger

Commissioner Reckhow stated she and Commissioner Foster were briefed on the implications for the community and the state related to the proposed Comcast-Time Warner Merger. She introduced Dr. Robert Sepe to begin the presentation.

Dr. Sepe shared a presentation on the “*Comcast-Time Warner Merger: Implications for NC Consumers*” which discussed the following: Full Disclosure, General Comments, Customer Service Ranking, Comcast to Spinco, Post Merger, Competitive Overlap Absent, Merger Review Authority, State Attorney Generals to Review Merger, Issues, Reviews, and Facts.

Dr. Sepe stated his purpose was to bring the merger to the attention of the Board so they could determine if issues needed to be addressed.

Commissioner Reckhow shared an article from *Time Magazine* and asked that copies be made available to the Board for review. She added the County needed the Attorney General to investigate so the public could be assured that a high quality infrastructure was available for the 21st century. Commissioner Reckhow suggested if the Board had no objections, the Resolution could be placed on the August 11, 2014 Agenda.

Chairman Page suggested Lowell Siler, County Attorney review the document.

Vice Chair Howerton asked Dr. Sepe if the presentation was shared with the North Carolina Association of County Commissioners (NCACC). Dr. Sepe stated he spoke with them and they were not interested in the presentation, adding the local governments were free to do as their conscious desired. Vice Chair Howerton stated to get momentum, it would take more than one county to support it.

Chairman Page asked if Dr. Sepe received endorsement from Chatham or Wake Counties during his presentation at the Triangle J Council of Government meeting. Dr. Sepe stated he did not get their endorsement; he did get interest from Haywood County and from some western counties.

Attorney Siler asked if the League of Municipalities had been contacted. Dr. Sepe responded not specifically, he wanted to go with the counties served which was why he chose to contact the NCACC.

Commissioner Jacobs asked why the State government was not interested in this presentation since it would affect local businesses. Dr. Sepe responded he was not sure.

Chairman Page stated this resolution would go back to the Attorney's Office and then to Deborah Craig Ray, Assistant County Manager for review; then be placed on the August 11th or 28th 2014 Regular Session Agenda.

Laying of the Poppy Wreath Ceremony

The Board of County Commissioners attended the *Laying of the Poppy Wreath Ceremony* hosted by the Durham, United Kingdom City Committee of Sister Cities of Durham, NC. This event took place at 11:00am at the WWI Memorial, outside of the old courthouse building.

Chairman Page gave remarks on behalf of the Board in remembrance of the 100th anniversary of Germany and Britain entering the First World War.

Update from the Sheriff's Office Regarding Education Initiative at the Detention Facility

Brian Jones, Operations and Development Manager updated the Board on the funds and staffing allocation which would provide education services at the Detention Facility. He stated the legal obligation to Durham Public Schools was to provide students that were incarcerated with special needs a level of instruction. Mr. Jones stated beginning fall 2014, the Detention Facility would offer a pilot program that would offer a GED program, adult basic education programs and job readiness training to inmates between 16-24 years of age. He stated the pilot program would be funded through the Inmate Welfare Fund in the Sheriff Office.

Vice Chair Howerton interjected and asked for a description of the Inmate Welfare Fund. Mr. Jones stated it was a fund generated by revenue from inmate commissary purchases. He added the money would be spent for the good or welfare of inmates in the facility.

Mr. Jones stated in the future the Detention Facility would like to broaden the pilot program and offer it to other inmates. He added the plan was to partner with other organizations such as Durham Technical Community College and the Criminal Justice Resource Center. Mr. Jones stated the real need was to reach people once they were released. He had met with Durham Public Schools to explore options for inmates not enrolled at DPS due to incarceration but planned to return.

Vice Chair Howerton asked how the County was different from the inmate educational programs being offered in Charlotte, NC and other cities. Mr. Jones stated Charlotte has contracted with an organization that was for-profit. He added that legislative changes had restricted funding for inmate programs so counties had to locate partners to assist with them. Vice Chair Howerton asked if state funds were being used for these programs. Gudrun Parmer, Director of the Criminal Justice Resource Center responded only local funds were being used.

Commissioner Foster asked Mr. Jones what his function was at the Detention Center. Mr. Jones responded he was responsible for special projects, initiatives, grants and public outreach. Commissioner Foster inquired about the funds used for the Inmate Welfare Fund and asked if it was included in the budget and what the funds generated each year. Mr. Jones stated the money was included in the budget and he was uncertain about the funds generated but would gather the data and report back to the Board. Commissioner Foster asked what degree of education was being offered to inmates (adults and children) awaiting trial. Mr. Jones answered since Community Colleges left local confinement facilities; there had been no effort to provide job readiness training or educational offerings to those inmates. He added the money in the Inmate Welfare Fund was being used for multiple purposes which would include the pilot program.

Commissioner Reckhow asked Mr. Jones if he was aware that Wake County had a Charter School inside their jail. Mr. Jones responded he was aware of the school but did not know the specifics. Commissioner Reckhow recommended Mr. Jones report back to the Board with a solid proposal reviewing the best models to come up with an approach for this program. She also suggested Mr. Jones visit Wake County to view their program.

Vice Chair Howerton stated Mecklenburg County had a successful program and she would like the Board to take a trip there.

Commissioner Jacobs spoke about the program in Maryland and what they offered. Ms. Parmer stated that Maryland housed inmates for a longer period of time than Durham County which allowed them to provide more educational and job readiness services to their inmates.

Mr. Jones stated the pilot program was scheduled to begin in September. Chairman Page asked Mr. Jones to keep the Board updated.

Discussion – Rules of Procedure for BOCC/Citizen Appointments

Kathy Everett-Perry, Assistant County Attorney and Michelle Parker-Evans, Clerk to the Board proposed changes to the Board of County Commissioners'/Citizen Appointment Rules of Procedure.

Commissioner Reckhow mentioned the date needed to be changed to reflect the adoption date. Ms. Parker-Evans noted the needed change.

Commissioner Jacobs mentioned one paragraph was restated twice. She also stated that some Board members were on regional boards and asked that the *Rules of Procedure – VII. Powers of the Chair – Number eight (8)* be updated to reflect the wording change.

Chairman Page asked the Board to assist with conducting an effective meeting by sticking to the time allowed for each item. He also asked that the Board wait to be recognized and be mindful not to speak over each other.

Commissioner Reckhow asked during the agenda meeting, was the time provided discussed with the outside presenter. Chairman Page stated the Clerk would notify the presenter of the time allowed to present. Commissioner Reckhow stated it would be helpful if the presenter

provided a brief summary of their presentation instead of reading verbatim; this could give the Board more time to discuss and ask questions.

Vice Chair Howerton asked Ms. Parker-Evans if the minutes allowed for the presenter included the time for Board to ask questions. Ms. Parker-Evans responded the time on the agenda was the time the presenter had. Chairman Page added it was hard to project how much time the Board would spend on asking questions.

Commissioner Reckhow mentioned experimenting with the time allowed for speakers and Board comments on an upcoming Worksession Meeting.

Commissioner Foster questioned *Rules of Procedure – Duty to Vote* on page eight (8) and asked if a person was absent, would their vote be in the affirmative. Ms. Everett-Perry stated that provision was removed. Chairman Page confirmed if a member was absent, their vote would not count. Ms. Everett-Perry concurred. Ms. Parker-Evans added it was never in the rules, it was just proposed.

Ms. Parker-Evans reiterated the need to consider making the Boxing and Wrestling Commission a five member Board. Commissioner Reckhow suggested the staff review State guidelines and come back with an item to move the Boxing Commission to a five (5) member board.

Commissioner Foster proposed the manager assist with the Boxing Commission to locate an additional member.

Commissioner Jacobs asked whether there were other three (3) member boards. Ms. Everett-Perry stated the Board of Elections was a three (3) member board; however, it was a State board. Commissioner Jacobs asked that this be placed on a Consent Agenda.

American Campus, LLC (South Parking Deck)

George Quick, Chief Financial Officer, stated the lease required the Board to approve the assignment of the American General Life Insurance Company and American Home Insurance Company which provided the financing for American Campus.

Wendell Davis, County Manager asked that the rules be suspended to address the finance issue.

Commissioner Reckhow moved, seconded by Commissioner Foster to suspend the rules for action of item nine (9) to authorize the Manager to sign the required documents on behalf of the County.

The motion carried unanimously.

Commissioner Reckhow moved, seconded by Commissioner Foster to approve the request to authorize the Manager to sign the required documents to approve the assignment of the American General Life Insurance Company and American Home Insurance Company.

The motion carried unanimously.

Review of BOCC Directives

Ms. Dionne Hines, County Intern presented the Board Directives for the months of April, May, and June 2014.

Commissioner Reckhow mentioned she did not see any directives from the budget meetings. Manager Davis stated a presentation was planned for the September 2014 Worksession of a new portal system where the Board would be able to view the directive and the status of each request.

Commissioner Reckhow commented that item one (1) under the May 5, 2014 Worksession titled *Lincoln Community Health Center & DUHS Collaboration* should list “completed” and not “in progress.” Ms. Hines stated she would update the spreadsheet.

Commissioner Foster inquired about the “in progress” status for item two (2) under the June 2, 2014 Worksession titled *Citizen Comments-Victoria Peterson* asking if an update on the Appropriations Act of 2014 would be provided to the Board at the September Worksession. Ms. Hines stated the Sheriff office sent information back regarding Ms. Peterson request but it was not in the “form” that Ms. Peterson requested. Commissioner Foster asked for a timeframe on the directive being completed. Manager Davis responded the Manager’s office requested the information and the Sheriff office replied but Ms. Peterson was not satisfied with the findings. Commissioner Foster requested to see what was sent to Ms. Peterson.

Lowell Siler, County Attorney stated according to the law, one must provide what has already been produced. He added staff should not have to create a document for a public record request.

Chairman Page stated a meeting was scheduled to take place with Sheriff Michael Andrews on August 25, 2014 and stated that would be a good time to discuss the concerns mentioned.

Vice Chair Howerton asked for an update on the status for item eight (8) under the June 2, 2014 Worksession regarding the *mental health clinicians*. Ms. Hines stated she spoke with Gudrun Parmer, Director of Criminal Justice Resource Center and was told they were still working on providing that information.

Commissioner Jacobs inquired about funding provided for item five (5) the *Youth Initiative Update* under the June 2, 2014 Worksession and asked that the new Director provide a report to the Board in the fall.

Commissioner Foster inquired about the Economic Development Strategic Plan. Manager Davis stated a correspondence was sent out to the Board to coordinate dates for an update on the Economic Development Strategic Plan and the Workforce Development Study. The meeting was still in the process of being confirmed.

Adjournment

Commissioner Howerton moved, seconded by Commissioner Reckhow that the meeting be adjourned.

The motion carried unanimously.

Respectfully Submitted,

Monica W. Toomer
Senior Administrative Assistant