

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

Monday, September 8, 2014

MINUTES

7:00 pm

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

Present: Vice-Chair Brenda A. Howerton, and Commissioners, Fred Foster, Jr., Wendy Jacobs, and Ellen Reckhow

Absent: Chairman Michael D. Page

Presider: Vice Chair Brenda A. Howerton

Opening of Regular Session—Vice Chair Howerton opened the meeting and asked everyone to join in the Pledge of Allegiance.

Agenda Adjustments

Commissioner Reckhow moved, seconded by Commissioner Foster to excuse Chairman Page from the meeting.

The motion carried unanimously.

Announcements

Vice Chair Howerton read the following announcements:

- "In Touch with Durham County," the Durham County Television show, airs daily on Cable TV Channel 8 or 97-5 at 10 a.m., 3:30 p.m. and 6:30 p.m. Our County Commissioners' meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.
- Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a difference in our community. Contact the Clerk's Office at 919-560-0025, visit the County's website, or email Clerk@dconc.gov for more information. Please note that all City and County taxes must be current at the time of application.
- "Living Healthy," the Durham Diabetes Coalition Television show, airs daily on Cable TV Channel 8 or 97-5 at 7 p.m. Each episode features Durham County resources and residents successfully living with diabetes. This is also an initiative that supports Durham County's strategic goal Health and Well-being for All.

- As Chair of the Board of County Commissioners, Chairman Page will hold office hours for citizens each Wednesday from 2:00 pm to 5:00 pm. Appointments can be made by calling him at (919) 949-4022.
- The FY2014-2015 Matching Grant Program of the Durham Open Space and Trails Commission application process will be from September 1 until November 14, 2014. The grants are to assist nonprofit organizations in preserving open space lands and promoting new or improved recreational opportunities for citizens. All Durham community nonprofits interested in applying for FY2014-15 Matching Grant funds must submit an application by the November 14, 2014 deadline. The Matching Grant Program application and FY 2014-15 Program Guidelines are available on the County's website. For additional information, please contact the Matching Grants Administrator, Bo Gattis, in the Budget and Management Services department at 560-0012.
- The Durham County Department of Social Services is hosting the 4th Annual Grandparents and Caretakers Conference on September 11, 2014 at the Human Services Building, 414 E. Main Street from 8:00 am to 2:30 pm. Registration is free however pre-registration is requested. To register, contact Diane Fening by telephone (919)560-8398, fax (919)560-8682 or email dfening@dconc.gov by September 3, 2014.
- We are pleased to announce another key appointment of one of our members. New NCACC President Ronnie Beale has appointed Commissioner Ellen Reckhow as Chair of the NCACC Environment Steering Committee, and to serve on the NCACC Board of Directors. In addition, she is a member of the Justice and Public Safety and General Government Steering Committees. Congratulations Commissioner Reckhow for your service beyond the boundaries of Durham County!

Commissioner Jacobs mentioned the Library's Durham Reads Together program and asked Gina Rozier to announce it later in the meeting.

Minutes

Vice-Chair Howerton moved, seconded by Commissioner Reckhow, to approve as submitted the August 11, 2014 and August 25, 2014 Regular Session Minutes of the Board.

The motion carried unanimously.

Resolution Recognizing the Legacy of Mrs. Selena Warren Wheeler

Commissioner Wendy Jacobs read the following resolution:

Resolution to Honor Selena Warren Wheeler

WHEREAS, Selena Warren Wheeler served as the head librarian of the Durham Colored Library for 13 years, beginning in 1932;

WHEREAS, Mrs. Wheeler was the first African-American professional librarian hired by Durham County;

WHEREAS, under Mrs. Wheeler's leadership, library services were expanded to include extended hours, bookmobile service and increased meeting space;

WHEREAS, Mrs. Wheeler began programs that served the community, including Saturday Morning Story Hour, the Story Telling Institute, Book Exhibits and Art Exhibits by African-American artists;

WHEREAS, Mrs. Wheeler initiated library service to Lincoln Hospital and began providing library services for the blind;

WHEREAS, Mrs. Wheeler helped to designate Stanford L. Warren's Negro Collection as a special, non-circulating collection to be preserved for future generations;

WHEREAS, after serving as the librarian for Stanford L. Warren, Mrs. Wheeler went on to serve on the Warren Board of Trustees for 20 years, and later the Durham County Library Board of Trustees for seven years;

WHEREAS, in 1990, the Negro Collection was named the Selena Warren Wheeler Collection in her honor;

AND WHEREAS Mrs. Wheeler passed on the 18th of July, 2014, at the age of 102, leaving behind a legacy of leadership and service to her community.

NOW, THEREFORE, BE IT RESOLVED that we the members of the Durham County Board of Commissioners do hereby salute

Mrs. Selena Warren Wheeler

for her years of service to Durham County Library and the entire Durham County community. We call upon all citizens of Durham County to join us in honoring her memory and legacy.

This the 8th day of September, 2014.

Michael D. Page, Chairman

Brenda Howerton, Vice-Chairman

Wendy Jacobs

Fred Foster, Jr.

Ellen Reckhow

Ms. Tammy Baggett, Library Director, thanked the Board for honoring the legacy and memory of Ms. Wheeler with the resolution. Ms. Baggett introduced Ms. Myrtle Darden, Branch Manager of the Stanford L. Warren Library.

Ms. Darden spoke about the Selena Wheeler Collection which was housed at the Stanford L. Warren Library. She invited everyone to visit the Library to view the special collection.

Ms. Baggett extended an invitation for an event to be held on September 26, 2014 from noon – 2:00 pm to honor Ms. Wheeler. She also recognized Mr. Andre' Vann, President of the Stanford L. Warren Library.

Mr. Vann thanked the Board and recounted some of the history of the Warren Wheeler family. He also invited the public to go out to the event on September 26th.

Commissioner Jacobs asked Ms. Gina Rozier to make a few comments about an upcoming program. Ms. Rozier stated that every other year the Durham Reads Together program occurred and 2014 would be the year for the next event. She announced that Congressman John Lewis would be coming to Durham on October 4-5 to discuss his memoir on civil rights, the Durham Reads Together selection for 2014. The event would include a unity march beginning at the library on October 4. Several elected officials planned to participate in the march. The weekend would culminate with a discussion on the March on Washington.

Ms. Rozier added that there would be 19 events throughout the month—something for everyone. She directed everyone to visit the website at DurhamReadsTogether.org for more information.

Resolution Honoring Karen King Thompson

The Board was requested to adopt a resolution honoring the service of Karen King Thompson, a longtime member of several boards and councils for many years.

Ms. Angela Nunn, Chair of the Juvenile Crime Prevention Council (JCPC), called for all Council members and staff to come forward, and read the following resolution:

A RESOLUTION HONORING KAREN KING THOMPSON

WHEREAS, the Juvenile Crime Prevention Council (JCPC) and the Durham community lost a valued member and leader on Thursday August 21, 2014 with the death of Karen King Thompson; and

WHEREAS, Karen was highly regarded as a prominent member of several boards and councils in Durham County for many years, especially by her colleagues at the JCPC who meant a great deal to her; and

WHEREAS, beginning in 1991, she volunteered on the JCPC, a group that funds and monitors agencies providing services to at-risk and court-involved youth. Karen provided leadership to the group by serving as the chairperson for several years and in recent years served as the JCPC treasurer, invested many volunteer hours in helping to train new council members and agencies. Over time, Karen developed policies and procedures that have made the council more efficient and effective in providing services to youth in the Durham community; and

WHEREAS, she will forever be remembered in this community for her dedication, kindness, energy and graciousness which enriched those fortunate enough to know and work with her.

NOW, THEREFORE BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby resolve to pay tribute to

KAREN KING THOMPSON

For devoting her life to working on behalf of others in this community.

BE IT FURTHER RESOLVED, that the Durham Board of County Commissioners, and on behalf of the Juvenile Crime Prevention Council members, hereby honor the memory of Karen King Thompson and extend its sincerest condolences to her family and friends. Karen will be truly missed by her family, friends, and colleagues. Farewell to our faithful servant.

This the 8th day of September, 2014.

Michael D. Page, Chairman

Brenda A. Howerton, Vice-Chairman

Fred Foster, Jr.

Wendy Jacobs

Ellen W. Reckhow

JCPC Board members and Commissioners expressed their thanks for Ms. Thompson's years of dedication and commitment to the youth and community.

Vice Chair Howerton invited Ms. Thompson's family to stand. Family members thanked the County for recognizing Ms. Thompson.

Proclaim September 2014 as National Recovery Month in Durham County

Commissioner Reckhow read the following proclamation:

**National Recovery Month
Proclamation**

WHEREAS, behavioral health continues to be recognized as an essential part of one's overall health and well-being; and

WHEREAS, the Substance Abuse and Mental Health Services Administration (SAMHSA) is celebrating its 25th year of promoting September as National Recovery Month; and

WHEREAS, the cost of not encouraging mental health and substance use recovery is significant for individuals, families, neighborhoods and the community at large; and

WHEREAS, people in recovery achieve healthy lifestyles, stable homes, meaningful daily activities, strengthen neighborhoods and contribute in positive ways to the larger community; and

WHEREAS, SAMHSA reports that nationally, 55.8 percent of the 8.9 million people with co-occurring disorders receive no treatment at all, we must reduce the stigma and shame associated with mental illness and substance use disorders to encourage families and friends to recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services, as they would any other medical condition; and

WHEREAS, the North Carolina Division of Mental Health, Intellectual/Developmental Disabilities and Substance Abuse Services reports that approximately 18,000 adults and 1,000 children in Durham County were abused or were addicted to illegal drugs, prescription medication and alcohol in 2012; and, at least that many experienced diagnosable mental health symptoms, and considering also that behavioral disorders in particular are closely tied to other chronic health conditions such as diabetes, obesity and heart disease; we must continue to support recovery as a primary health care goal; and

WHEREAS, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), and the White House Office of National Drug Control Policy (ONDCP) invite all residents of Durham, North Carolina to participate in **National Recovery Month**.

NOW, THEREFORE, I, Michael D. Page, Chairman of the Durham Board of County Commissioners, do hereby proclaim the month of September 2014 as

“National Recovery Month”

in Durham, North Carolina and call upon the people of Durham, North Carolina to observe this month with appropriate programs, activities, and ceremonies to support this year's theme, "**Reach out, Speak up, Join the Voices for Recovery.**"

This the 8th day of September, 2014.

Michael D. Page, Chair
Durham Board of County Commissioners

Mr. Robert Thomas, Quality Assurance Manager, Criminal Justice Resource Center was present to accept the proclamation. He thanked the Board for its support. He spoke about the 20+ community agencies that were partnering to help sponsor an event on September 25, 2014 from 12:00 noon -7:00pm for National Recovery Month. Mr. Thomas reiterated that there were no wrong doors in recovery. All steps led to improving the individual's well-being which improved the well-being of families and communities.

Mr. Thomas invited the community to participate in the event on the 25th to support those who were in recovery.

Commissioner Reckhow commented on the resources of Durham Center Access which offered 24 hour/7day a week services. She provided the address and telephone number to ensure that citizens would be able to reach the program.

Proclamation – 2014 Bull City Stand Down

Commissioner Foster read the following proclamation:

2014 BULL CITY STAND DOWN

WHEREAS, Stand Down refers to a grassroots, community-based intervention program designed to help the nation's homeless and near homeless Veterans combat life on the streets; and

WHEREAS, during the time of war, combat troops needing time to rest and recoup were removed from the battlefield to a safe place to take care of personal hygiene, receive medical care, get a hot meal, clean uniforms and enjoy friends in a safe environment—this was known as a “Stand Down”; and

WHEREAS, since the first Stand Down in Durham, North Carolina, in 1992, the program has become recognized as the most valuable outreach tool to help homeless men and women Veterans receive much needed services and support; and

WHEREAS, the 2014 Bull City Stand Down provides homeless Veterans with food, clothing, medical, legal and mental health assistance, job counseling and referral, and most importantly, companionship and camaraderie. The program is successful because it brings these services, free of charge, to one location; and

WHEREAS, the County of Durham is committed to helping all Veterans secure the benefits and services they so rightly deserve; and

WHEREAS, we are proud to be part of the 2014 Bull City Stand Down and congratulate Indigo Consortium, Vietnam Veterans Living Memorial, USA Veterans Help, Bags of Warmth, and the many volunteers who will be part of this year's event.

NOW, THEREFORE, I, Michael D. Page, Chairman of the Durham County Board of Commissioners, and on behalf of the Durham Board of County Commissioners, do hereby proclaim Friday, September 19, 2014 as

BULL CITY STAND DOWN DAY 2014

in Durham County, North Carolina and hereby urge all citizens to take a special note of this observance; and to give thanks for our Veterans throughout the County, state, and the nation for their sacrifices, courage, and their noble service to the United States of America.

This the 8th day of September, 2014.

Michael D. Page, Chair
Durham Board of County Commissioners

Ms. Lois Harvin-Ravin, Veteran Services Director, asked the Committee for the 2014 Bull City Stand Down and veterans present to support the program to stand. Ms. Harvin-Ravin thanked the Manager and Board for their support.

Ms. Kim D. Burrucker, one of the three co-chairs for the Bull City Stand Down spoke about her experiences over the past four years with the event. She solicited volunteers for the event. She thanked the Board for allowing the Committee to use the Memorial Stadium to hold the event.

Ms. Shawn Ross, Executive Director of Indigo Consortium, reiterated the date and time (September 19, 2014, 8:30am – 2:00pm) and also noted that the event would recognize the 50th anniversary of the Vietnam War Veterans.

Mr. Darryl P. Hicklen thanked all veterans who served the country. He also thanked Lois Harvin-Ravin for her services as the County's Veteran Services Officer. He thanked the sponsors who helped to make the event possible. He reiterated the need for smiling volunteers.

Commissioners thanked the veterans and the volunteers who have continued to work to bring the services together to honor our veterans, especially during the Bull City Stand Down events.

Vice Chair Howerton asked for clarification on the bus service. Mr. Hicklen clarified that the DATA bus service was free. Citizens only needed to confirm that they were going to the Stand Down event.

Consent Agenda

Vice Chair Howerton asked the Board if they desired to pull any items. There were no items pulled by the Board or citizens.

Commissioner Jacobs stated that she wished to comment on items "a" and "e." For item "a," she wanted everyone to keep in mind that the Soil & Water and Farmland Boards were having discussions about trying to have local food sources as part of the foods served at Durham Public Schools and the Detention Center. She mentioned a food aggregation center in progress; and one of their goals was to be able to provide frozen foods to companies such as Aramark. She would like to have a report at a later date.

Regarding item "e," she would like to have a report on the youth opportunity initiative at an upcoming Worksession.

Commissioner Reckhow moved, seconded by Commissioner Foster to approve the following consent agenda items a-g:

- a. Authorize the County Manager to enter into a service contract with Aramark Corporation in the amount not to exceed \$570,000. The initial term of the contract would be September 1, 2014 through June 30, 2015, with the option to renew by the County for four (4) successive one-year periods under the same terms and conditions;
- b. *Approve Budget Ordinance Amendment No. 15BCC000008 to recognize \$50.00 in Communicable Disease Funds from NC DHHS, Division of Public Health to support the reduction in morbidity and mortality resulting from communicable disease in Durham County;
- c. *Approve Budget Ordinance Amendment No. 15BCC000009 to appropriate unspent funds allocated in FY 2013-14 to the FY 2014-15 Public Health Budget for the Hepatitis C reimbursable grant in the amount of \$11,741;

- d. Approve a request from the North Carolina Cooperative Extension Service to match a 40-hour special leave awarded for 2014-2015 to eligible employees by the General Assembly;
- e. Amend the Agreement with Alliance Behavioral Healthcare for FY 15, to the amount of \$6,661,442;
- f. Approve the legislative goals and forward to NCACC for inclusion in the 2015 State Legislative Package;
- g. Approve a Facility Use Policy to assure certain facilities owned and operated by Durham County are utilized in a manner that has a public purpose which meets the needs and interests of the community, as well as to set clear policies, procedures, regulations and fees regarding such uses.

The motion carried unanimously.

*Document(s) related to this item follow:

Consent Agenda Item No. b

DURHAM COUNTY, NORTH CAROLINA
FY 2014-15 Budget Ordinance
Amendment No. 15BCC000008

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2014-15 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u> Intergovernmental	\$ 54,241,461	\$50	\$52,261,511

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u> Human Services	\$ 86,091,583	\$50	\$86,091,633

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

This the 8th day of September, 2014.

Consent Agenda Item No. c.

DURHAM COUNTY, NORTH CAROLINA
FY 2014-15 Budget Ordinance
Amendment No. 15BCC000009

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2014-15 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u> Intergovernmental	\$ 54,261,511	\$11,741	\$54,273,352

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u> Human Services	\$ 86,091,633	\$11,741	\$86,103,374

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

This the 8th day of September, 2014.

Public Hearing for Private Activity Bonds – Voyager Foundation, Inc.

The Board was requested to hold a public hearing concerning the issuance and sale by the Public Finance Authority, which was a public authority existing under **Wisconsin** law (the “Authority”), of its Charter School Revenue Bonds (Voyager Foundation, Inc. Project) Series 2014 (the “Bonds”), in one or more series, in an amount not to exceed \$10,500,000, and if appropriate approve a Resolution authorizing the issuance of the Bonds. The Bonds would be used to (1) to finance or refinance the acquisition, development and equipping of certain educational facilities, including land, buildings and equipment, with an aggregate square footage of approximately 42,000 square feet on a site of approximately 13.5 acres located at approximately 101 Hock Parc, Durham, North Carolina (collectively, the “Facility”),(2) fund a debt service reserve for the Bonds and (3) pay all or a portion of the costs of issuing the Bonds.

Attorney Lowell Siler introduced the item. He recommended that the Board hold the public hearing and approve the Resolution authorizing the issuance of the Bonds. Attorney Siler introduced Attorney Brandon Lewisohn, with Parker Poe Law firm in Charlotte NC who was present on behalf of Voyager Foundation.

Commissioner Reckhow inquired as to the use of the funds. Attorney Lewisohn responded that the funds would be used to refinance existing debt at the Voyager Middle School. He added that it was possible that a small amount might be used for a recreational field. The terms would be approximately 30 years.

Vice Chair Howerton opened the public hearing. As there were no individuals signed up to speak, Vice Chair Howerton closed the public hearing.

Commissioner Reckhow moved, seconded by Commissioner Jacobs, to approve the Resolution authorizing the issuance of Bonds for Voyager Foundation, Inc.

The motion carried unanimously.

Closed Session

The Board was requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged to discuss the matter of ROY TWISDALE v. J.R. BERRIAN, DURHAM COUNTY DEPUTY SHERIFF, in his official and individual capacities, et al.

Commissioner Reckhow moved, seconded by Commissioner Jacobs to adjourn into Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Vice Chair Howerton announced that the Board met in Closed Session and direction was given to staff. No action was taken.

Adjournment

Vice-Chair Howerton moved, seconded by Commissioner Reckhow, to adjourn the Regular Session meeting.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Michelle", followed by a long horizontal line extending to the right.

V. Michelle Parker-Evans
Clerk to the Board