



# Durham County

200 E. Main Street  
Durham, NC 27701  
(919) 560-0025

## Meeting Minutes Board of County Commissioners

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

Monday, June 22, 2015

7:00 PM

Commissioners' Chambers

### “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.

### 7:00 pm Regular Session

#### Opening of Regular Session - Pledge of Allegiance

#### Agenda Adjustments:

Chairman Page asked the audience to observe a moment of silence for Lewis Cheek, former Durham County Commissioner who passed away on June 16, 2015. He also asked for a moment of silence for the loss of the individuals victimized in Charleston, South Carolina.

There were no additional agenda adjustments.

#### Announcements:

Chairman Page read the following announcements:

1. The Durham County Department of Public Health invites the community to join us as two of our retirees, turned historians, take us back through the highlights of the past 100 years in Durham Public Health.

**Public Health in Durham County – Then and Now**  
**Saturday, July 25, 2015, at 1:30 p.m.**  
**Durham County Library - Main Branch**  
**Auditorium**

2. All announcements may also be found on the County’s website or you may call the Clerk’s Office at 919-560-0025.

**Minutes:**

Vice Chair Howerton moved, seconded by Commissioner Reckhow to approve the May 4, 2015 Worksession minutes, June 1, 2015 Budget Worksession minutes and the June 8, 2015 Regular Session minutes.

The motion carried unanimously.

**Ceremonial Items:**

**Recognition of Cathi Hines, RN, Public Health Nurse for Receiving a 2015 Communicable Disease Nurse Spirit Award and Jacqueline Melvin, Community Disease Control Specialist and HIV Counselor Who Was Honored at the NC Red Ribbon Community Awards Gala**

Chairman Page congratulated Cathi Hines and Jacqueline Melvin for their awards.

Gayle Harris, Director of Public Health thanked the Board for highlighting the work of an awesome team. She introduced Ms. Hines and Ms. Melvin to speak.

Ms. Hines thanked the Public Health staff for the support received. Ms. Melvin also thanked the Department of Public Health and stated she felt honored to have an award in her name.

Chairman Page presented Ms. Hines with the award and asked the Board to share additional comments.

Commissioners thanked Ms. Harris for her leadership and expressed gratitude to both Ms. Hines and Ms. Melvin.

**Recognition of the Durham County Tax Department as the Winner of the 2015 Achievement Award for the Online Property Tax Appeal Management System Issued by the National Association of Counties**

Chairman Page recognized Kimberly Simpson, Director of Tax Administration for receiving the 2015 Achievement Award.

Ms. Simpson stated Durham County was the first county in the State to implement the online property tax appeal process. She thanked the Information Technology Department, contractors and the Tax Department for their assistance and the County Commissioners and City Council for funding the project.

Commissioner Reckhow highlighted that the Tax Office won numerous awards and that the new online tax appeal process would make it more efficient and user friendly to the citizens of Durham County.

Commissioner Foster thanked the Tax Department for their hard work. He also commended Ms. Simpson for helping the County move in the right direction.

Commissioner Jacobs congratulated Ms. Simpson for the national recognition and stated that citizens now had access to information to challenge their case.

Chairman Page read the plaque and presented it to the Tax Department.

### **Recognition of Outgoing Deputy County Manager Lee Worsley**

Chairman Page read the following resolution.

#### **E. LEE WORSLEY**

**WHEREAS**, E. Lee Worsley earned his undergraduate degree in political science from Appalachian State University and his Masters of Public Administration from the University of North Carolina at Chapel Hill; and

**WHEREAS**, following graduation, he joined Durham County Government in 1997 serving as Special Assistant to the County Manager; and

**WHEREAS**, in 1999, he left for a position as Assistant to the City Manager in Goldsboro, spent three years as Greene County Manager and then six years as Assistant County Manager in Catawba County, prior to his return to Durham County in 2011 as Deputy County Manager; and

**WHEREAS**, his leadership with Durham County Government has been marked by a tremendous work ethic, attention to detail, keen negotiating skills, visionary ideas and his ability to work with appointed and elected officials, civic leaders, employees and residents in the pursuit of positive outcomes; and

**WHEREAS**, understanding the importance of professionalism to the success of a manager, Worsley joined ICMA (International City County Management Association) in 1995, going on to earn designation as a Credentialed Manager through ICMA's Voluntary Credentialing Program, which honors members who are qualified by a combination of education and experience, integrity and a commitment to lifelong learning and professional development; and

**WHEREAS**, in 2012, Lee was elected to a three-year term as Southeast Regional Vice President of International City County Management Association, and also became president of the North Carolina City and County Management Association (NCCCMA) in 2013; and

**WHEREAS**, he served Durham County with distinction as Interim County Manager from February 1, 2014 through April 14, 2014 ensuring that the county's day to day operations were maintained in a positive manner.

**NOW, THEREFORE BE IT RESOLVED** that we, the members of the Durham County Board of Commissioners, do hereby extend sincere and grateful appreciation to

#### **E. LEE WORSLEY**

for the dynamic leadership he demonstrated during his laudatory tenure as Deputy County Manager. As he prepares to lead the Triangle J Council of Governments as its Executive Director, we wish for him tremendous success and thank him for the invaluable contributions to Durham County.

This the 22<sup>nd</sup> day of June 2015

\_\_\_\_\_  
Michael D. Page, Chairman

\_\_\_\_\_  
Brenda A. Howerton, Vice-Chairman

\_\_\_\_\_  
Fred Foster, Jr.

\_\_\_\_\_  
Wendy Jacobs

\_\_\_\_\_  
Ellen W. Reckhow

Chairman Page continued to say that Mr. Worsley exhibited true professionalism and leadership during his tenure with Durham County. He stated Mr. Worsley would be missed and looked forward to working him in his new role with Triangle J Council of Governments.

Commissioner Reckhow also commended Mr. Worsley for his overall leadership on numerous projects such as the Fire District Study and the Whitted School renovation.

Vice Chair Howerton acknowledged Mr. Worsley's leadership and wished him well in his future endeavors.

Commissioners Foster and Jacobs echoed the other comments made adding that his professionalism and integrity would be deeply missed.

Mr. Worsley thanked the Board and the County Manager for the recognition. He also thanked Mike Ruffin, former County Manager for giving him the opportunity to come back to work for Durham County. Mr. Worsley thanked the Board for its leadership and vision and also thanked the staff members for assisting with any success that he had accomplished. He continued to say that he looked forward to working with the Board and staff in his future role at Triangle J Council of Government.

**Other Business:**

**15-521 Adoption of the FY2015-2016 Budget Ordinance**

Chairman Page opened the item with comments from Wendell Davis, County Manager.

County Manager Davis discussed the budget and how it related to the strategic investments of the County. He added that the Board also requested no tax increase which was considered when the budget was created.

Chairman Page recognized the citizens who signed to speak and asked that they limit all comments to two (2) minutes each.

Dr. Jarone Washington, IMA of Durham mentioned he supported Durham Public Schools (DPS) however, he suggested the proposal for the Durham County FY15-16 Budget be moved forward.

He asked that the County leave room for negotiation after the State announced their budget.

Immanuel Jarvis, Chairman of the Durham GOP stated he was in support of the current plan and asked the Board to not fully fund the DPS budget.

Terry McCann, member of the Durham Republican Party and DPS teacher asked the Board to hold DPS accountable for the \$19 million dollars that was unallocated.

The following individuals signed up to speak in support of the full DPS budget request:

Holly Jordan, *DPS teacher*; Charlie Reece, *Durham People's Alliance*; Lisa McCool-Grime, *DPS teacher*; Crystal Rogers, *Durham PTA member*; Page McCullough, *Durham People's Alliance*; Nicholas Graber-Grace, *Durham Association of Educators*; Diedra Williams, *DPS parent*; John Davis, *DPS teacher*, Brian Callaway, *Durham Association of Educators*; Alex LaMay, *DPS teacher*; Holly Woodard, *Durham Association of Educators*; Alec Greenwald, *Former DPS teacher*; Anca Stefan, *DPS teacher*; Ann Rebech, *President of Durham Council PTA*; Bryan Proffitt, *Durham Association of Educators*; Richard Grime, *DPS parent*; E. L. Allison, *Citizen*; Kate Fellman, *PTA President*; Xavier Cason, *Former DPS teacher*; Eli Meyerhoff, *DPS teacher*.

The following individuals signed up to discuss the Inmate Lock Back, increase in medical care fees at the jail and unfair treatment of inmates:

Cynthia Fox, *Inside-Outside Alliance*; Justine Johnson, *Inside-Outside Alliance*; Steph Gans, *Citizen*; Steve Lorenz, *Inside-Outside Alliance*; Gabriel Baldasare, *Inside-Outside Alliance*; David Theurer, *Citizen*; Lee Gans, *Citizen*; Jatziri Reyes, *Citizen*.

Chairman Page stated the matter was back before the Board and asked if they wanted to make any additional comments.

Commissioner Foster thanked the County Manager and staff for their hard work. He stated the revenue was \$9 million dollars and the Manager had done all he could do to split the funds. Commissioner Foster stated if funds were left over, more funding would be distributed.

Commissioner Reckhow stated she planned to vote against the budget. She expressed that this was a tough decision for her to make because she has never voted against a budget before. Commissioner Reckhow added that she was pleased that the teacher salary was being funded to pay for experienced teachers; however, she felt the need to go further and fully fund the stipend for staff that conducted extra-curricular activities as well. She continued to say that pay for the classified positions should have also been increased since they had only received a 1.2% increase over the past six (6) years and neighboring school districts such as Wake County provided supplements for their employees in the upcoming year. Commissioner Reckhow stated that regardless of what the State said, the County could do more. She added that the County could not expect DPS to be a top flight system without providing competitiveness.

Chairman Page commented that the past few days were very difficult. He stated the citizens must hold the legislature accountable for providing the support they needed. Chairman Page

assured the public that if the General Assembly would not provide budget funding, a conversation would take place to provide the funding for DPS. He stated the Board was passing the budget for the County and urged the public to lobby the State legislators.

Vice Chair Howerton stated the State budget would not be available until September or October 2015 and the County was unsure of the impact of the budget. She continued to say the County was not cutting the funding, the Board was simply asking for transparency. Vice Chair Howerton advised the citizens to come to the table with the Board and DPS to discuss their concerns prior to the budget meetings. She also urged the public to take their energy regarding the budget to Raleigh so the legislature could hear their concerns. Vice Chair Howerton lastly asked the community to work with the Board and support its decision.

Commissioner Jacobs mentioned a request that was made to Claudia Hager, Budget Director about new available funding in the FY15-16 budget. She stated at the time of the discussion, she was told there was a total of \$16 million dollars.

**Directive: Commissioner Jacobs requested the Clerk to review the budget hearing and prepare a transcript from June 3, 2015 where she asked Claudia Hager, Budget Director about available funding. She mentioned she was told it was \$16 million dollars and received clarification that some of the funds were restricted.**

Commissioner Jacobs announced that she was unable to support the budget presented because it did not address what the County could do to support DPS at the time. She stated the funding for a supplement that targeted experienced teachers was added but it left out \$300,000 for a stipend for teachers involved with extracurricular activities which was the County's responsibility—not that of the State. In addition, she supported \$750,000 for a 1% supplement for classified workers. She added the Board could fund these three requests made by DPS and still accommodate the request to not increase taxes or affect the AAA bond. Commissioner Jacobs added the funding for an additional \$2.4 million was consistent with the County's policy of investing in a competitive workforce. She stated the teachers and classified workers were underpaid and the Board needed to do all they could to support the teachers.

The FY15-16 Annual Budget Ordinance:

**ANNUAL BUDGET ORDINANCE  
Durham County  
North Carolina  
FY 2015-16**

WHEREAS, the proposed budget for FY 2015-16 was submitted to the Board of Commissioners on May 26, 2015 by the Durham County Manager and filed with the Clerk to the Board on that date pursuant to G.S. 159-11;

WHEREAS, on June 8, 2015, the Durham County Board of Commissioners held a public hearing on the budget pursuant to G.S. 159-12;

WHEREAS, on June 22, 2015, the Durham County Board of Commissioners adopted a budget ordinance making appropriations and levying taxes in such sums as the Board of Commissioners considers sufficient and proper in accordance with G.S. 159-13;

**BE IT ORDAINED** by the Durham County Board of Commissioners that for the purpose of financing the operations of Durham County, North Carolina for the fiscal year beginning July 1, 2015 and ending June 30, 2016, there are hereby appropriated from taxes and other revenues the following by function and fund:

| <b>Section 1. Summary of Appropriations by Fund and Function - FY 2015-16</b> |                      |                    |                        |                       |                     |                    |                      |
|---|----------------------|--------------------|------------------------|-----------------------|---------------------|--------------------|----------------------|
| Function  | General Fund         | Swap Fund          | Capital Financing Fund | Special Revenue Funds | Debt Service Fund   | Enterprise Fund    | Total Appropriation  |
| General Government  | \$97,731,644         | \$2,750,000        | \$59,165,312           | \$4,653,312           | \$58,217,142        | \$500,000          | \$223,017,410        |
| Public Safety   | \$57,309,107         | ---                | ---                    | \$2,818,348           | ---                 | ---                | \$60,127,455         |
| Transportation  | \$12,500             | ---                | ---                    | ---                   | ---                 | ---                | \$12,500             |
| Environmental Protection  | \$3,886,750          | ---                | ---                    | ---                   | ---                 | ---                | \$3,886,750          |
| Economic and Physical   | \$6,082,940          | ---                | ---                    | \$941,327             | ---                 | ---                | \$7,024,267          |
| Human Services  | \$89,258,669         | ---                | ---                    | ---                   | ---                 | ---                | \$89,258,669         |
| Education   | \$130,191,507        | ---                | ---                    | ---                   | ---                 | ---                | \$130,191,507        |
| Cultural and Recreation   | \$12,009,942         | ---                | ---                    | ---                   | ---                 | ---                | \$12,009,942         |
| Utilities   | ---                  | ---                | ---                    | ---                   | ---                 | \$7,856,040        | \$7,856,040          |
| <b>Ordinance-Rev</b>  | <b>\$396,483,059</b> | <b>\$2,750,000</b> | <b>\$59,165,312</b>    | <b>\$8,412,987</b>    | <b>\$58,217,142</b> | <b>\$8,356,040</b> | <b>\$533,384,540</b> |

| <b>Section 2. Summary of Revenues by Fund and Revenue Category - FY 2015-16</b> |                      |                    |                        |                       |                     |                    |                      |
|---|----------------------|--------------------|------------------------|-----------------------|---------------------|--------------------|----------------------|
| Category  | General Fund         | Swap Fund          | Capital Financing Fund | Special Revenue Funds | Debt Service Fund   | Enterprise Fund    | Total Appropriation  |
| Taxes   | \$299,621,383        | ---                | \$27,164,358           | \$8,412,987           | ---                 | ---                | \$335,198,728        |
| Licenses and Permits  | \$976,000            | ---                | ---                    | ---                   | ---                 | \$3,000            | \$979,000            |
| Intergovernmental   | \$57,510,044         | ---                | ---                    | ---                   | ---                 | ---                | \$57,510,044         |
| Contributions and Donations   | \$138,133            | ---                | ---                    | ---                   | ---                 | ---                | \$138,133            |
| Investment Income   | \$140,000            | ---                | \$10,000               | ---                   | \$388,221           | \$18,000           | \$556,221            |
| Rental Income   | \$460,074            | ---                | \$552,758              | ---                   | ---                 | ---                | \$1,012,832          |
| Service Charges   | \$17,785,041         | ---                | ---                    | ---                   | \$400,000           | ---                | \$18,185,041         |
| Enterprise Charges  | ---                  | ---                | ---                    | ---                   | ---                 | \$7,327,020        | \$7,327,020          |
| Sewer Connection Fees   | \$1,000              | ---                | ---                    | ---                   | ---                 | \$508,020          | \$509,020            |
| Other Revenues  | \$506,991            | \$2,750,000        | ---                    | ---                   | ---                 | ---                | \$3,256,991          |
| Other Financing Sources   | \$19,344,393         | ---                | \$31,438,196           | ---                   | \$57,428,921        | \$500,000          | \$108,711,510        |
| <b>Total Revenue</b>  | <b>\$396,483,059</b> | <b>\$2,750,000</b> | <b>\$59,165,312</b>    | <b>\$8,412,987</b>    | <b>\$58,217,142</b> | <b>\$8,356,040</b> | <b>\$533,384,540</b> |

**Section 3.** For purpose of raising revenues to finance appropriations for the foregoing expenditures, the following ad valorem taxes are hereby levied on all property subject to ad valorem taxes within the county on January 1, 2015 at an anticipated collection rate of 99.30 percent. Rates are per \$100.00 of assessed valuation of taxable property.

| District                 | Rate    |
|--------------------------|---------|
| Durham County-countywide | \$.7931 |

**Section 4.** For purpose of raising revenues to finance appropriations for the foregoing expenditures, the following ad valorem taxes are hereby levied on all property subject to ad valorem taxes within the county on January 1, 2015 at the anticipated collection rates noted below. Rates are per \$100.00 of assessed valuation of taxable property.

| District              | Rate    | Collection Rate | District                                | Rate    | Collection Rate |
|-----------------------|---------|-----------------|---|---------|-----------------|
| Bahama Fire District  | \$.0987 | 98.7%           | Parkwood Fire District                  | \$.0000 |                 |
| Eno Fire District     | \$.0799 | 98.3%           | Redwood Fire District                   | \$.1386 | 98.3%           |
| Lebanon Fire District | \$.1065 | 98.7%           | Bethesda Fire & Rescue Service District | \$.0000 |                 |
| New Hope District     | \$.0995 | 98.7%           | Durham Fire & Rescue Service District   | \$.1300 | 98.7%           |

**Section 5.** There is hereby levied a tax at the rate shown below, per \$100.00 valuation of property listed for taxes as of January 1, 2015, for property located within the Durham County portion of the Durham-Wake Counties Research Triangle Park Research and Production Service District for the raising of revenue for said district. The anticipated collection rate is 98.7 percent.

|  |                 |                      |
|--|-----------------|----------------------|
|  | <b>Tax Rate</b> | <b>Appropriation</b> |
| Research & Production Service District | \$.0479         | \$941,327            |

There is hereby appropriated to the Durham-Wake Counties Research and Production Service District from the net proceeds of this tax the amount of \$941,327 for use in said district in such manner and for such expenditures as is permitted by law from the net proceeds of this tax. In the event the actual net proceeds from the tax levy of the Research and Production Service District exceed the appropriated amount, the actual net proceeds from the tax shall constitute the appropriation from said tax levy.

**Section 6.** Charges for services and fees by county departments are levied in the amounts set forth in the attached Fee and Other Charges Schedules. (See Attachment 1)

**Section 7.** The following authorities shall apply to transfers and adjustments within the budget:

- a)The County Manager may authorize transfers within a function up to 15% cumulatively without report to the Board.
- b)The County Manager may transfer amounts up to \$20,000 between functions of the same fund with a report to the Board of Commissioners at the subsequent regular meeting of the Board.
- c)The Budget Officer may approve intradepartmental transfer requests between appropriation units and between departmental programs within the limits of the approved budget.
- d)The County Manager may enter into the following agreements within funds:
  - Form and execute grant agreements within budgeted appropriations;
  - Execute leases of up to \$15,000 for normal and routine business within budgeted appropriations (County as Tenant only);
  - Enter consultant, professional, maintenance, or other service agreements of up to \$40,000 within budgeted appropriations;
  - Approve renewals for service and maintenance contracts and leases;
  - Purchase of apparatus, supplies, materials or equipment and construction or repair work not requiring formal bids by law;
  - Reject any and all bids and readvertise to receive bids;
  - Waive any bonds or deposits, or performance and payment bonds requirements when authorized or permitted by applicable law.
- e)County Manager can transfer between functions, and/or funds for merit, pay plan adjustments, health benefits, and reclassifications.
- f)Transfers between funds and transfers from the contingency account may be executed **only** by the Board of Commissioners.

**Section 8.** In accordance with North Carolina General Statute 115D-54, the following appropriations are made to Durham Technical Community College. All accumulated and unexpended and unencumbered amounts at the end of the fiscal year shall be reported to Durham County within 30 days of the completion of the external audit.

|                     |             |
|---------------------|-------------|
| Current Expense     | \$6,234,091 |
| Capital Outlay      | \$302,500   |
| Total Appropriation | \$6,536,591 |

- a) It is the intent of the Durham County Board of County Commissioners in appropriating these funds that Durham Technical Community College allocates current expense funding of \$1,102,809 for needs based financial assistance for enrolled students from Durham County and the Gateway to College program (an educational option for DPS students between the ages of 16-21 who have dropped out of high school but have a desire to now earn a diploma.)

**Section 9.** In accordance with G.S. 115C-429(b), the following appropriations are made to the Durham Public Schools. The budget resolution adopted by the Durham Public Schools Board of Education shall conform to the appropriations set forth in the budget ordinance.

The total local appropriation for Durham Public Schools for FY 2015-16 is as below:

|                     |               |
|---------------------|---------------|
| Current Expense*    | \$122,214,356 |
| Capital Outlay      | \$1,370,000   |
| Total Appropriation | \$123,584,356 |

\*Includes Article 46 Sales Tax Revenue:

|                                     | DPS                | Pre-K            |
|-------------------------------------|--------------------|------------------|
| <i>FY 2013-14 Overcollections</i>   | <i>\$466,091</i>   | <i>\$15,069</i>  |
| <i>FY 2015-16 Estimated Revenue</i> | <i>\$7,785,920</i> | <i>\$451,720</i> |
| FY 2015-16 Article 46 Total         | \$8,252,011        | \$466,789        |

- a) In addition, the Durham Public Schools budget should reflect local appropriations by purpose, function, and project. Once adopted, such resolution shall not be amended without the prior approval of the Board of Commissioners if the cumulative effect of such amendment would be to increase or decrease the amount of county appropriations allocated by purpose, function, or project by 15 percent or more.



- b) The Board of Commissioners and the County Manager shall be informed in writing of the audited fund balance amounts within 30 days of completion of the external audit.
- c) Transfers between capital outlay and current expense shall be approved by the Board of Commissioners.
- d) Durham Public Schools is authorized to use Public School Building Capital Funds, and Lottery Funds for capital outlay requests, with the approval of the Board of Commissioners.
- e) It is the intent of the Durham County Board of County Commissioners in appropriating these funds that the Board of Education allocate current expense funding of \$466,789 for expanded support of Durham Public School related Pre-Kindergarten programs.

Funding (including debt service) exceeds the required merger agreement rate of \$1,960 per pupil.

**Section 10.** In addition, it is the intent of the Durham County Board of Commissioners in appropriating these funds that the Board of Education allocates sufficient funds to continue the teacher supplement at a rate of 12.5 percent for teachers with less than 10 years' experience; 13.50% percent for teachers with 10 years' experience; and 0.25% annual incremental increases for each year after 10 years maxing out at 22% for teachers with 44 years or more experience.

**Section 11.** In accordance with G.S. 159-13.1, the following financial plans for intragovernmental service funds are hereby approved.

**RISK MANAGEMENT FUND**

|         |             |
|---------|-------------|
| Revenue | \$2,777,234 |
| Expense | \$2,777,234 |

**BENEFITS PLAN FUND**

|         |              |
|---------|--------------|
| Revenue | \$21,705,951 |
| Expense | \$21,705,951 |

**Section 12.** In accordance with G.S. 159-14, the following trust funds are established and the proceeds are estimated as follows:

|                                     |             |
|-------------------------------------|-------------|
| Law Enforcement Officers Trust Fund | \$356,052   |
| George Linder Memorial Fund         | \$250       |
| Community Health Trust Fund         | \$6,359,601 |

**Section 13.** This ordinance incorporates the County's Capital Financing Policy to designate up to 20% of dedicated revenues as County Contribution for pay-as-you-go projects. For Fiscal Year 2015-16, the County Contribution is designated at 9.97%.

**Section 14.** In accordance with G.S. 159-13, a copy of this ordinance shall be filed with the County Manager, the Finance Officer, the Clerk to the Board, and the County Tax Administrator.

**Adopted this the 22<sup>nd</sup> day of June 2015.**

**\*Fee and Other Charges schedules are on file with the Budget Ordinance document.**

Chairman Page called for a vote on the budget.

Vice Chair Howerton moved, seconded by Commissioner Foster to adopt the FY2015-2016 Budget Ordinance.

The motion carried with the following vote:

Ayes: Foster, Howerton, Page  
 Noes: Jacobs, Reckhow

**15-456 Update on Durham-Orange Light Rail Project**

Patrick McDonough, Manager of Planning and Transit-Oriented Development, GoTriangle shared a presentation on the *Durham-Orange Light Rail Transit Project*. The presentation highlighted the following information:

- Reviewed Changes to Downtown Durham Light Rail Alignment since March 2015
- Recommendations for Preliminary NEPA Preferred Alternative for each of the Five Key Decisions
- Next Steps

- Discussion

Vice Chair Howerton inquired about the trip to Charlotte, NC; asking how the Board could attend. Natalie Murdock, Interim Director of Communications and Public Affairs Manager of Marketing responded discussed the options available to participate in the trip to Charlotte. Vice Chair Howerton mentioned the majority of the Board would be in Charlotte at the National Association of Counties Conference and that would be a great time to schedule the tour. Ms. Murdock stated the itinerary would be shared with the Charlotte staff to determine the best time to schedule the tour.

Commissioner Reckhow thanked the Triangle Transit Authority staff and consultants for their work up to date. She stated the alternatives presented resolved some issues; however, there were some tough spots that remained such as the site of the maintenance facility. Commissioner Reckhow stated she hoped the staff would work closely with City-County Planning to determine a route moving forward that would avoid the Cornwallis Road site. She also expressed her concerns regarding the Downey Creek area and the two-way crossing on the streets. Commissioner Reckhow stated she hoped they could work with the neighborhood and come up with a creative solution to address those concerns. Mr. McDonough responded they visited with the Homeowner's Association twice and the designs functioned very well with the cities.

Vice Chair Howerton expressed her concerns about the Cornwallis area and asked if the presentation was for information only or for a vote from the Board. Mr. McDonough responded the presentation was for information only.

Commissioner Jacobs stated she appreciated the hard work and asked if there was a way to organize a trip for citizens. Mr. McDonough responded they were looking to organize a trip for elected officials because they were the final decision makers. He added those who could not make the trip would be provided photos and video for review.

**Consent Agenda:**

Chairman Page asked if anyone wished to pull any items. Note that no items were pulled by citizens or Commissioners.

Commissioner Jacobs moved, seconded by Vice Chair Howerton to approve the Consent Agenda below:

15-381 Approval to Amend Economic Development Agreement with Gentian Group, LLC

\*15-448 Budget Ordinance Amendment No. 15BCC000064 - Approve Amendment to the Benefits Plan Fund Budget of \$2,085,000

\*15-461 Budget Ordinance Amendment No. 15BCC000067 for Social Services Recognizing Additional Child Care Funds

\*15-481 Conservation Funding Agreement with City of Raleigh for the Santee Road property and Capital Project Amendment 15CPA000022 - Appropriation of \$300,000 of City of Raleigh Funds to the Open Space Land Acquisition Project (DC083)

15-482 Lease Extension for 706 Rigsbee Avenue with Rainbow 66 Storehouse Incorporated

\*15-485 Property Tax Releases and Refunds for May, 2015

15-490 Renewal of the Durham City-County Interlocal Cooperation Agreement for Inspections

15-491 Transitional Living Facility Contract

15-496 Public Health: Approval of Contract Between Durham County and Correct Care Solutions (CCS) to Provide Medical Care to Inmates of the Durham Detention Center and Durham Youth Home

15-508 Approve the Sale of County Surplus Properties (3005 Ruth Street, 2400 Owen Street and 712 Kent Street)

15-515 Approving FY 2015-2016 Contracts for Fire and Rescue Services

15-517 Approval of Interlocal Cooperation Agreement with Alliance Behavioral Healthcare

15-518 Amendment to 2014-2015 Interlocal Agreement with Alliance Behavioral Healthcare

15-519 Consideration of Extension of Option to Purchase for Integral Development, LLC for the James A. Whitted School Property

\*15-523 Budget Ordinance Amendment No. 15BCC000069 - Appropriate \$297,000 (County Portion) of \$7 Vehicle Registration Tax Revenue and Distribute to GoTriangle

The motion carried unanimously.

Consent Agenda Item 15-448

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000064**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 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> |
|----------------------------------|-----------------------|--------------------------|-----------------------|
| <b><u>BENEFITS PLAN FUND</u></b> |                       |                          |                       |
| Service Charges                  | \$204,160             | \$310,000                | \$514,160             |
| Other Financing Sources          | \$17,143,411          | \$1,775,000              | \$18,918,411          |

Expenditures:

| <u>Function</u>                   |             |           |             |
|-----------------------------------|-------------|-----------|-------------|
| <b><u>BENEFITS PLAN FUND</u></b>  |             |           |             |
| General Government                | \$5,518,131 | \$646,350 | \$6,164,481 |
| Public Safety                     | \$6,752,846 | \$667,200 | \$7,420,046 |
| Environmental Protection          | \$413,721   | \$41,700  | \$455,421   |
| Economic and Physical Development | \$155,645   | \$41,700  | \$197,345   |
| Human Services                    | \$6,264,343 | \$599,300 | \$6,863,643 |
| Cultural and Recreation           | \$984,465   | \$71,000  | \$1,055,465 |
| Utilities                         | \$221,944   | \$17,750  | \$239,694   |

Revenue:

| <u>Category</u>         | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|-------------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u>     |                       |                          |                       |
| Other Financing Sources | \$26,797,054          | \$1,775,000              | \$28,572,054          |

Expenditures:

| <u>Function</u>     | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> |                       |                          |                       |
| General Government  | \$95,333,289          | \$1,775,000              | \$97,108,289          |

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

Approved June 22, 2015

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Consent Agenda Item 15-461

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000067**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 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   | \$59,285,045          | \$403,449                | \$59,688,494          |

Expenditures:

| <u>Function</u>     | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> |                       |                          |                       |
| Human Services      | \$90,900,365          | \$403,449                | \$91,303,814          |

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

Approved June 22, 2015.

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Consent Agenda Item 15-481

**DURHAM COUNTY, NORTH CAROLINA  
2014-15 Capital Project Ordinance  
Amendment Number 15CPA000022**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2014-15 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

| <b>Capital Project</b>                                     | <b>Current Budget</b> | <b>Inc./Dec.</b> | <b>Revised Budget</b> |
|--|-----------------------|------------------|-----------------------|
| Open Space & Farmland Preservation Capital Project (DC083) | \$11,542,910          | \$300,000        | \$11,842,910          |

Adopted this the 22<sup>nd</sup> day of June, 2015.

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Consent Agenda Item 15-485

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of May, 2015.

Releases & Refunds for 2014 Taxes

|                               |              |
|-------------------------------|--------------|
| Real Property                 | \$ 7,529.47  |
| Personal Property             | \$ 16,503.45 |
| Motor Vehicle                 | \$ 313.55    |
| NCVTS (State Vehicle System)  | \$ 18,060.37 |
| Total for 2014 Taxes and Fees | \$ 42,406.84 |

Releases & Refunds for Prior Years

Year 2012-2013 \$ 2,271.10

Grand Total \$ 44,677.94

Consent Agenda Item 15-523

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000069**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 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> |                       |                          |                       |
| Taxes               | \$283,741,515         | \$297,000                | \$284,038,515         |

Expenditures:

| <u>Function</u>     |          |           |           |
|---------------------|----------|-----------|-----------|
| <u>GENERAL FUND</u> |          |           |           |
| Transportation      | \$12,500 | \$297,000 | \$309,500 |

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

Approved June 22, 2015.

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**Public Hearings:**

**15-488 Public Hearing to Consider Approval of up to \$7,000,000 in Educational Facilities Revenue Bonds for the Benefit of The Montessori School of Raleigh, Inc.**

Drew Cummings, Assistant County Manager introduced the item and stated the Public Hearing was being held at the request of the Montessori School of Raleigh to accept the issuance of tax exempt bonds from the Public Finance Authority. He added that approval was being requested because the school rested on Wake and Durham County lines.

Chairman Page opened the public hearing.

Jeff Poley, Parker Poe Adams & Bernstein LLP stated that he was available to answer questions.

Dr. E. Lavonia Allison, citizen, inquired about how the bond was made possible. She also asked how the public would find out about any outreach for diverse individuals. Dr. Allison added that this would be an excellent education approach.

Mr. Cummings responded that the Montessori School of Raleigh was a private school with private funds paying off the loan. He added there were no public dollars being spent.

Commissioner Jacobs also responded that Durham County has two Montessori Schools (Morehead and George Watts Elementary Schools) which were also part of Durham Public Schools.

Chairman Page closed the public hearing.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve the \$7,000.00 in Education Facilities Revenue Bonds, to be issued by the Public Finance Authority, for the benefit of the Montessori School of Raleigh, Inc.

The motion carried unanimously.

**15-510 Public Hearing - Unified Development Ordinance Text Amendment, Independent Living Facility (TC1400005)**

Scott Whiteman, City-County Planning Department introduced the item and asked that the Board take two actions. He mentioned the first action was to adopt the Statement of Consistency and to adopt an ordinance amending the Unified Development Ordinance (UDO).

Chairman Page opened the public hearing.

Patrick Byker, Attorney and Bartlett Preserve representative stated that the current UDO did not have a specified use for an Independent Living Facility. He respectfully asked for the Board approval and was available to answer questions.

Chairman Page closed the public hearing.

Commissioner Reckhow thanked Mr. Byker for bringing the issue forward, adding there was a major hole in the current UDO. She stated the need for continuum of care was critical for the older community.

Commissioner Jacobs also thanked Mr. Byker for the invitation to visit Bartlett Preserve. She mentioned the facility was located on Hwy 55 near the strip mall shopping center and complimented the design and overall use of the facility.

Vice Chair Howerton stated she visited the site which was once a hotel. She stated it was a wonderful place for seniors to reside.

Chairman Page commented he was unable to attend the tour but was glad to see the property was being put to good use for seniors. Chairman Page inquired about the monthly/annual price to reside in the facility. Mr. Byker responded the entry level unit was priced at \$2700.00 per month which included all meals, utilities and laundry.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to adopt the appropriate Statement of Consistency pursuant to NCGS § 153A-341.

The motion carried unanimously.

Commissioner Reckhow moved, seconded by Commissioner Jacobs to adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 5, Use Regulations; Article 10, Parking and Loading; and Article 16, Definitions.

The motion carried unanimously.

### **Board and Commission Appointments:**

Michelle Parker-Evans, Clerk to the Board, distributed ballots to the Board to make appointments to boards and commissions.

Commissioner Reckhow inquired about the closing date for applications. Ms. Parker-Evans responded the closing date was May 29, 2015.

The Board made the following appointments (incumbents are underlined.) Individuals listed in bold print were appointed:

#### Adult Care Home Community Advisory Committee

**Carol Wise (Foster, Howerton, Jacobs, Page, Reckhow)**

#### Board of Adjustment

**Fredrick Davis (Foster, Howerton, Jacobs, Page, Reckhow)**

#### Citizen Advisory Committee

**Humphrey Truitt (Foster, Howerton, Jacobs, Page, Reckhow)**

#### Criminal Justice Advisory Committee

**Damion Moore (Foster, Howerton, Jacobs, Page, Reckhow)**

#### Durham Planning Commission

**Indranil Ghosh (Howerton, Jacobs, Reckhow)**

**Ameer Kenchen (Foster, Howerton, Page)**

Rebecca Board (Jacobs, Reckhow)

Tony Hawkins (Page)

#### Durham Technical Community College Board of Trustees

**Tara Fikes (Foster, Howerton, Jacobs, Page)**

Burhan Ghanayem (Reckhow)

#### Environmental Affairs Board

**Mark DeWitt (Foster, Howerton, Jacobs, Page, Reckhow)**

**Neil Matouka (Foster, Howerton, Jacobs, Page, Reckhow)**

#### Juvenile Crime Prevention Council

**Allen Lang (Foster, Howerton, Jacobs, Page, Reckhow)**

**Fredrick Kearns (Foster, Howerton, Jacobs, Page, Reckhow)**  
**Dwight Whitaker (Foster, Howerton, Jacobs, Page, Reckhow)**  
**Nisha Williams (Foster, Howerton, Jacobs, Page, Reckhow)**

Memorial Stadium Authority

**Dan Moushon (Howerton, Jacobs, Reckhow)**  
Billy Ruffin (Foster, Page)

Public Health Board

**Rosemary Jackson (Foster, Howerton, Jacobs, Page)**  
Nancy Friedman (Reckhow)

Women's Commission

**Lisa Gabriel (Foster, Howerton, Jacobs, Page, Reckhow)**  
**Ruebe Holmes (Foster, Howerton, Jacobs, Page, Reckhow)**  
**Zion Tankard (Foster, Howerton, Jacobs, Page, Reckhow)**

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Commissioner Jacobs asked Wendell Davis, County Manager would the Sheriff's report would be made available to the public. County Manager Davis responded when the Sheriff provided updates on the lock-back strategy, the responses were posted on the County website. He added the Public Information department would share those with the press when requested. Chairman Page stated he hoped the answers and the report would be shared with the public.

Commissioner Reckhow stated she skimmed through the answers provided by the Sheriff's Office and was concerned with the medical care fees. She continued to say that the answer provided implied that the Board was involved in the decision making. Commissioner Reckhow stated that during the FY15-16, jail health was not discussed and the Board was not informed about the increased cost from \$10 to \$20 for health services. She requested the County Manager check on the facts and provide a response to that answer.

County Manager Davis stated the staff would discuss at the leadership meeting on June 23, 2015.

Commissioner Jacobs asked if the information could be handled by a press release. County Manager Davis responded he would not suggest a press release but would ensure the information was released to the public.

**Closed Session:**

The Board was requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to adjourn to Closed Session.

The motion carried unanimously.

**Reconvene to Open Session:**

Chairman Page announced that the Board met in Closed Session and direction was provided to staff.



**Adjournment:**

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

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Monica W. Toomer".

Monica W. Toomer  
Deputy Clerk to the Board