



Durham County

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

Meeting Minutes - Draft

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, March 14, 2016

7:00 PM

Commissioners' Chambers

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chairman Page announced that there were no adjustments to the agenda.

Announcements

Chairman Page read the following announcements:

- 1) Please contact the Clerk's Office at 919-560-0025 or clerk@dconc.gov to find out about opportunities to serve on one of our volunteer boards or commissions.
- 2) We invite you to tune in to Cable TV Channel 8 or 97-5 to see rebroadcasts of tonight's meeting as well as other Durham County programming that may be of interest to you. Please contact the Public Information Office at 919-560-0008 or our website www.dconc.gov for more information.
- 3) These announcements may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.
- 4) The announcements may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.

Chairman Page also announced that the Durham County Juvenile Crime Prevention Council was offering a request for proposal for the DJJ Funding. He added if persons were interested, they must attend a mandatory training application on Wednesday, March 16, 2016 from 1-4pm at the Criminal Justice Resource Center located on 326 East Main Street in the Multipurpose Room. For more information, a copy of the RFP can be found at www.dconc.gov.

Minutes

Vice Chair Howerton moved, seconded by Commissioner Reckhow, to approve the February 1, 2016 Worksession minutes and the February 8, 2016 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

16-886 Recognition of Budget and Management Services for Receiving the GFOA Distinguished Budget Presentation Award for the FY 2015-16 Budget

Chairman Page recognized the Department of Budget and Management Services for receiving the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for FY 2015-16 budget. He continued to say that the submitted budget documents satisfied nationally recognized guidelines for an effective presentation.

Claudia Hager, Budget and Management Services Director thanked the Budget Management Team and County Departments for all their hard work. She added that the goal was to ensure the citizens of Durham County were aware of how the funds were being used and allocated.

Vice Chair Howerton inquired about the four (4) areas that the GFOA measured. Ms. Hager responded the four areas were organization, measurements, County profiles and economic profiles. Vice Chair Howerton thanked Ms. Hager and the Budget team for their excellent work.

Commissioner Foster also thanked Ms. Hager and the Budget Department for making the Board's work much easier.

Chairman Page extended congratulations to the entire Budget Team.

16-929 Recognition that the Information Services and Technology Department has Received a National Awards that Demonstrates World-Class IT Effectiveness

Chairman Page recognized the Information Services and Technology (IS&T) Department for receiving the Public Technology Institute 2016 Solutions Award for the County's Cyber Security efforts.

Greg Marrow, Chief Information Officer thanked the Board and the IS&T Team for helping the department move from good to great.

Commissioner Foster stated the IS&T team assisted the County in working more efficiently and congratulated them on their recognition.

Commissioner Jacobs recognized both Mr. Marrow and Ms. Hager, Budget and Management Services Director for being important departments that worked behind the scenes.

16-937 Proclaim March 20, 2016 as "42nd Durham Crop Hunger Walk Day"

Chairman Page read the following proclamation:

DURHAM CROP HUNGER WALK DAY | 2016

WHEREAS, at the end of World War II many people wanted to share our country's abundance with European war victims; and CROP's first purpose was to gather wheat and other crops from U.S. farms for shipment to Europe; and

WHEREAS, today, the Durham CROP Hunger Walk is an important part of community life, bringing together people of different faiths, diverse cultures, and all age groups to provide local and international hunger aid; and

WHEREAS, in the last 41 years, Durham CROP Hunger Walks have raised over \$3.97M to help and bring hope to hungry people in need around the world and in the U.S.; and

WHEREAS, each year, Durham CROP Hunger Walk helps local agencies such as Meals on Wheels, Urban Ministries, Housing for New Hope, Double Bucks for SNAP, Threshold Clubhouse, Food Bank of Central and Eastern North Carolina, Families Moving Forward, PYO, St. Andrew's Society and church food pantries who provide food to neighbors in need; and

WHEREAS, the Durham CROP Hunger Walk raised \$154,540 last year; and

WHEREAS, the Durham CROP Hunger Walk is working to raise enough money to be able to support two additional local agencies this year; and

WHEREAS, the Durham CROP Hunger Walk is the oldest fund-raising walk in NC, and will hold its 42nd Annual CROP Hunger Walk on Sunday, March 20th; and

WHEREAS, the Durham CROP Hunger Walk helps the community to become aware of and concerned about hunger and its causes; and

WHEREAS, the Durham CROP Hunger Walk is the 3rd largest CROP Walk in the nation, out of more 1300 walks, demonstrating the tremendous compassion and altruism of Durham's citizens; and

WHEREAS, Durham CROP Hunger Walk will raise funds to help stop hunger both locally and globally.

NOW, THEREFORE, I, Michael D. Page, Chairman of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim March 20, 2016 as

“DURHAM CROP HUNGER WALK DAY”

in Durham County, North Carolina.
This the 14th day of March, 2016.

Michael D. Page, Chairman
Durham Board of County Commissioners

Chairman Page thanked Kaaren Johannson, Crop Walk Coordinator for her hard work this year and the work she continued to do on behalf of the citizens of Durham County.

Ms. Johannson thanked the Board for the support always shown towards the Crop Walk. She added this year they would meet the \$400 million dollar mark in the history of the walk and this achievement marked a huge celebration for Durham County. Ms. Johannson distributed t-shirts which were designed by Destiny Parker, student at North Carolina Central University (NCCU); they were distributed to the members of the Board, County Manager and County Attorney.

Commissioner Reckhow highlighted that Durham County had the 3rd largest Crop Walk in the country. She encouraged the community to attend the event and expressed her excitement on attending.

Commissioner Howerton shared memories from previous Crop Walk events and thanked Ms. Johansson and her team for their hard work.

Commissioner Foster inquired about the start time of the event. Ms. Johansson stated registration started at 1:30pm with the walk would begin at 2:30pm.

16-942 Resolution Honoring the Life and Legacy of John Gentry, Jr.

Chairman Page read the following resolution:

JOHN GENTRY JR. II

WHEREAS, John Gentry Jr. II loyally served the residents, workers and visitors of Durham County as an Assistant Fire Marshal from May 2, 2011 to February 5, 2016; and

WHEREAS, Mr. Gentry served as a firefighter, Fire Marshal, and Fire Chief in Durham and Person Counties throughout his career; and

WHEREAS, he possessed a spirit and passion to live life to the fullest that he shared with everyone around him; and

WHEREAS, John Gentry dedicated his life to inspire emergency services personnel, mentor young firefighters, and make a positive impact on those who were in his presence;

NOW, THEREFORE BE IT RESOLVED that the Durham County Board of Commissioners, doth hereby resolve to honor the life and service of

JOHN GENTRY JR. II

For his dedication and extraordinary efforts to ensure the safety and security of Durham County residents. We call upon all citizens to forever remember his great deeds and his selfless contributions to make this community great during his lifetime of service to others.

This the 14th day of March 2016.

Michael D. Page, Chairman

Brenda A. Howerton, Vice-Chairman

Wendy Jacobs

Fred Foster, Jr.

Ellen W. Reckhow

Chairman Page stated the County appreciated the service of Mr. Gentry and his loyalty to the County, the citizens and the community he served.

Mr. Gentry's son thanked the Board on behalf of his late father and family for the resolution.

16-946 Proclamation - Girl Scout Week 2016

Chairman Page read the following proclamation:

GIRL SCOUT WEEK | 2016

WHEREAS, March 12, marks the 104th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and,

WHEREAS, throughout its distinguished history, Girl Scouting has inspired millions of girls and women with the highest ideals of courage, confidence, and character; and,

WHEREAS, through the Girl Scout Leadership Experience girls gain knowledge and develop skills that will serve them a lifetime so that they may contribute to their communities; and,

WHEREAS, Girl Scouting takes an active role in increasing girls' awareness of the opportunities available to them today in science, technology, engineering, math and the arts as well as other fields that can expand their horizons; and,

WHEREAS, Girl Scouts has shaped the lives of 53 percent of female senior executives and business owners, 60 percent of women in Congress, and virtually every female astronaut;

WHEREAS, more than 2.7 million current Girl Scout members nationwide will be celebrating 104 years of this American tradition, with nearly 50 million women who are former Girl Scouts and living proof of the impact of this amazing movement;

WHEREAS, in partnership with over 9,000 adult volunteers, Girl Scouts – North Carolina Coastal Pines serves nearly 26,000 girl members in 41 central and eastern North Carolina counties, including 2,265 of adult and girl members in Durham county.

NOW, THEREFORE, I, Michael D. Page, Chairman of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby applaud the commitment Girl Scouts have made to support the life and leadership development of girls and proudly proclaim the week of March 6-12, 2016 as

“GIRL SCOUT WEEK”

in Durham County, North Carolina.
This the 7th day of March, 2016.

Michael D. Page, Chairman
Durham Board of County Commissioners

Kimberly Cameron, Troop Leader thanked the Board for allowing the Girl Scout troop to see the meeting in action. She stated the NC Girl Scouts of Crystal Pines held their Annual Meeting in Durham, NC where over 300 adult Girl Scouts and adult volunteers were in attendance.

Vice Chair Howerton along with Commissioners Foster, Jacobs and Reckhow thanked Ms. Cameron for her hard work and for making a positive impact.

Consent Agenda

Chairman Page announced that Item 16-919 was pulled by a citizen. He asked the Commissioners if they desired to pull additional items from the Consent Agenda.

Commissioner Jacobs requested to comment on Items 16-906 and 16-927.

Commissioner Reckhow requested to comment on Item 16-916.

Vice Chair Howerton moved, seconded by Commissioner Jacobs to approve the following items except Item # 16-919 on the Consent Agenda.

16-876 Amendment to Roadside Recycling Contract

*16-905 Budget Ordinance Amendment No. 16BCC000044 to Recognize \$51,042 from the NC DHHS Division of Public Health Women's and Children's Health Section for Family Planning Services

*16-906 Approve the Final Budget for the Tilley Conservation Easement and Approve Capital Project Amendment No. 16CPA000011 Decreasing the Open Space & Farmland Preservation Capital Project \$103,350 and Budget Amendment No. 16 BCC000043 transferring \$103,350 to the General Fund to Support the Purchase of the Tilley Farm Conservation Easement

*16-908 Budget Ordinance Amendment No. 16BCC000042 Transferring \$6,141 of Parkwood Fire Tax Fund Fund Balance to the General Fund for Reimbursement of Actual Expenditures that Occurred in Fiscal Year 2015

16-913 Reappointment to the Alliance Behavioral Healthcare Area Board

16-916 Execution of the Construction Manager @Risk Pre-Construction Services Contract for the Durham County Judicial Building Renovation Project No.: DC073

16-918 Set a Date for Public Hearing for the Removal of Land from RTP Service District

16-920 Amend the County Code Concerning Ambulance Franchises and Insurance, Authorize the Creation of the EMS Peer Review Committee, and Receive a Report on the Status of Recent Investments in the EMS System, as Requested in the March 7, 2016 Worksession.

16-923 Lease Agreement with North Carolina Department of Agriculture & Consumer Services for Office Spaces at 721 Foster Street (Cooperative Extension Building)

16-924 Approve Managing for Results Consulting Contract with Martha Marshall Management Consultant in the Amount of \$16,649

16-927 Offer to Purchase County Surplus Properties (1300 Fleetwood Street, 1200 Scout Drive, 1750 and 1756 Ruffin Street)

*16-933 Capital Project Amendment No. CPA000012 - Moving \$136,222 from the Administration Building Elevator Replacement Capital Project (4190DC072) to the Detention Center Elevator Renovation Capital Project (4190DC077) and Closing the Administration Building Elevator Renovation Capital Project

16-934 Phoenix Business Consulting Contract Amendment in the Amount of \$38,500 for Configuration Services Needed to Comply with ACA Reporting Mandates

16-938 Amendment to Community Development Contract with Austin Lawrence Partners-East LLC

16-941 Limited Obligation Refunding Bonds, Series 2016

16-944 Resolution in Support of Redistricting Reform

The motion carried unanimously.

Item #16-906

Commissioner Jacobs recognized the great success of the minority owned farm in Durham County. She asked Jane Korest, Open Space and Real Estate Manager, if the farm had been designated. Ms. Korest stated it was up to the farm family to process the paperwork and request the farm to be designated. Commissioner Jacobs thanked Ms. Korest and her staff for their 14th successful farmland easement.

Item #16-927

Directive: Commissioner Jacobs requested the Board revisit the Affordable Housing Policy at a future Worksession.

Item #16-916

Commissioner Reckhow commented on the new way of handling construction for Durham County. She provided the following directive to staff.

Directive: Commissioner Reckhow asked staff to keep records and conduct reports as projects are completed to ensure the new approach would be assessed and determined if the approach is effective.

Consent Agenda Item #16-905

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000044**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2015-2016 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	\$57,994,075	\$51,042	\$58,045,117

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$91,506,124	\$51,042	\$91,557,166

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

This the 14th day of March 2016.

Consent Agenda Item #16-906

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000043**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2015-2016 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>			
Other Financing Sources	\$33,464,279	\$103,350	\$33,567,629

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Environmental Protection	\$4,105,014	\$103,350	\$4,208,364

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

This the 14th day of March 2016.

**DURHAM COUNTY, NORTH CAROLINA
2015-16 Capital Project Ordinance
Amendment Number 16CPA000011**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2015-16 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Capital Project	Current Budget	Inc./Dec.	Revised Budget
Open Space & Farmland Preservation Capital Project (DC083)	\$12,142,910	(\$103,350)	\$12,039,560

Adopted this the 14th day of March, 2016.

Consent Agenda Item #16-908

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000042**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2015-2016 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>			
Other Financing Sources	\$33,458,138	\$6,141	\$33,464,279

SPECIAL REVENUE FUNDS

Other Financing Sources	\$100,468	\$6,141	\$106,609
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Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$106,291,646	\$6,141	\$106,297,787
<u>SPECIAL REVENUE FUNDS</u>			
General Government	\$4,753,780	\$6,141	\$4,759,921

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

This the 14th day of March 2016.

Consent Agenda Item #16-933

**DURHAM COUNTY, NORTH CAROLINA
2015-16 Capital Project Ordinance
Amendment Number 16CPA000012**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2015-16 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Capital Project	Current Budget	Inc./Dec.	Revised Budget
Administration Elevator Replacement Capital Project (419DC072)	\$621,200	(\$136,222)	\$484,978
Detention Elevator Renovation Capital Project (4190DC077)	\$90,000	\$136,222	\$226,222

Adopted this the 14th day of March, 2016.

Public Hearings

16-914 Public Hearing - Historic Properties Local Review Criteria Consolidation and Update

Lisa Miller, Senior Planner provided a brief summary to the Board. She stated that there were 80 historic landmarks; none of which were in County historic districts. Ms. Miller continued to say that the action taken by the Board would apply to the two designated County historic landmarks and any future County landmark designations.

Commissioner Jacobs inquired about the (2) two Kent properties. Ms. Miller responded the (2) two Kent properties were the Tilley Farm and Hardscrabble, both located in North Durham. Commissioner Jacobs asked if they already had landmark status. Ms. Miller confirmed. Commissioner Jacobs inquired about the number of properties that fell under the County and which properties were potentially in the County. Ms. Miller stated it was a number of years since the last update of the County structures. Commissioner Jacobs asked if the information was available on the website. Ms. Miller responded it was not available on the website; it was only available by request in the department. Commissioner Jacobs inquired about the guidelines on demolitions. Ms. Miller responded demolitions were currently a topic of conversation.

Commissioner Reckhow stated in terms of public information, the report would be a useful. She continued to say that a link should be placed on the County website. Ms. Miller responded a link was located on the City's website and could also be placed on the County's site as well.

Chairman Page opened the public hearing. No one was signed up to speak. Chairman Page closed the public hearing.

Chairman Page asked the pleasure of the Board.

First Motion:

Commissioner Reckhow moved, seconded by Vice Chair Howerton to adopt the appropriate consistency statement as required per NCGS §153A-341.

The motion carried unanimously.

Second Motion:

Commissioner Reckhow moved, seconded by Commissioner Foster to adopt an ordinance adopting the Historic Properties Local Review Criteria.

The motion carried unanimously.

Items Pulled From Consent Agenda

16-919 Amend the Code Provision to Chapter 4 of Durham County Code of Ordinances Entitled: Animals, Regarding Canine Waste Removal

Chairman Page recognized Gwyn Silver, Citizen who requested to pull the item.

Ms. Silver encouraged the Board to take the first step in approving the Canine Waste Removal Ordinance.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve the Code Provision to Chapter 4 of Durham County Code of Ordinances Entitled: Animals, Regarding Canine Waste Removal.

The motion carried unanimously.

Commissioner Jacobs clarified for the public that there would be a (6) six month grace period on the enforcement of the fines.

Commissioner Reckhow thanked Ms. Silver and Eloise Johnson for their hard work in advocating for the ordinance. She stated this effort showed the power of the citizens in Durham County identifying the problem, creating solutions and promoting the issue to get the attention of County leaders. Commissioner Reckhow stated she hoped staff would create an education program as well as take advantage of the support offered by the State.

Adjournment

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

The motion carried unanimously.

Respectfully Submitted,

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

Monica W. Toomer
Deputy Clerk to the Board