



200 E. Main Street

Durham County

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

Commissioners' Chambers

Monday, June 27, 2016

Closed Session held at 5:00 pm

Opening of Regular Session:

Vice Chair Howerton opened the meeting and stated the Board was requested to adjourn to Closed Session pursuant to G.S. 143.318.11 (a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

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

The motion carried unanimously.

7:00 pm Regular Session

Chairman Page announced that the Board met in Closed Session and would reconvene in Closed Session following the Regular Session meeting.

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chairman Page announced there were no agenda adjustments.

Chairman Page asked for a motion for an excused absence at the July 11, 2016 Regular Session meeting.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to excuse Chairman Page from the July 11, 2016 Regular Session meeting.

The motion carried unanimously.

Announcements

- 1)The Board of County Commissioners will only hold one meeting during the month of July. The meeting date will be July 11th at 7:00 pm. We will hear citizen comments during that meeting.
- 2)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.
- 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)Commissioner Jacobs acknowledged the passing of Ann Atwater, Civil Rights Activist and asked that the Board recognize her achievements to the community. Chairman Page responded that a resolution was in the works and Ms. Atwater would be recognized during the month of August 2016.

Minutes

Vice Chair Howerton moved, seconded by Commissioner Reckhow to approve the May 2, 2016 Worksession minutes and the June 13, 2016 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

Proclamation - Vulnerable and Elder Abuse Awareness Month

Chairman Page read the following proclamation:

VULNERABLE AND ELDER ABUSE AWARENESS MONTH | 2016

WHEREAS, Durham County joins the world in recognizing World Elder Abuse Awareness Day every June 15th; and

WHEREAS, protecting North Carolina's vulnerable and older adults is a community responsibility and all citizens are charged under state law to report suspected abuse, neglect or exploitation to their local County Department of Social Services; and

WHEREAS, North Carolina's vulnerable and older adults of all social, economic, racial and ethnic backgrounds may be targets of abuse, neglect or exploitation which can occur in families, long-term care settings and communities; and

WHEREAS, in state fiscal year 2015 there were 24,545 reports of abuse, neglect or exploitation of vulnerable and older adults made to North Carolina's 100 County Departments of Social Services, an increase of 60 percent since 2008; and

WHEREAS, national and international research show that abuse, neglect and exploitation of vulnerable and older adults are grossly under reported; and

WHEREAS, the Division of Aging and Adult Services partners with County Departments of Social Services and other agencies at the county and state level to offer statewide programs for adult protective services and increase awareness about elder abuse and consumer fraud; and

WHEREAS, the State of North Carolina enacted the nation's first elder abuse law and recognizes the need for a comprehensive system of protection for vulnerable and older adults; and

WHEREAS, Mother's and Father's Days are national holidays intended to honor, respect, and promote the dignity and well-being of our parents;

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 May 8 to June 19, 2016 as

“VULNERABLE AND ELDER ABUSE AWARENESS MONTH”

in Durham County, North Carolina and commend its observance to all citizens.

This the 27th day of June, 2016.

Michael D. Page, Chairman
Durham Board of County Commissioners

Earl Kirby, Adult Care Home Community Advisory Committee member accepted the proclamation on behalf of the Adult Care/Nursing Home Advisory Board.

Chairman Page thanked Mr. Kirby for accepting the proclamation and being such a vital part of the community.

Commissioner Reckhow thanked Mr. Kirby and the other members for their hard work and dedication. She also highlighted the importance of reaching out for help.

Commissioner Jacobs stated Durham County held a responsibility for 446 elderly adults whom were under the County’s custody. She added this number was larger than children in foster care. Commissioner Jacobs mentioned resources at the Durham Center for Senior Life such as the Care Giver Support Group and the Adult Day Health/Daycare.

Receive Merit Award from Triangle Chapter of American Institute of Architects for Human Services Complex

Chairman Page stated the Board was requested to receive an award from the Triangle Chapter of the American Institute of Architects and introduced Phil Freelon, FAIA.

Mr. Freelon presented the Board with the Merit Award from the Triangle Chapter of American Institute of Architects for the design of the Human Services Complex.

Chairman Page stated the Board was grateful for Mr. Freelon’s hard work and expertise.

Vice Chair Howerton echoed Chairman Page and also thanked Mr. Freelon for the work done in Washington D.C as well.

Consent Agenda

Chairman Page asked the Board if they desired to pull any items from the Consent Agenda. He announced that citizens requested to pull items #16-1102 and #16-1137 for comments.

Commissioner Jacobs requested to give a brief comment on item #16-1098.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve all items on the Consent Agenda excluding items #16-1102 and #16-1137.

16-1088 Durham's Home and Community Care Block Grant (HCCBG) Funding Plan through the Department of Social Services

16-1097 Facility Use Policy / Fee Increases for Security and Janitorial Services

16-1098 Approval of Economic Development Agreement with Premier Research International

16-1099 Interlocal Agreement with City of Durham for Continuation of the Gang Reduction Strategy

16-1100 Public Health: Approval of Contract between Durham County and Correct Care Solutions (CCS) to Provide Health Care Services for Inmates in the Durham Detention Center and Residents of the Durham County Youth Home

*16-1103 Property Tax Releases and Refunds for May 2016

16-1115 Service Contract with Animal Protection Society of Durham, Inc.

*16-1117 Budget Ordinance Amendment No. 16BCC000064 - Hazardous Materials Emergency Planning Grant of \$9,989.00 from US Department of Transportation to Durham County Emergency Management

16-1125 Interlocal Agreement with City of Durham for Recyclable Material Processing

*16-1133 Approve Closing of the Special Butner Special Revenue Fund (2002250000) and Budget Ordinance Amendment No. 16BCC000065 Transferring the Balance of Funds (\$21,350) to the General Fund - Restricted for Special Butner

16-1134 Acceptance of Franchise Application to Provide Ambulance Service in Durham County

*16-1141 Budget Ordinance Amendment No. 16BCC000066 to Recognize \$25,000 from SHIFT-NC to Implement the Maternal Child Health Initiative and All Together Now

*16-1142 Approval of Budget Ordinance Amendment No. 16BCC000068 Transferring Firefighters' Relief Funds (\$255,000) from the Parkwood Fire Tax Fund and the Bethesda Service Tax Fund to the Durham Fire & Rescue Fund

*16-1146 Approval of Budget Ordinance Amendment No. 16BCC000067 Transferring \$56,124.52 from the Bahama, Lebanon and Redwood Fire Tax District Funds and Durham Fire & Rescue Service Tax Fund to the General Fund for Reimbursement of Radio Maintenance Fees

The motion carried unanimously.

Item # 16-1098

Commissioner Jacobs stated the agreement would lead to 260 new full-time jobs with an average salary of \$73,000.00. She stated she was extremely proud of the Board for moving forward with the project.

Consent Agenda Item #16-1103

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 2016.

May 2016 Releases and Refunds

Releases and Refunds for 2016 Taxes

Personal Property	\$	<u>112.21</u>
Total for 2016 Taxes/Fees	\$	112.21

Releases and Refunds for 2015 Taxes

Real Property	\$	80,348.77
Personal Property	\$	15,805.58
VTS Refunds	\$	<u>11,164.62</u>
Total	\$	107,318.97

Releases & Refunds for Prior Years

2010----2014

Personal Property	\$	13,349.05
Motor Vehicles	\$	94.73
Motor Vehicle Fees	\$	<u>15.00</u>
Total for Prior Yeats	\$	13,458.78

Grand Total	\$	120,889.96
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Consent Agenda Item #16-1117

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000064**

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	\$59,118,433	\$9,989	\$59,128,422

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$58,977,655	\$9,989	\$58,987,644

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

This the 27th day of June 2016.

Consent Agenda Item #16-1133

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000065**

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	\$37,795,519	\$21,350	\$37,816,869
<u>SPECIAL REVENUE FUND</u>			
Other Financing Services	\$106,609	\$21,350	\$127,959

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$110,060,357	\$21,350	\$110,081,707
<u>SPECIAL REVENUE FUND</u>			
General Government	\$4,759,921	\$21,350	\$4,781,271

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

This the 27th day of June 2016.

Consent Agenda Item #16-1141

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000066**

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	\$59,128,422	\$25,000	\$59,153,422

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$92,990,845	\$25,000	\$93,015,845

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

This the 27th day of June 2016.

Consent Agenda Item #16-1142

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000068**

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>SPECIAL REVENUE FUNDS</u>			
Other Financing Sources	\$184,084	\$510,000	\$694,084

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>SPECIAL REVENUE FUNDS</u>			
General Government	\$4,837,396	\$510,000	\$5,347,396

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

This the 27th day of June 2016.

Consent Agenda Item #16-1146

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000067**

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	\$37,816,869	\$56,125	\$37,872,993

SPECIAL REVENUE FUNDS

Other Financing Sources	\$127,959	\$56,125	\$184,084
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Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
General Government	\$110,081,707	\$56,125	\$110,137,832

SPECIAL REVENUE FUNDS

General Government	\$4,781,271	\$56,125	\$4,837,396
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All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 27th day of June 2016.

Public Hearings

Public Hearing - Trinity School of Durham and Chapel Hill Inc.

Brandon Lofton, Attorney with Robinson, Bradshaw and Hinson stated this transaction would not obligate the County in any way. He continued to say that this was a requirement of the Internal Revenue Code that any non-profit scheduled to receive funds get the approval from the governmental body of the jurisdiction that the property was located on. Attorney Lofton asked that the local County commissioners approve the Bond as they did in 2006.

Commissioner Reckhow stated based on the background, it appeared to be a refinancing to provide new debt for the existing building. Attorney Lofton concurred, adding the Trinity School was refinancing the bonds from 2006 for the reconstruction.

Chairman Page opened the public hearing and recognized E.L. Allison, citizen, to speak.

Dr. Allison stated she reviewed the amount requested and asked that the Board make the data available to the public. She mentioned the importance of determining the student, teacher and administration population and also knowing where the money was going.

Chairman Page closed the public hearing.

Vice Chair Howerton asked staff to clarify the statement at the bottom of the document titled "*Interest on the Bond.*" Attorney Lofton stated the money was being borrowed by Trinity School from the Public Finance Authority. He reiterated that by approving the bonds, it would not obligate the County in any way.

Lowell Siler, County Attorney informed the Board that these public hearings had been considered over the years. He added that Attorney Lofton was correct, the request would not create any debt for the County; it was a formality from the State that the request come before the Board where the property was located.

Chairman Page asked the Board their pleasure on this item.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve the issuance as requested by the Trinity School of Durham and Chapel Hill Inc.

The motion carried unanimously.

Public Hearing - Unified Development Ordinance Text Amendment, Technical Updates-Graphics (TC1500002)

Michael Stock, AICP, Senior Planner stated the text amendment primarily provided new graphics, or revisions to existing graphics, for current standards within the Unified Development Ordinance (UDO). He continued to say that the Planning Commission recommended approval 13-0 of the text amendment on April 12, 2016 and the City Council approved the amendment at its June 2016 meeting. Mr. Stock requested the Board take two (2) motions for the item.

Commissioner Jacobs asked was the clarification of language from Linda Huff incorporated. Mr. Stock responded yes, it was.

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

First Motion

Commissioner Reckhow moved, seconded by Commissioner Jacobs to adopt the appropriate State of Consistency pursuant to NCGS §153A-341.

The motion carried unanimously.

Second Motion

Vice Chair Howerton moved, seconded by Commissioner Jacobs to adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 6, District Intensity Standards; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; and Article 16, Definitions.

The motion carried unanimously.

Public Hearing - Unified Development Ordinance Text Amendment, Reasonable Accommodation (TC1500006)

Michael Stock, AICP, Senior Planner stated staff proposed revisions to the Unified Development Ordinance (UDO) to allow reasonable accommodations to UDO requirements. He added the Planning Commission recommended approval of the text amendment on April 12, 2016 and the City Council approved the amendment at its June 20, 2016 meeting. Mr. Stock requested the Board take two (2) motions for the item.

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

First Motion

Commissioner Foster moved, seconded by Commissioner Reckhow to adopt the appropriate State of Consistency pursuant to NCGS §153A-341.

The motion carried unanimously.

Second Motion

Commissioner Jacobs moved, seconded by Vice Chair Howerton to adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 2, Review Authority; Article 3, Applications and Permits; and Article 16, Definitions.

The motion carried unanimously.

Public Hearing - Unified Development Ordinance Text Amendment, Technical Updates due to State Legislation and Case Law (TC1500007)

Michael Stock, AICP, Senior Planner stated the proposed changes involving planning and environmental regulation were passed by the North Carolina General Assembly, and signed into law by the governor,

during the past legislative session. He added the Planning Commission recommended approval of the text amendment on April 12, 2016 and the City Council approved the amendment at the June 20, 2016 meeting. Mr. Stock stated that two (2) actions were required by the Board.

Commissioner Reckhow questioned the new wording on page 5 of Ordinances of Changes in section 4-64 "Guidelines" and asked if the change was made due to the new General Statute the degree of specificity was no longer considered. Mr. Stock responded it was directly related. Commissioner Reckhow asked if the other historic districts had the specificity designs. Mr. Stock stated the law excluded some local historic districts. Commissioner Reckhow referenced page 8 section 8.59 "*Lots and Density Standards*" and asked what happened to cause that change. Mr. Stock responded that change was due to State regulations.

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

First Motion

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

The motion carried unanimously.

Second Motion

Commissioner Reckhow moved, seconded by Vice Chair Howerton to adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; Article 12, Infrastructure and Public Improvements; 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 appointment to boards and commissions.

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

Adult Care Home Community Advisory Committee

Jennifer Shrewsbury (Foster, Howerton, Jacobs, Page, Reckhow)

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

Bicycle and Pedestrian Advisory Commission

Jordan Rehlaender (Foster, Howerton, Jacobs, Page, Reckhow)

Board of Adjustment

Phillip Harris, Jr. (Foster, Howerton, Jacobs, Page, Reckhow)

Alisa Thomas (Foster, Howerton, Jacobs, Page, Reckhow)

Citizen Advisory Committee

Shamieka Rhinehart (Jacobs, Reckhow)

Jerome Washington (Foster, Howerton, Page)

Criminal Justice Advisory Committee

Clarence Birkhead (Foster, Howerton, Jacobs, Page, Reckhow)

Johnny Hawkins

Doreen L. Johnson (Foster)

Lao Rubert (Howerton, Jacobs, Page, Reckhow)

Cheryl Thomas

Durham Technical Community College Board of Trustees

Art Ferguson

Darcel Dillard (Foster, Howerton, Page)

Jenna Meints (Jacobs, Reckhow)

Davis Susco

Donna M. Wilson

Firefighter Relief Fund

Marshall Ross (Foster, Howerton, Jacobs, Page, Reckhow)

Homeless Services Advisory Committee

Fred Stoppelkamp (Foster, Howerton, Jacobs, Page, Reckhow)

Juvenile Crime Prevention Council

Anita Daniels (Foster, Howerton, Jacobs, Page, Reckhow)

Jeffrey C. Forde (Foster, Howerton, Jacobs, Page, Reckhow)

Byria S. Huskey (Foster, Howerton, Jacobs, Page, Reckhow)

Ronald Thomas, Sr. (Foster, Howerton, Jacobs, Page, Reckhow)

Planning Commission

Charles Gibbs (Foster, Howerton, Jacobs, Page, Reckhow)

Linda Huff (Jacobs, Reckhow)

Paul Hornbuckle (Foster, Howerton, Page)

Women's Commission

Kimberly Cameron (Foster, Howerton, Jacobs, Page, Reckhow)

Andrea Jones (Foster, Howerton, Jacobs, Page, Reckhow)

Shanika Wilson (Foster, Howerton, Jacobs, Page, Reckhow)

Items Pulled From Consent Agenda

***16-1102 Budget Ordinance No. 16BCC000063 Recognizing Adoption Promotion Funds in the Amount of \$60,000**

Chairman Page announced that this item was pulled by a citizen.

Dr. E. L. Allison stated she wanted to raise the question about partnerships in the community. She

mentioned the need for more partnerships such as churches and organizations to assist the Department of Social Services. Dr. Allison hoped that citizens could raise this issue with local organizations to gain more money.

Chairman Page thanked Dr. Allison and entertained a motion for approval.

Commissioner Jacobs moved, seconded by Commissioner Reckhow to approve item #16-1102.

The motion carried unanimously.

Consent Agenda Item #16-1102

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000063**

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 FUNDS</u>			
Intergovernmental	\$59,058,433	\$60,000	\$59,118,433

Expenditures:

<u>Function</u>			
<u>GENERAL FUNDS</u>			
Human Services	\$92,930,845	\$60,000	\$92,990,845

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

This the 27th day of June 2016.

***16-1137 Adoption of the FY 2016-2017 Budget Ordinance**

Chairman Page stated this item was pulled by citizens.

Jackie Wagstaff, citizen stated there were unanswered questions about the Durham Public School budget request. She asked that the \$90 million dollar amount approved not be granted. Ms. Wagstaff stated the request previously made from DPS was not used appropriately and suggested the County not grant the funds in the FY 2016-17 budget.

Anita Keith-Foust, citizen mentioned negative remarks made by Mike Lee, School Board member regarding the black community. She questioned the previous \$80 million dollar and stated many citizen did not want to continue to pour money into DPS if they were not getting the proper results.

Dr. E. L. Allison, citizen congratulated the County Manager and stated there was a racial entity. Dr. Allison spoke about the 2:3 vote on the manager's contract and asked the citizens to start monitoring the budget effective July 1, 2016.

Commissioner Reckhow thanked the County Manager and budget staff for their support on the budget. She highlighted the expansion of services for the mentally ill community. Commissioner Reckhow stated the mental health services would help divert the mental ill from the jail, help fund mental health court in the upcoming year and provide (2) two new positions. She continued to say the new budget would also fund transitional housing for people who get discharged from the jail. Commissioner Reckhow highlighted an addition to the budget for funding in January 1, 2017 for a special mental health pod in the jail.

Commissioner Foster stated for the record that he was the co-chair for the Step-it Up Initiative and through his efforts the program was in place. He added that as a Board they reviewed financially what needed to be done and acted on it.

Commissioner Jacobs thanked the staff and the County Manager. She stated the budget provided funding for a full-time public defender in the courts and a new initiative by Gail Harris, General Manager of Public Health and Community Well-Being to cure the violence by taking a public health approach to stem community violence. Commissioner Jacobs mentioned she noticed more collaboration between departments which was represented in the budget.

Vice Chair Howerton thanked the staff and the County Manager. She added the Manager worked hard to make sure the County was collaborating with the City, Durham Public Schools and the citizens of the County.

FY16-17 Annual Budget Ordinance:

**ANNUAL BUDGET ORDINANCE
Durham County
North Carolina FY 2016-17**

WHEREAS, the proposed budget for FY 2016-17 was submitted to the Board of Commissioners on May 23, 2016 by the Durham County Manager and filed with the Clerk to the Board on that date pursuant to G.S. 159-11;

WHEREAS, on May 31, 2016, the Durham County Board of Commissioners held a public hearing on the budget pursuant to G.S. 159-12;

WHEREAS, on June 27, 2016, 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, 2016 and ending June 30, 2017, there are hereby appropriated from taxes and other revenues the following by function and fund:

Section 1. Summary of Appropriations by Fund and Function - FY 2016-17							
Function	General Fund	Swap Fund	Capital Financing Fund	Special Revenue Funds	Debt Service Fund	Enterprise Fund	Total Appropriation
General Government	\$103,352,464	\$2,750,000	\$63,115,728	\$8,521,399	\$58,165,209	\$500,000	\$236,404,800
Public Safety	\$60,354,231	---	---	\$3,372,990	---	---	\$63,727,221
Transportation		---	---	---	---	---	\$12,500
Environmental Protection	\$4,312,131	---	---	---	---	---	\$4,312,131
Economic and Physical	\$6,422,486	---	---	\$1,219,018	---	---	\$7,641,504
Human Services	\$92,909,937	---	---	---	---	---	\$92,909,937
Education	\$134,879,723	---	---	---	---	---	\$134,879,723

Cultural and Recreation	\$12,119,052	---	---	---	---	---	\$12,119,052
Utilities	---	---	---	---	---	\$8,278	\$8,278,660
Total Appropriations	\$414,362,524	\$2,750,000	\$63,115,728	\$13,113,407	\$58,165,209	\$8,778,660	\$560,285,528

Section 2. Summary of Revenues by Fund and Revenue Category - FY 2016-17

Category	General Fund	Swap Fund	Capital Financing Fund	Special Revenue Funds	Debt Service Fund	Enterprise Fund	Total Appropriation
Taxes	\$311,492,211	---	\$27,896,	\$8,849,0	---	---	\$348,237,63
Licenses and Permits	\$1,359,250	---	---	---	---	\$3,000	\$1,362,250
Intergovernmental	\$57,876,643	---	---	\$4,256,664	---	---	\$62,133,307
Contributions and		---	---	---	---	---	\$77,476
Investment Income	\$140,000	---	\$10,000	---	\$388,219	\$18,000	\$556,219
Rental Income	\$443,156	---	\$563,868	---	---	---	\$1,007,024
Service Charges	\$20,612,487	---	---	---	\$400,000	---	\$21,012,487
Enterprise Charges	---	---	---	---	---	\$8,248,640	\$8,248,640
Sewer Connection Fees		---	---	---	---	\$509,020	\$551,120
Other Revenues	\$556,962	\$2,750,000	---	---	---	---	\$3,306,962
Other Financing	\$21,762,239	---	\$34,645,491	\$7,684	\$57,376,990	---	\$113,792,404
Total Revenue	\$414,362,524	\$2,750,000	\$63,115,728	\$13,113,407	\$58,165,209	\$8,778,660	\$560,285,528

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, 2016 at an anticipated collection rate of 99.60 percent. Rates are per \$100.00 of assessed valuation of taxable property.

District	Rate
Durham County-countywide	\$.7404

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, 2016 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	\$.0778	98.3%	Redwood Fire District	\$.1344	98.3%
Lebanon Fire District	\$.1056	98.7%	Bethesda Fire & Rescue Service District	\$.0000	
New Hope District	\$.0874	98.7%	Durham Fire & Rescue Service District	.1251	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, 2016, 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.

	Tax Rate	Appropriation
Research & Production Service District	\$.0629	\$1,219,018

There is hereby appropriated to the Durham-Wake Counties Research and Production Service District from the net proceeds of this tax the amount of \$1,219,018 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	\$6,601,516
<u>Capital Outlay</u>	<u>\$302,500</u>
Total Appropriation	\$6,904,016

- 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 \$1,211,451 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 2016-17 is as below:

		*Includes Article 46 Sales Tax Revenue:	<u>DPS</u>	<u>Pre-K</u>
Current Expense*	\$126,605,707	<i>FY 2014-15 Over-collection</i>	\$724,069	\$23,991
Capital Outlay	\$1,370,000	<u><i>FY 2016-17 Estimated Revenue</i></u>	<u>\$8,322,880</u>	<u>\$469,080</u>
Total Appropriation	\$127,975,707	FY 2016-17 Article 46 Total	\$9,064,949	\$493,071

- 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 \$493,071 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 18.5% for teachers with 30 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	\$3,178,879
Expense	\$3,178,879

BENEFITS PLAN FUND

Revenue	\$23,437,330
Expense	\$23,437,330

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	\$377,484
George Linder Memorial Fund	\$250

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 2016-17, the County Contribution is designated at 19.48%.

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 27th day of June 2016.

Chairman Page thanked the staff and hoped the public trusted the Board with the decisions being made.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to approve the Fiscal Year 2016-2017 budget.

The motion carried unanimously.

Reconvene to Closed Session

Chairman Page announced the Board would reconvene back to Closed Session.

Reconvene to Open Session

Chairman Page announced the Board met in Closed Session to make the following recommendations. He asked that separate votes be made for each recommendation.

Recommendation #1

The Tax Administrator received a 3.29% benchmark and a 3% performance increase.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve the salary increase a noted.

The motion carried unanimously.

Recommendation #2

The Clerk to the Board received a 3% performance increase and an amendment to her contract to include an increase to 8% in her 401K package and free dental coverage for life.

Commissioner Foster moved, seconded by Vice Chair Howerton that the Clerk's

salary be stated as indicated.

The motion carried unanimously.

Recommendation #3

The Sheriff received a 3% performance increase.

Commissioner Foster moved, seconded by Commissioner Jacobs to increase the Sheriff salary by 3%.

The motion carried unanimously.

Recommendation #4

The County attorney received a 3% performance increase in addition to a contract amendment of one-year severance pay, 8% to his 401K package and dental insurance coverage for life.

Commissioner Foster moved, seconded by Vice Chair Howerton that the Attorney's salary be stated as indicated.

The motion carried unanimously.

Recommendation #5

The Board would approve the County Manager amended contract as submitted.

Commissioner Foster moved, seconded by Vice Chair Howerton to approve the County Manager's contract as revised.

The motion carried unanimously.

Adjournment

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

The motion carried unanimously.

Respectfully Submitted,



Monica W. Toomer
Deputy Clerk to the Board