



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, September 26, 2016

7:00 PM

Commissioners' Chambers

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chairman Page announced that there were no agenda adjustments.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to begin the October 4, 2016 Worksession meeting at 10:00am so that Commissioners could attend the MED Week Honors Breakfast.

The motion carried unanimously.

Commissioners Foster and Reckhow asked for an excused absence for the October 10, 2016 Regular Session meeting.

Commissioner Jacobs moved, seconded by Vice Chair Howerton to excuse Commissioners Foster and Reckhow from the October 10, 2016 Regular Session meeting.

The motion carried unanimously.

Announcements

Chairman Page read the following announcements:

- 1)The Durham County Women's Commission will host a Women's Leadership Forum on Saturday, October 1st, 9am – 12noon at the Self Help Temple Building, 302 W. Main Street. Free parking will be available in the Corcoran Street Garage. Police Chief C.J. Davis will be among the panel of speakers. Topics will include Mentoring, Networking and other Buzzwords. Don't miss this free event.
- 2)Durham residents are invited to help clean up during the annual Durham Big Sweep event on

Saturday, October 1. Volunteer registration is now open at www.bigsweep.org .

- 3)The Board of Health will meet on Thursday, October 13th at 5:00 pm to discuss a proposed Board of Health Rule for Postexposure Management of Dogs and Cats. Public comment on the proposed rule will be solicited at that meeting. This rule for rabies postexposure management of dogs and cats implements and particularizes the authority given to the local health director in G.S. 130A-197 to effectively and efficiently protect the public's health utilizing the most current science.
- 4)Early voting begins in Durham County on Thursday, October 20th and ends on Saturday, November 5, 2016. The final day to register to vote for the November 8th election will be Friday, October 14th at 5:00 pm. Please visit the Board of Elections website at elections@dmcc.gov or call the Board of Elections office at 919-560-0700 for early voting locations.
- 5)The Matching Grants Program of the Durham Open Space and Trails Commission is accepting applications from nonprofit organizations in Durham City and County. The grants are to assist nonprofit organizations in preserving open space lands and promoting new or improved recreational opportunities for citizens. **The application deadline is 5 p.m. on Friday, November 11, 2016.** For questions about the grant process, contact David Ades at (919) 560-0012 or email matchinggrants@dmcc.gov.
- 6)These 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 September 6, 2016 Worksession minutes and the September 12, 2016 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

Proclamation - Recognize Minority Enterprise Development Week October 3-7, 2016

Chairman Page read the following proclamation:

MINORITY ENTERPRISE DEVELOPMENT WEEK | 2016

WHEREAS, it is the policy of the County of Durham that purchasing by the County and contracts with the County be open to all people and be free of discrimination on the basis of race and gender; and

WHEREAS, the Durham County Minority and Women Enterprise Ordinance Section 8-132 provides minorities and women equal opportunity to participate in all aspects of the County's contracting program, including, but not limited to, employment, construction projects, and/or materials and service contracts, consistent with law.

WHEREAS, G.S. 143-128, provides for Good Faith Efforts to be made in an effort to ensure fair participation of minority and women business owners in all County projects.

WHEREAS, it is further the policy of the County to conduct its contracting programs so as to prevent such discrimination, correct present discrimination and to resolve claims of such discrimination.

WHEREAS, the County of Durham is a sponsor of the Minority Enterprise Development Week.

NOW, THEREFORE, BE IT RESOLVED that I, Michael D. Page, Chairman of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners do hereby recognize October 3 – 7, 2016 as

MINORITY ENTERPRISE DEVELOPMENT WEEK

This the 26th day of September, 2016.

Michael D. Page, Chairman
Durham Board of County Commissioners

Jacqueline Boyce, Procurement Manager introduced the Durham County Minority and Women Business Enterprise (MWBE) team and stated she was grateful to have talented staff willing to get the program up to speed.

Keisha Davis, MWBE Coordinator extended an invitation to the Board and all County citizens to attend the events planned during Minority Enterprise Development Week. The events were as follows:

- Monday, October 3, 2016 from 6pm – 8pm : Meet the Developers of Durham Projects, Hilton Durham near Duke University, 3800 Hillsborough Rd. (Free Event)
- Tuesday, October 4, 2016 from 8am – 10am : MED Week Honors Breakfast, American Tobacco Campus, Bay 7, 318 Blackwell St. (\$30 per person)
- Wednesday, October 5, 2016 from 5pm – 7pm : The Chamber’s Guide: Survival 101, Bank of North Carolina, 280 S. Mangum St. (\$50 per person)
- Thursday, October 6, 2016 from 5pm – 8pm : MED Week Business Fair, Durham Armory, 220 Foster St. (Free Event)
- Friday, October 7, 2016 beginning at 8:30a. : MED Week Golf Day, Falls Village Golf Club, 115 Falls Village Dr. (Golfer’s Cost: \$45 per person; Golf Clinic: \$20 per person)

Vice Chair Howerton thanked the staff for their work and asked Wendell Davis, County Manager when a report would be available for the Board. County Manager Davis responded a report would be prepared and shared at the November 7, 2016 Worksession meeting.

Commissioner Jacobs also thanked the team and stated this was a great event which was in collaboration with the City of Durham.

Chairman Paged thanked the team and stated he looked forward to the celebrations.

Proclamation - Durham Literacy Center

Chairman Page read the following proclamation:

DURHAM LITERACY CENTER | 2016

WHEREAS, The Durham Literacy Center, of Durham, North Carolina, was founded 30 years ago by concerned residents of Durham who believed strongly that the ability to communicate verbally, and to read and write were basic human rights; and

WHEREAS, The Durham Literacy Center was established to provide basic English literacy services to Durham adults, immigrants and out-of-school youth who desired to improve their literacy skills; and

WHEREAS, The Durham Literacy Center, since 1985, has served over 16,000 Durham residents and trained over 2,500 volunteer tutors; and

WHEREAS, The Durham Literacy Center through a universal call for social justice and understanding between people of different cultures and nationalities has stressed that we care for our neighbors; and

WHEREAS, The Durham Literacy Center exemplifies the American dream in that citizens can bring positive change and solve problems communally when we work together; and

WHEREAS, The Durham Literacy Center, helps adults and out-of-school youth to gain the reading and writing skills, English language skills, computer skills, educational credentials and job readiness skills that are needed to achieve economic security, stable housing, food security, adequate healthcare, and general well-being; and

WHEREAS, The Durham Literacy Center has been an integral part of this community for three decades, resulting in millions of dollars of increased income, increased tax revenue, a more productive community; and

WHEREAS, Durham Literacy Center will continue to serve as a leader in literacy in North Carolina for years to come.

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 September 29, 2016 as

“DURHAM LITERACY DAY”

in Durham County, North Carolina and encourage all residents to celebrate the profound impact of volunteerism and literacy that empowers residents to achieve their potential while making a difference in lives, families and neighborhoods.

This the 26th day of September, 2016.

Michael D. Page, Chairman
Durham Board of County Commissioners

Lizzie Ellis-Furlong, Executive Director stated she was thankful for the proclamation and the opportunity to serve the community. She thanked the Board for the continued grant funding and the program offered through the Sheriff’s Department. Ms. Ellis-Furlong extended an open invitation to the 30th Anniversary Celebration held on September 29, 2016 from 5:30pm – 7pm at the Durham Literacy Center located on 1905 Chapel Hill Blvd. She added there would be food and the unveiling of the new mural.

Commissioners Howerton, Jacobs, Reckhow and Page congratulated the team and thanked them for providing a need in the community.

Commissioner Foster thanked Ms. Ellis-Furlong and her team and he encouraged the community to take advantage of the services provided. He added the program helped improve job skills as well as literacy independence. Commissioner Foster continued to say that there was a strong need for community input and volunteers.

Consent Agenda

Chairman Page asked the Board if they desired to pull any items from the Consent Agenda. Commissioners Jacobs and Reckhow requested to comment on item #16-1290.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to approve the following items on the Consent Agenda.

*16-1243 Budget Ordinance Amendment No. 17BCC000009 to Recognize Revenue in the amount of \$1,370 from the Extension Community Association (ECA) and to appropriate the funds in the Durham Cooperative Extension Horticulture budget

*16-1250 Capital Project Amendment No. 17CPA000005 Appropriation of 2016 Authorized Limited Obligation Bond (LOBs) Funding in the amount of \$20,000,000 for the Public Private Projects Agreement between Durham County Government and the Research Triangle Foundation of North Carolina

*16-1257 Property Tax Releases and Refunds for August 2016

*16-1259 Capital Project Amendment No. 17CPA000006 - Moving Unspent 2007 General Obligation Bond Funds between Durham Public School Capital Projects

16-1263 RFP 16-012R, Exterior Painting of the Judicial Annex Building

16-1266 Contract Amendment for Tax Management Associates

*16-1277 FY2015-2016 Encumbrance Rollover - Budget Ordinance Amendment No. 17BCC000010

16-1280 Approve the Sale of County Surplus Properties (1750 & 1756 Ruffin Street)

16-1287 Appointment to Durham County Juvenile Crime Prevention Council

*16-1289 Budget Ordinance Amendment No. 17BCC000011 to Recognize Funds in the Amount of \$26,707 from the NC Department of Health and Human Services Division of Public Health for the Nutrition Division and Approve One Provisional FTE

16-1290 2016 Agricultural Lands Easement (ALE) Program Grant Award and Cooperative Agreement

The motion carried unanimously.

Item #16-1290

Commissioner Reckhow stated the County received \$660,000.00 to fund four (4) conservation easements on four (4) farms. She added this funding would leverage the local contributions. Commissioner Reckhow thanked Jane Korest, Open Space/Real Estate Manager for her continued work. She also noted that with the four (4) easements, that would total 2,342 acres of preserved farmland in Durham County.

Commissioner Jacobs stated it was important for the public to know that there was a certain amount of funding for open space. She continued to say because money was available from the County for the match, the grants were approved. Commissioner Jacobs acknowledged Ms. Korest and her staff for their hard work and for also making the land protection available for farmers and their families.

Consent Agenda Item #16-1243

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 17BCC000009**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$58,395,725	\$1,370	\$58,397,095

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Economic and Physical Development	\$6,424,036	\$1,370	\$6,425,406

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

This the 26th day of September 2016.

Consent Agenda Item #16-1250

**DURHAM COUNTY, NORTH CAROLINA
2016-17 Capital Project Ordinance
Amendment Number 17CPA000005**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2016-17 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Capital Project	Current Budget	Inc./Dec.	Revised Budget
Park Center Phase I Infrastructure Project (ED001)	\$0	\$20,000,000	\$20,000,000

Adopted this the 26th day of September, 2016.

Consent Agenda Item # 16-1257

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 August 2016.

August 2016 Releases and Refunds

Releases and Refunds for 2016 Taxes

Real Property \$ 219,022.39

Personal Property	\$ 104,764.64
Solid Waste Fees	\$ 476.43
VTS Refunds	\$ <u>15,790.64</u>
Total for 2016 Taxes/Fees	\$ 340,054.10

Releases & Refunds for Prior Years

2011-----2015

Real Property	\$ 686.67
Personal Property	\$ 13,675.23
Motor Vehicle	\$ 56.51
Motor Vehicle Fees	\$ <u>15.00</u>
Total for Prior Years	\$ 14,433.41

Grand Total	\$ 354,487.51
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Consent Agenda Item #16-1277

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 17BCC0000010**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$22,075,462	\$3,253,122	\$25,331,585

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
General Government	\$103,352,464	\$1,944,015	\$105,296,479
Public Safety	\$ 60,337,121	\$ 312,113	\$ 60,649,234
Environmental Protection	\$ 4,312,131	\$ 89,103	\$ 4,401,234
Economic and Physical Development	\$ 6,424,036	\$ 1,370	\$ 6,425,406
Human Services	\$ 93,428,269	\$ 735,696	\$ 94,163,965
Cultural and Recreation	\$ 12,452,385	\$ 44,511	\$ 12,496,896

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>RISK MANAGEMENT FUND</u>			
Other Financing Sources	\$48,744	\$35,115	\$83,859

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>RISK MANAGEMENT FUND</u>			
General Government	\$3,178,879	\$35,115	\$3,212,994

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>ENTERPRISE FUND</u>			

Other Financing Sources	\$0	\$23,563	\$23,563
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Expenditures:

<u>Function</u>			
<u>ENTERPRISE FUND</u>			
Utilities	\$8,278,660	\$23,563	\$8,302,223

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

This the 26th day of September 2016.

Consent Agenda Item #16-1289

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 17BCC000011**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$58,397,095	\$26,707	\$58,423,802

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$94,163,965	\$26,707	\$94,190,672

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

This the 26th day of September 2016.

Public Hearings

Public Hearing for the 2015 Evaluation and Assessment Report of the Durham Comprehensive Plan

Laura Woods, Senior Planner shared a presentation titled “Annual Evaluation and Assessment Report (EAR) for the Durham Comprehensive Plan” which highlighted the following:

- Purpose of the EAR
- Cases Approved in 2015
- Impact to Net Acreage on Future Land Use Map (FLUM)
- Technical Updates to the FLUM (Map)
- Policy Status and Language Update
- Accomplishments
- Substantive Policy Text Changes
 - Policy 2.5.3a Study of Industrial Land

o Policy 7.1.5d Green Workplace Program

Commissioner Reckhow stated she was in agreement with the Policy 7.1.5d change. She added that she would be interested in referring the current policy and the proposed language to the Environmental Affairs Board (EAB) for input. Ms. Woods responded that she was the Staff Liaison for the EAB and she would be happy to make that suggestion to the Chair.

Vice Chair Howerton inquired about the result from the study conducted on Policy 2.5.3a – Study of Industrial Land. Ms. Woods stated there were a number of criteria established in the report for determining the marketability for industrial land. She added it was found a small amount of land designated for industrial use met all the criteria but was not considered. Ms. Woods stated that she would be willing to provide a copy of the report to the Board.

Commissioner Jacobs stated the report showed the number of re-zonings and amendments and also the work completed showed where all the growth was occurring in Durham. She asked about the comments from the Planning Commission and questioned whether a closer look at Storm Water Management should occur and suggested this item be placed on a future Joint City-County Planning Committee meeting agenda. Commissioner Jacobs also mentioned that there was not a lot of participation from County departments in the “Comp Plan” highlights. She mentioned to County Manager Davis that she would like to see EAR reports with more reflection from the County.

Chairman Page opened the public hearing. No one was signed up to speak. Chairman Page closed the public hearing and entertained a motion from the Board.

Commissioner Reckhow moved, seconded by Commissioner Jacobs to approve the 2015 Evaluation and Assessment Report of the Durham Comprehensive Plan with the exception of Policy 7.1.5d – Green Building Program.

The motion carried unanimously.

Directives:

- Refer current policy and proposed language to EAB for input
- Have more comments from the County in EAR reports

Board and Commission Appointments

Michelle Parker-Evans, Clerk to the Board, distributed ballots to the Board to make appointments to the 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

Gwendolyn Price (Foster, Howerton, Jacobs, Reckhow, Page)

Martha Faw Simpson (Foster, Howerton, Jacobs, Reckhow, Page)

Board of Adjustment

Jacob Rogers (Foster, Howerton, Jacobs, Reckhow, Page)

Durham Open Space and Trails Commission

Keith Helmer (Foster, Howerton, Jacobs, Reckhow, Page)

EMS Peer Review Council

Katherine Trexler (Foster, Howerton, Jacobs, Reckhow, Page)

Michael Wilson (Howerton, Jacobs, Reckhow, Page)

Environmental Affairs Board

Matthew Pait (Foster, Howerton, Jacobs, Reckhow, Page)

Memorial Stadium Authority

Frank Davis (Foster, Howerton, Jacobs, Reckhow, Page)

Billy Ruffin (Foster, Howerton, Jacobs, Reckhow, Page)

Nursing Home Community Advisory Committee

Marjorie Lipscomb (Foster, Howerton, Jacobs, Reckhow, Page)

Page Wingfield (Foster, Howerton, Jacobs, Reckhow, Page)

Women's Commission

Tonya Mitchell (Foster, Howerton, Jacobs, Reckhow, Page)

Adjournment

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

The motion carried unanimously.

Respectfully Submitted,



Monica W. Toomer
Deputy Clerk to the Board