

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

Monday, November 6, 2017

9:00 A.M. Worksession

MINUTES

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

Present: Chair Wendy Jacobs, Vice Chair James Hill and Commissioners Heidi Carter,
Brenda Howerton, and Ellen Reckhow

Presider: Chair Wendy Jacobs

Citizen Comments

The Board of County Commissioners provided a 30-minute comment period to allow Durham County citizens an opportunity to speak. Citizens were requested to refrain from addressing issues related to personnel matters.

Becky Winders, Coalition for Affordable Housing and Transit member, spoke on the Resolution on Affordable Housing in Transit Areas which dictated that 15% of all housing units within ½ mile of light rail transit stations should be affordable to households with incomes less than 60% of area median income (AMI). She stated that of the options that would be presented to the Board for agenda item 17-0501 Unified Development Ordinance Text Amendment, Compact Neighborhood Interim Affordable Housing Bonuses (TC1600005), the Coalition was in favor of Alternative A (affordable to households earning 60% AMI or less).

John Tarantino, of Tarantino Durham, performed a musical selection dedicated to the victims of the mass shooting at the First Baptist Church in Sutherland Springs, Texas, on Sunday, November 5, 2017.

Bryan Christopher, English teacher at Riverside High School, stated that his students discussed monuments and their symbolism. They considered the events in Charlottesville, VA and confederate statue toppling in Durham, they read about the statues that were built to represent love and peace in *Romeo and Juliet*. The students were assigned with writing about who/what deserved a monument as well as what monument they felt would best represent Durham and its values as a replacement for the confederate statue.

Ingrid Castro, Riverside High School student, read her completed assignment. She believed the removal of monuments should be allowed if a community's values changed over time. She advocated for a monument of Dr. John Hatch to replace the toppled statue. Dr. John Hatch was an African-American veteran who overcame obstacles in order to become a doctor.

Chair Jacobs requested a written version of Mr. Christopher's and Miss Castro's comments. Commissioner Reckhow commended Mr. Christopher for using current events to foster interest in writing and engaging students. Commissioner Carter concurred with Commissioner Reckhow's comments and applauded the Durham Public Schools teachers who used current events to cultivate their students' passions. Commissioner Howerton spoke on the importance of teaching of history and thanked Mr. Christopher for his work. Vice Chair Hill stated that the United States had a complicated history that needed to be faced honestly. He hoped this would help spur discussion across political and ideological lines and thanked Mr. Christopher for his work.

Directive:

- **Staff to provide the Board with a written version of Mr. Christopher's and Miss Castro's comments.**

Discussion Items:

17-0483 Presentation of Durham Workforce Development Board Metrics, Goals, and Planning

Per the City-County interlocal agreement governing the creation and operation of the Durham Workforce Development Board (DWDB), the Durham County Board of County Commissioners were to play an integral role in providing governance and support to the DWDB. The DWDB, by its very existence, was intended to bring a broad coalition of community stakeholders together to drive positive workforce outcomes for youth and adults in Durham.

This Worksession was designed to dig into the meaning of the still relatively new Workforce Innovation and Opportunity Act (WIOA), which replaced all early enabling legislation for workforce development boards, and to figure out how City and County and community stakeholders could work together effectively within and beyond the WIOA framework. This was to ensure that the most effective assistance possible was provided to those preparing to enter or re-enter the workforce (especially those facing one or more challenges to employment). Discussion of how a revised interlocal might assist in creating and guiding a more powerful workforce coalition may be included in the discussion.

Andre Pettigrew, the new director of the City's Office of Economic and Workforce Development (OEWD), spoke on the changes in the work industries present in Durham and how they presented challenges and opportunities for growth. He discussed the vision of the DWDB.

Chair Jacobs asked to have the services pie slice be broken down in the "Where Are the Jobs Today?" PowerPoint slide. Commissioner Reckhow felt that it would be useful to have a healthcare category in the pie chart. Chair Jacobs and Mr. Pettigrew discussed the possibilities of employers providing on the job training and apprenticeships.

Commissioner Howerton encouraged Mr. Pettigrew to collaborate with Lenovo. She had spoken to a Lenovo employee that was eager to explore the possibility of creating a program that would allow young people to spend a day in Lenovo offices to learn about their company and work.

Chair Jacobs requested the actual numbers, rather than percentages, for the goals and attainments in the “Adult Job Seekers PY 2016” PowerPoint slide.

Commissioner Reckhow requested clarification on the unmet State goal for credential youth and whether it referred to youth that accessed workforce development through the DWDB system. Mr. Pettigrew confirmed it did. Commissioner Reckhow wondered how many youth were served in a year. James Dickens, Office of Economic and Workforce Development Senior Employment Program Coordinator, stated that approximately 150 students were served per year, around 75 students go into educational training and, of those, 30-75 students obtain credentials.

Chair Jacobs thanked Mr. Pettigrew for the update and mentioned the interlocal agreement requiring regular progress reports three (3) times per year from the DWDB. Commissioner Reckhow preferred to only meet in person once or twice a year and receive written update reports.

Commissioner Reckhow challenged Mr. Pettigrew to pull all relevant partners together and look at the Durham workforce holistically. The partners she mentioned were Rick Sheldahl, Durham Public Schools Career and Technical Education Director; Geoff Durham, Greater Durham Chamber of Commerce President and CEO; Bill Ingram, Durham Technical Community College President; as well as the person who would replace Meredythe Holmes as Executive Director of Made in Durham. She also pointed out that if high skill manufacturing jobs were still present in Durham, training for these types of positions should not be discouraged.

Commissioner Howerton requested a report on youth and jobs. She wondered how many years the same young people were consistently hired and whether there was a mechanism in the community to know that young people were being hired by the OEWD. She further requested information on justice-involved individuals and whether they were able to obtain and retain employment.

Commissioner Carter posed the following questions:

- Was it possible for the DWDB to pressure the private sector into paying a living wage? If so, what methods would be used?
- How many employers were in the NC Works system?
- What specific strategies were there to increase adults with credentials?
- Was there a large number of unemployed people not eligible for WIOA services? What percentage of the unemployed were being helped through the DWDB’s work?
- Were there any plans for the DWDB to work with Durham Public Schools or Durham Technical Community College (DTCC)?
- What would it take to have a process in which employers could identify the skillsets they needed and collaborate with DPS and DTCC to develop a curriculum in order to have students trained in those skills at DPS and DTCC?

Vice Chair Hill inquired as to how the lack of future job security due to technological advances (e.g. automation in transportation) was being addressed and how people who had lost their jobs in the Great Recession were being helped back into the workforce.

Chair Jacobs requested that Mr. Pettigrew look at the recently modified City's strategic plan goal areas and targets because there seemed to be a disconnect with the NC Works numbers. She asked the following questions:

- What were the numbers listed on the dashboard for the NC Works system?
- What strategy was used to address the barriers to employment? Barriers such childcare, transportation, criminal background, mental health, and substance abuse.

Chair Jacobs asked Mr. Pettigrew to email the Board the responses to all the questions that were made. Chair Jacobs wanted Mr. Pettigrew to return in March 2018 to provide an update, any reports before then could be written.

Directives:

- **Mr. Pettigrew to email the Board the responses to the following questions:**
 - Was it possible for the DWDB to pressure the private sector into paying a living wage? If so, what methods would be used?
 - How many employers were in the NC Works system?
 - What specific strategies were there to increase adults with credentials?
 - Was there a large number of unemployed people not eligible for WIOA services?
 - What percentage of the unemployed were being helped through the DWDB's work?
 - Were there any plans for the DWDB to work with Durham Public Schools or Durham Technical Community College (DTCC)?
 - What would it take to have a process in which employers could identify the skillsets they needed and collaborate with DPS and DTCC to develop a curriculum in order to have students trained in those skills at DPS and DTCC?
 - How was the lack of future job security due to technological advances (e.g. automation in transportation) was being addressed?
 - How were the people who had lost their jobs in the Great Recession being helped back into the workforce.
 - What were the numbers listed on the dashboard for the NC Works system?
 - What strategy was used to address the barriers to employment? Barriers such childcare, transportation, criminal background, mental health, and substance abuse.
- **Mr. Pettigrew to collaborate with Lenovo about the possibility of creating a program that would allow young people to spend a day in Lenovo offices to learn about their company and work.**
- **Mr. Pettigrew to provide the break down of the services pie slice (from the "Where Are the Jobs Today?" PowerPoint slide). It would also be useful to have a healthcare category in the pie chart.**
- **Mr. Pettigrew to provide the actual numbers, rather than percentages, for the goals and attainments in the "Adult Job Seekers PY 2016" PowerPoint slide.**
- **Mr. Pettigrew to provide a report on youth and jobs that included information as to how many years the same young people were consistently hired and whether there**

was a mechanism in the community to know that young people were being hired by the OEWD.

- **Mr. Pettigrew to provide information on justice-involved individuals and whether they were able to obtain and retain employment.**
- **Mr. Pettigrew to look at the recently modified City's strategic plan goal areas and targets because there seemed to be a disconnect with the NC Works numbers.**
- **Mr. Pettigrew to return in March 2018 to provide an update--any reports before then could be written.**

17-0434 Presentation of Draft MOU from Student U on Future Use of the Old WG Pearson School

The Board was requested to review the proposed Memorandum of Understanding (MOU) brought by Student U and either approve its incorporation into the Public Private Partnership Agreement tied to the renovation of the WG Pearson School building or request additional changes and schedule a new time to review it again.

The Board of County Commissioners approved a three-way Public Private Partnership with Self-Help and Student U in January of 2017 for the renovation and re-use of the old WG Pearson school site. Section 14a of that agreement (which addressed community use), stipulated that within 12 months Student U would bring back an MOU “describing (i) potential collaborations for uses of unoccupied portions of the Project by Groups interested in subleasing a portion of the Project at reasonable lease rates, provided, such uses are compatible with ongoing uses of the Premises by Student V; and (ii) short and long-term goals for Student V's increased impact.” When the County Commissioners were ready to approve this MOU, “which approval shall not be unreasonably withheld, the MOU shall be attached hereto as Exhibit C and deemed incorporated herein by reference.”

Student U spent the previous nine (9) months working with Self Help to get renovations well underway, but also talking with many individuals and institutions in the neighborhoods around the old WG Pearson School to get a sense of what the needs and possibilities were. While formal agreements for sub-leases and other arrangements had not yet been finalized, Student U made a great deal of progress in this direction, progress which was reflected in the attached draft MOU.

Commissioner Carter felt that the MOU was very clear, had a good number of partnerships, and that the four (4) pillars were important. The pillars were: “WGPC will remain a youth-centered space that houses activities and programs to enrich the lives and outcomes of young people; WGPC will be as accessible as possible to the surrounding community of neighbors and organizations; WGPC space and all tenants within will work together to have a greater impact on the surrounding neighborhood and greater Durham overall with the shared goal of improving educational outcomes for young people; and the space and leasing model for WGPC will strive to make the building accessible to the most number people and to be financially sustainable.”

Commissioner Howerton thanked them for their work.

Commissioner Reckhow thanked them for their work around the MOU. She was concerned about the potential partnerships outlined, it was somewhat nebulous in terms of goals or targets.

She wanted a higher level of assurance of robust programming particularly oriented towards youth and high percentage of utilization of the building. Overall, she hoped for a more detailed document for approval. Alexandra Zagbayou, Executive Director of Student U, clarified that they wanted to first ensure agreement on the pillars of the usage of the building; staff would create a model that would actualize the pillars in terms of which organizations and partnerships were chosen to share the building. This was in an attempt to create criteria that would outfit the building in an equitable way.

Commissioner Reckhow inquired if a charge for utilization was planned and, if so, what would it be. She mentioned that when Holton Career and Resource Center opened, the City charged such high fees that there was not much building utilization. Once they lowered the fees, there was an increase in utilization. Ms. Zagbayou wanted to be very mindful about this, staff wanted to guarantee their ability to pay all bills associated with the use of the building while maximizing the community's accessibility to it—they considered a sliding scale option most ideal.

Chair Jacobs stated that it was a very thoughtful and deliberate process. She felt that it would be helpful to include an assessment of potential public uses and capacity. This would include information on usage criteria and fees.

Chair Jacobs asked that revisions be emailed to the Board before they were asked to adopt it. Manager Davis announced that the deadline for approval was January or February.

Commissioner Reckhow suggested treating this as an evolving project and approving an interim agreement in January or February 2018. Shortly before the grand opening of the building, Student U would return for final agreement approval.

Directives:

- **Student U to provide a higher level of assurance of robust programming particularly oriented towards youth and high percentage of utilization of the building in the MOU.**
- **Student U to email MOU revisions to the Board before the Board was asked to adopt it.**
- **Student U to provide an assessment of potential public uses and capacity for the building. This would include information on usage criteria and fees.**

17-0501 Unified Development Ordinance Text Amendment, Compact Neighborhood Interim Affordable Housing Bonuses (TC1600005)

The Board was requested to receive a presentation on the Unified Development Ordinance Text Amendment, Compact Neighborhood Interim Affordable Housing Bonuses (TC1600005). A compact neighborhood was a designation on the Future Land Use Map near a planned rail transit station. These were areas that were expected to evolve into neighborhoods with higher density, mixed use and walkability.

Text amendment TC1600005 was a set of amendments to the Unified Development Ordinance (UDO) to update regulatory incentives for affordable housing in Compact Neighborhoods. This was an informational presentation to solicit input prior to advancing to public hearings. Patrick

Young, AICP, Planning Director, and Hannah Jacobson, AICP, Senior Planner, spoke on proposed interim regulations, affordability requirements, alternatives, design requirements, limitations, benefits, potential consequences, and next steps for a long term strategy. The alternatives were as follows:

Alternative A (“Resolution”): Affordable to households earning 60% AMI or less

Alternative B (“Public Participation”): Affordable to households earning 60% AMI or less – BOCC evaluates financial contribution; Affordable to households earning 80% AMI or less – By-Right approval per Section 6.6.

Alternative C (“Average AMI”): Affordable to households earning an average 70% AMI or less

Commissioner Reckhow inquired whether the City had taken action on this. Ms. Jacobson informed her that a similar item had been presented to City Council on October 2017, but they had not acted on it.

Chair Jacobs and Mr. Young discussed the Jackson Street project. Mr. Young agreed to follow-up on how many units were at which AMI level.

Chair Jacobs asked how many units per acres for multifamily units were made. Ms. Jacobson stated that 75 units were the average. Chair Jacobs asked Manager Davis how many Durham County employees had a two-person household and earned \$33,940 per year (60% at AMI). Manager Davis did not know, but would have staff research and provide the answer to the Board.

Commissioner Reckhow was concerned with possibly spending resource-constrained dollars in a way that did not maximize the number of people that could be served. She wanted to see scenarios that showed what happened if the City and/or County took on projects at 15%. She wanted to know where the County would be after five (5) years with typical build-out and what the costs would be. Ms. Jacobson stated that staff could write it into a RFP/RFQ to have the request included in the market analysis, but clarified that this was only a tool to help make policy decisions.

Chair Jacobs noted that the North Carolina Central University (NCCU) Light-Rail stop was not yet in the Planning Department Work Plan and wondered how this would be addressed. Mr. Young stated that staff was in the process of an internal conversation regarding what was appropriate treatment for this station. The recommended strategy regarding this station would be presented to the Board in the near future. Chair Jacobs felt a sense of urgency and hoped a strategy was chosen soon.

Mr. Young stated that due the 2005 Comprehensive Plan, the City-County Planning Department aimed to implement the compact design districts to support the transit oriented development goals. They were requesting the Board’s feedback regarding the possible modification of timelines as the alternative strategy was developed—this included market analysis of each area coupled with an incentive or subsidy program—versus proceeding forward at pace with the compact design district under the traditional model.

The consensus from City Council was that if staff needed to slow down, an incentive program and a modified baseline density should be fully explored. The market based analysis would set the baseline density. This would make the utilization of the bonus more likely, but was not without risks. The risks included low density transit areas, non-residential only (or limited residential) transit areas, development pressure on neighborhoods outside of compact neighborhoods, and the FTA starting a new grant.

He clarified that the alternatives were considered interim because they were to be between today and the time that the compact design district zoning was applied in each of these areas—which had a roaming timeline over the next five (5) years.

Commissioner Reckhow wondered whether the two (2) stations (Erwin Road and Ninth Street) with the highest rent revenue gap should be included. She was hesitant to have public money spent on analyzing stations that had a rent revenue gap of over \$500.

In terms of the presentation, Commissioner Reckhow wanted all of the stations displayed or other tools the County was employing so as to not mislead the public. Mr. Young stated that the relationship with the zoning tool almost exclusively pertained to the integration of affordable units in new market based multi-family development. Commissioner Howerton concurred with Commissioner Reckhow, she encouraged staff to be clear about the message that was being sent to the public.

Mr. Young stated that there were two (2) distinct but interrelated requests. The first was regarding the item for specific text changes, staff requested that the Board provide feedback as to which of the three (3) alternatives they felt would best meet the desired outcomes through the adopted policy. Staff was also requesting feedback on the long term strategy—he reiterated that the current strategy was only intended to be in place until the compact design district zoning was applied.

Chair Jacobs asked that each Commissioner provide feedback on the three (3) alternatives as well as the plan to do the targeted market analysis at the station areas and setting the base density for the long term for the compact neighborhoods.

Commissioner Carter did not feel comfortable giving any feedback. She wondered what the City had recommended. Ms. Jacobson stated that the City had leaned towards a combination of Alternatives B and C. Commissioner Carter wanted to use the tool that would yield the most affordable housing, but was unsure as to which alternative would provide it. She felt that the market analysis needed to be done and was interested in hearing which approach the consultants recommended.

Vice Chair Hill had no comment.

Commissioner Howerton had no comment.

Commissioner Reckhow stated that Alternative B made sense, but wondered if Alternative C moved the needle. Mr. Young stated that communities across the nation that undertook a similar

approach used Alternative C because it allowed a range of households between 60% and 80% AMI to use the tool; it was effective because it captured a broader range of incomes and careers. Commissioner Reckhow changed her recommendation to Alternative C.

Chair Jacobs chose a combination of Alternatives B and C. She liked the first portion of Alternative B (affordable to households earning 60% AMI or less with potential public participation) and all of Alternative C (affordable to households earning an average 70% AMI or less). She wanted to recognize that Alternative A was the ideal but they had not had any success and it was time to try other methods that would work. She was in favor of the market analysis, but wanted to prioritize the areas that would yield the most impact.

Commissioner Howerton left at approximately 12 p.m. and the Board recessed for lunch.

Directives:

- **Mr. Young to find out how many units were at which AMI level in the Jackson Street project and notify the Board.**
- **Staff to provide the Board with the number of Durham County employees that had a two-person household and earned \$33,940 per year.**
- **Staff to include into the RFP/RFQ that the market analysis show scenarios of what happened if the City and/or County took on projects at 15%. Results should describe where the County would be after five (5) years with typical build-out and what the costs would be.**

17-0502 2045 Metropolitan Transportation Plan

The Board was requested to receive a presentation and provide comments on the draft 2045 Metropolitan Transportation Plan (MTP). The Durham-Chapel Hill-Carrboro (DCHC) MPO was currently developing its 2045 Metropolitan Transportation Plan (MTP), which identified the highway, transit, passenger rail, bicycle and pedestrian projects to be implemented over the next 30 years to meet the region's growing transportation demands.

The 2045 MTP was a joint planning effort among local governments and the MPO that ultimately set the transportation investment strategy for the future. The MPO released the 2045 MTP Alternatives Analysis in August, which showed the transportation impacts of four different growth and transportation scenarios in the future. The public was asked to provide comments and input in order to determine the Preferred Option for the 2045 MTP. In the 42-day comment period until the final 2045 MTP was to be adopted, local government boards and commissions were also asked to provide their comments on the Preferred Option.

Commissioner Reckhow wondered how much traffic would be diverted from the Durham Freeway (NC 147) due to the East End Connector and turning US 70 into a freeway. Andy Henry, Senior Transportation Planner, stated that he would run the numbers and provide an estimate to the Board. The East End Connector would provide a direct connection between the Durham Freeway and Miami Boulevard (US 70) as well as improved access to I-85 and I-40.

Commissioner Carter inquired as to what would connect the commuter rail and the airport. Mr. Henry stated that there would be a feeder bus between the commuter rail stations and the airport.

Chair Jacobs noted that the differences between not making the transit investment vs making them were very stark. Traffic would still exist, but having transit would help diminish a large amount and it would give residents traveling options. She also emphasized that the report listed shared goals and objectives between the Durham-Chapel Hill-Carrboro (DCHC) MPO and the North Carolina Capital Area Metropolitan Planning Organization (CAMPO). They were the foundation of the regional transit system they hoped to build.

Chair Jacobs asked when the next joint meeting between the Durham-Chapel Hill-Carrboro (DCHC) MPO and CAMPO would take place. Mr. Henry informed her that the next joint meeting was on November 30th, meetings occurred once a year. Chair Jacobs felt that the boards really needed to meet twice a year and encouraged staff to work towards this.

Directives:

- **Andy Henry, Senior Transportation Planner, to inform the Board as to how much traffic would be diverted from the Durham Freeway (NC 147) due to the East End Connector and turning US 70 into a freeway.**
- **Staff to work towards having joint meetings between the Durham-Chapel Hill-Carrboro (DCHC) MPO and NC Capital Area Metropolitan Planning Organization (CAMPO) take place twice a year.**

17-0504 City Local Historic Landmark, Background Information

The Board was requested to receive a report on the proposed landmark designation of the land associated with the Venable Center (LD1700001). On December 4, 2017 the City Council was scheduled to hold a public hearing to consider a local landmark designation for the land associated with one landmark property. The purpose of this report was to provide general information regarding the application as well as the fiscal impact of the designation in advance of the landmark hearing.

Grace Smith, Planning Supervisor, stated that this item was presented to the Board previously, but underwent parcel reconfigurations. The updated configurations had more appropriate lot lines which kept the property that was more historically significant with the historic landmark buildings—this ensured that the land under the landmarks was protected.

Commissioner Reckhow suggested that, in the future for similar items, memos be submitted to the Board and only those that prompted questions be added to the Worksession agenda. Manager Davis agreed to this approach.

Directive:

- **For informational items, submit a memo to the Board. Do not add it to the Worksession agenda unless Commissioners have questions.**

17-0508 Update on Plans for the Durham County Leadership Forum on Opioid Abuse

The Board was requested to receive an update on the plans for the Durham County Leadership Forum on Opioid Abuse.

Fred D. McClure, 2016-17 President of North Carolina Association of County Commissioners (NCACC), asked for help addressing the opioid epidemic. He requested that “every board of county commissioners convene a leadership forum with all the local elected officials in their counties for an informed discussion, to provide an opportunity for all the local elected leaders to jointly learn about the effect of this epidemic on the county’s citizens, and to develop ideas that can be implemented in the county to help reverse the trends.”

Chair Wendy Jacobs and Commissioner Howerton, 2017-18 President of NCACC, convened a planning committee for the Durham County forum. The forum was scheduled to be held in the Human Services Building on Tuesday, February 27, 2018 from 8:30 a.m. to 12:00 p.m.

Gayle Harris, General Manager, stated that the NC Harm Reduction Coalition documented 257 reversals since the passing of the SB20 911 Good Samaritan/Naloxone Access law in 2013. The law prohibited the prosecution of individuals who experienced a drug overdose or persons who witnessed an overdose and sought help for the victim for possession of small amounts of drugs, paraphernalia, or underage drinking. It also removed civil liabilities from doctors who prescribed and bystanders who administered the opiate antidote known as naloxone, or Narcan, and allowed community based organizations to dispense Narcan under the guidance of a medical provider.

Ms. Harris stated that the purpose of the summit was to engage local elected leaders in an informed discussion about the opioid epidemic and develop collaborative strategies that enhance prevention, education, and treatment. She described the activities that would occur at the summit.

Commissioner Reckhow recalled a study that found that some people who had been administered naloxone after an opiate overdose later died from an overdose in which they did not receive intervention in time. There should be follow-up provided after naloxone treatment to prevent these occurrences. Ms. Harris agreed and discussed the referral work performed in the Public Health Pharmacy and Durham County Detention Center.

Commissioner Reckhow and Chair Jacobs discussed who should be invited to the summit considering the decriminalization and which organizations were the point of first contact in most situations. Commissioner Reckhow described the pilot that was being developed by Helen Tripp, Managing EMS Officer I, through the paramedicine program that would also follow-up with frequent visitors to the recovery center.

Vice Chair Hill wondered whether fentanyl would be brought up during these events and meetings. Chair Jacobs wanted to include fentanyl and a discussion addressing how to include other addictive substances in these efforts.

Directive:

- **Staff to include fentanyl and a discussion addressing how to include other addictive substances in these efforts at the Durham County Leadership Forum on Opioid Abuse.**

17-0493 Commissioner Comments

The Board was requested to allow each Commissioner three minutes to report on conferences or make comments regarding issues that may be of interest or concern to the Board.

Commissioner Reckhow noted that Harvard Magazine had frequent articles regarding the criminal justice system's inequalities around wealth. One article focused on how low income people could not often make bail and were left in jail for minor offenses. She was concerned with Durham County jailing people for nonpayment of child support. Attorney Siler stated that he would ask child support attorneys why this was happening, he pointed out that it could be due to extreme situations or repeat offenders. Commissioner Reckhow wanted to know how many inmates were in the Detention Center for nonpayment of child support and what the rationale was. She further asked whether there were best practices that other communities followed as alternatives—ankle bracelets seemed like a better alternative because they would not prevent inmates from working in order to pay their arrears. Commissioner Reckhow stated that it was inhumane and counterintuitive to incarcerate people due to lack of wealth.

Commissioner Carter wondered who set the bond structure and whether it had been reviewed recently. Attorney Siler stated that he would look into it.

Chair Jacobs announced that the state of New Jersey had done away with their bail system—they only used it for very extreme, felony cases—because they found that it discriminated against poor people. While it was not within the Board's power to implement the same method, she felt that it would be productive to start convening people and finding solutions to this problem. Manager Davis reminded the Board that there was a considerable amount of effort by the previous presidential administration spent on justice reform and 21st century policing. He encouraged the Board to consider current state of affairs due to many changes and rollbacks happening at the time.

Vice Chair Hill spoke on the shooting at the First Baptist Church in Sutherland Springs, Texas, on Sunday, November 5, 2017. He was a strong supporter of second amendment, but felt that the country needed to address the issues regarding access to firearms.

Commissioner Carter attended a Durham Farm and Food Network event that discussed local food systems. They touched on the four areas that would need to be considered when creating a model local food system—they were hunger/food insecurity, food related illnesses, the reciprocal relationship between agriculture and the environment, and food security. A comprehensive plan around these four (4) areas was necessary to make real progress. She hoped that the City and County would hear more about this in the future and work together on connecting the four (4) areas to make Durham a model food city, rather than a "foodie city."

Chair Jacobs asked Drew Cummings, Chief of Staff, to provide the Board with a memo describing the progress on the local food pilot at the Durham Detention Center and on the grant program to support farmers after January 1, 2018.

Chair Jacobs addressed the sheet she gave to each Commissioner, it detailed effective ways to talk about affordable housing. She also passed out a draft proposal for the Durham Public Monument Commission and requested that the Board review it and provide feedback. She stated

that it would be an item on the December 4th Worksession, the documents she used to create the draft would be added as attachments. Chair Jacobs stated that the draft proposal was in response to the public's many comments and questions regarding the pulling down of the Confederate statue and the national debate about which values were being recognized and celebrated. She stated that the commission would allow the community to be included and help guide decisions.

Attorney Siler announced that the Clerk found that in 1925 the Board of County Commissioners considered moving the statue when it was believed that the administration building would be sold. Michelle Parker-Evans, Clerk to the Board, added that, according to the meeting minutes, the Board unanimously voted to move the statue to Bennet Place.

Chair Jacobs noted that the four (4) guiding principles of the draft proposal were promotion of community education, promotion of respectful and civil discourse, promotion of wide ranging community input and engagement, and use of community expertise and resources. She hoped that this would be used as an opportunity to educate people on Durham's history, encourage intentional discussion between many community members with different viewpoints and opinions.

Vice Chair Hill requested an excused absence on January 8, 2018.

Commissioner Carter moved, seconded by Commissioner Reckhow, to suspend the rules.

The motion carried unanimously.

Commissioner Carter moved, seconded by Commissioner Reckhow, to grant Vice Chair Hill an excused absence for the Regular Session on January 8, 2018.

The motion carried unanimously.

Directives:

- **Attorney Siler to look into the following:**
 - **How many inmates were in the Detention Center for nonpayment of child support and what the rational was for them being in there?**
 - **Were there best practices that other communities followed as alternatives (such as ankle bracelets)?**
 - **Who set the bond structure and has it been reviewed recently?**
- **Drew Cummings, Chief of Staff, to provide the Board with a memo describing the progress on the local food pilot at the Durham Detention Center and the grant program to support farmers after January 1, 2018.**

Consent Agenda (Discussion)

The Board was requested to review Consent Agenda items for the November Regular Session meetings. Staff was present to address questions the Board had regarding the items. The following consent agenda items were reviewed:

17-0445 FY2017 Annual Claims Report

Chair Jacobs noticed that most of the incidents listed were related to motor vehicle accidents and wondered what strategies were in place to help restrict accidents. Ngat Awass, Interim Risk Manager, stated that, whenever there was an auto accident, the safety team went out to investigate the conditions that caused it in order to prevent future accidents. She stated that the County decreased the total amount of claims from FY16 by 29%—the total incurred was reduced by \$17,000.

Commissioner Carter wondered whether there was any trend data on claims the County had incurred, she wanted to see how this year compared to previous years. Ms. Awass referred her to the attachment titled Supplement 3 for a five (5) year comparison.

17-0467 Capital Project Amendment No. 18CPA000006 - Moving Unspent 2007 General Obligation Bond Funds between Durham Public School Capital Projects and Returning Unspent Lottery Funds to NCDPI

Chair Jacobs wondered why DPS was returning the funds for Elementary School C. Claudia Hager, General Manager, would follow up.

Directive:

- **Claudia Hager to follow up with why DPS was returning the funds for Elementary School C.**

17-0469 Budget Ordinance Amendment No. 18BCC000013 - Budget Changes Related to Capital Finance Program Dedicated Revenues, Transferring \$1,055,009 of General Fund Fund Balance to the Capital Financing Fund

No comments were made regarding this item.

17-0476 Approval of Contract for Emergency Management Situational Awareness/Incident Management Software Tool

Chair Jacobs noticed that the estimate expired on October 2017 and wondered whether there was an impact on the contract. Leslie O'Connor, Division Chief of Emergency Management, informed her that there had been discussions held with Intermedix and they were willing to keep same quotes.

17-0477 The Library Requests to Add Opening Day Collection Audiovisual Materials and Cataloging and Processing Services to the Existing Contract for Audiovisual Materials and Cataloging and Processing Services with Baker & Taylor Inc. for an Increase of \$40,000 to a Total Not to Exceed \$224,000 by June 30, 2018.

No comments were made regarding this item.

17-0478 The Library Requests to Add Opening Day Collection Books and Cataloging and Processing Services to the Existing Contract for Books and Cataloging and Processing Services with Baker & Taylor Inc. for an Increase of \$232,300 to a Total not to Exceed \$1,012,300 by June 30, 2018

No comments were made regarding this item.

17-0479 Request to Award General Construction Contract to Progressive Contracting Company, Inc. for the Durham County Detention Center Elevator Upgrade Project

Chair Jacobs asked if subcontractors were required to be MWBE certified. Shawn Swiatocha, Assistant Director General Services, confirmed that they did need to be state certified in order to be counted, the County used state certification numbers to count and track MWBE participation. She inquired as to whether the MWBE program helped those that needed to be certified in terms of supporting them through the process and/or providing information. Ms. Hager stated that the typical approach was to facilitate, encourage and advise businesses to go through to certification process.

17-0480 Budget Ordinance Amendment No. 18BCC000014 - Appropriate Restricted Funds for the Sheriff's Office, Fire Marshall, Youth Home, Public Health, and Social Services

No comments were made regarding this item.

17-0482 Approval of Non-Profit Service Contract with the Museum of Durham History

Commissioner Reckhow inquired as to why this was coming before the Board, the Board did not usually see nonprofit contracts after the approval of a nonprofit award. Mr. Cummings explained that the contract did not go through the regular nonprofit funding process. It was a separate decision made by the Board and, thus, the contract was housed in the County Manager's Office and was over the Manager's signing authority. She felt that the contract was "priming the pump" for the County to participate in a capital project at a later date. Mr. Cummings stated that the information was provided by the Museum to describe where they intended to go, but it was a clear one (1) year contract with a "not to exceed" amount. It was not the intent of staff to agree to participate in that by sharing the information that the Museum provided.

Chair Jacobs asked if the Museum was renegotiating with the City to extend their lease. Patrick Mucklow, Interim Executive Director (MODH), confirmed that there were ongoing negotiations for this purpose. She asked about the capital campaign. Mr. Mucklow clarified that this request was for operating expenses for this year, the fundraising for the capital campaign would begin after the Museum's location was determined.

Chair Jacobs and Mr. Mucklow discussed the day of free history lessons that would be offered to the public by the Museum of Durham History in conjunction with the Durham Convention and Visitors Bureau (DCVB) and the Heritage Alliance—a group of cultural organizations that met monthly. The event was planned to occur in early 2018.

17-0488 Library Contract Amendment - Matthews Specialty Vehicles for a Durham County Mobile Technology Vehicle

No comments were made regarding this item.

17-0491 Approval of Contract with ETC Institute for Third Annual Resident Survey

No comments were made regarding this item.

17-0495 Budget Ordinance Amendment 18BCC000015 - Sheriff's Office Acceptance of 2017 Homeland Security Grant Program (HSGP)

Commissioner Carter inquired whether this grant had any kind of requirements that the community would not want to agree to in order to receive the grant (e.g. some grants required undocumented immigrants for which a detainer had been issued to be held, if the city/county did not comply it risked losing its federal funding). The Sheriff's Office stated that there was not.

Chair Jacobs acknowledged the Sheriff's Office was the regional expert in bombs and she thanked them for their work in this area.

17-0498 Execution of Architectural Design Service Contract with DTW Architects and Planners, Ltd. for the EMS Station #1 Project No.: DC 132

Commissioner Reckhow noticed that this began eight (8) years ago and wondered why this took so long to be completed. Manager Davis stated that this was one of those projects that was on and off again.

17-0507 Interlocal Agreement between the County of Durham and City of Durham Regarding Reimbursement of Lost Revenue and Fees

Commissioner Reckhow commended the County Manager for being able to negotiate this with the City Manager.

Adjournment

Commissioner Carter moved, seconded by Commissioner Reckhow, that the meeting be adjourned.

The motion carried unanimously.

Respectfully submitted,



Tania De Los Santos
Administrative Assistant