



# Durham County

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

## Meeting Minutes

### Board of County Commissioners

Monday, January 22, 2018

7:00 PM

Commissioners' Chambers

### Regular Session

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

#### Agenda Adjustments

Chair Jacobs stated there were two (2) last minute items added to the agenda for the Board's consideration.

#### Announcements

Chair Jacobs read the following announcements:

- 1)The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is seeking public feedback on the proposed 2045 Metropolitan Transportation Plan (MTP) report, which will drive future policies and decision-making processes for highway, bicycle, pedestrian, and transit projects. Residents and stakeholders can now review and provide input on the proposed 2045 MTP, which shows the highway, bus transit, rail transit and other transportation projects to be implemented over the next 30 years, and presents the official demographic forecasts and regional travel model. Visit the DCHC MPO Website and provide comments directly by email by February 9. For more information, contact Andy Henry with the City of Durham Transportation Department at (919) 560-4366, ext. 36419 or by email.
- 2)It's that time of year again – flu season! As long as flu activity is ongoing, it's not too late to get vaccinated, even in January. The Centers for Disease Control and Prevention states that even if you have already gotten sick with flu this season, it is still a good idea to get a flu vaccine since it protects against three or four different viruses (depending on which flu vaccine you get). Everyone 6 months of age and older should get a flu vaccine every season. An annual flu vaccine is the best way to protect you and your loved ones against this potentially serious disease. Contact the Durham County Department of Public Health Immunization Clinic at 919-560-7608 for more information.

- 3)Join us for the CONNECTING TO OPPORTUNITY SUMMIT sponsored by GoTriangle, Triangle J Council of Governments, and Gateway Planning. This summit will be a day of learning and discussion with local and national experts. The event will be held Tuesday, February 6, 2018 from 9:00 am – 5:00pm at the Durham Performing Arts Center (DPAC), 123 Vivian Street. Please register by today, or contact Aspen Romeyn, Triangle J at 919-558-9319 for more information.
- 4)Durham City Council, County Commissioners, and Board of Education will host a series of community conversations. The first topic, “Public Safety” will be discussed on Saturday, January 27<sup>th</sup> at the Durham Convention Center, 301 W. Morgan Street from 10:00 am-12:00 noon. “Affordable Housing, Transportation & Human Services” will be addressed on Tuesday, January 30<sup>th</sup> at 7:00 pm at the Durham County Human Services Complex, 400 E Main Street. “Education and Economic Development” will be discussed on Tuesday, February 6<sup>th</sup> at 7:00 pm, at Brogden Middle School 1001 Leon Street.
- 5)The SummerWork Youth Job Expo has been rescheduled to Wednesday, January 31<sup>st</sup> at Hillside High School from 3:00-5:00 pm. Youth and young adults ages 14-24 can find summer jobs, internships, and other work-based learning opportunities. Learn tips and techniques for successfully applying for jobs and internships. Register to attend at [bit.ly/SummerWorkYouth2018](http://bit.ly/SummerWorkYouth2018) (URL is case-sensitive).
- 6)Please note the date change - The next regularly scheduled meeting of the Board of County Commissioners will be Thursday, February 8<sup>th</sup> at 9:00 am. The Board will **not** meet on Monday, February 5<sup>th</sup>.
- 7)These announcements may also be found on the County’s website or you may call the Clerk’s Office at 919-560-0025.
- 8)Commissioner Reckhow announced the rescheduled date for the Early Childhood Community Forum would be Saturday, March 10, 2018. She stated additional details were being finalized and would be forthcoming.
- 9)Chair Jacobs asked Wendell Davis, County Manager, if there was an update on the 31 Mentors in 31 Days Program. Manager Davis stated staff was working to reschedule that date.

## **Minutes**

Commissioner Reckhow moved, seconded by Commissioner Howerton to approve the January 8, 2018 Regular Session minutes.

The motion carried unanimously.

## **Ceremonial Items**

### **Recognize the Durham Soil and Water District for Receiving the Conservation Technical District of the Year for North Carolina**

Bryan Evans, Executive Director, North Carolina Association of Soil and Water Conservation Districts, provided background information on the recognition, stated the claim that North Carolina was the first in Conservation and recognized Durham County with the Conservation Technical District of the Year

Award.

Talmage Layton, Chairman of the Durham Soil and Water Conservation District and Eddie Culberson, Director of Soil and Water, thanked the Association for the award, the Board for their support and the staff for all their hard work.

Chair Jacobs congratulated the staff and the Soil and Water Board. She stated she was proud of the innovative work that reached numerous people in the community.

Commissioner Reckhow thanked the board and stated it was well deserved. She added the Soil and Water Board hosted an annual tour to showcase special projects and an annual celebration where work of students was celebrated.

Commissioner Howerton recalled her work while on the Soil and Water Board and thanked them for all their hard work.

Commissioner Carter stated she was very impressed with the board and all the efforts made in the community.

**Resolution - Opposing a Change from the Election of Judges to the Selection of Judges**

Chair Jacobs read the following resolution:

**OPPOSING A CHANGE FROM THE ELECTION OF JUDGES TO THE SELECTION OF JUDGES**

**WHEREAS**, the North Carolina State Constitution ("Constitution") established three branches of government: Executive, Legislative and Judicial; and

**WHEREAS**, the Constitution also established the roles and responsibilities of each of the branches of government and how individuals seeking to serve in those branches would be elected; and

**WHEREAS**, the General Assembly is currently debating the merits of amending the Constitution to allow the appointment of judges instead of the historical method of electing judges by a vote of the people; and

**WHEREAS**, the Durham Board of County Commissioners ("Board") believes that judges should continue to be elected by the voters and not selected by some other process that may be established by the Legislative Branch; and

**WHEREAS**, the Durham County Board of Commissioners supports maintaining our current Judicial District System. We oppose Durham being divided into sub-districts. We believe the current system has worked well and that all Durham citizens should be able to vote for all of their District Court Judges; and

**WHEREAS**, at its regular meeting on January 22, 2018 the Board voted unanimously to send this resolution to its local legislative delegation and the boards of county commissioners of all 100 North Carolina counties; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Durham Board of County Commissioners opposes any amendment to the North Carolina Constitution that would change the right of the people of North Carolina to elect their judges, which ensures an independent judiciary, as now provided in this State's Constitution.

This the 22<sup>nd</sup> day of January, 2018.

\_\_\_\_\_  
Wendy Jacobs, Chair

\_\_\_\_\_  
James Hill, Vice Chair

\_\_\_\_\_  
Heidi Carter

\_\_\_\_\_  
Brenda A. Howerton

Commissioner Reckhow recommended the following changes:

*“WHEREAS, the General Assembly is currently debating the merits of amending the Constitution to allow the selection of judges instead of the historical method of electing judges by a vote of the people; and.”* Change selection to appointment.

*“WHEREAS, the Durham County Board of Commissioners supports maintaining our current Judicial District System. We oppose Durham being divided into sub-districts. We believe the current system has worked well and that all Durham citizens should be able to vote for all of their District Court Judges; and.”* Change support to supports.

*“NOW, THEREFORE, BE IT RESOLVED, that the Durham Board of County Commissioners opposes any amendment to the North Carolina Constitution that would change the right of the people of North Carolina to elect their judges, which insures an independent judiciary, as now provided in this State's Constitution.”* Change insures to ensures.

Vice Chair Hill asked that the middle initial (A) be removed from his signature line.

Chair Jacobs asked if any other changes needed to be made. Hearing none, she asked for approval of the resolution.

Commissioner Reckhow moved, seconded by Commissioner Carter to approve the resolution with the amended changes.

The motion carried unanimously.

**Directive: Chair Jacobs asked the Clerk to send the approved resolution to the delegation and other counties across the State.**

### **Resolution - Draft Durham County NACo Resolution**

Chair Jacobs stated the resolution was in relation to federal funding and the expansion of affordable housing with a deadline of February 3, 2018.

Commissioner Howerton asked that the item be moved to the end of the agenda so all Board members would have time to review the document.

### **Consent Agenda**

Chair Jacobs asked the Board if they requested to comment or pull any items from the Consent Agenda. Hearing none, she entertained a motion for approval.

Commissioner Reckhow moved, seconded by Commissioner Carter to approve the following items on the Consent Agenda.

The motion carried unanimously.

Chair Jacobs inquired about the contract for SAP and asked if there a limit on the support services. Claudia Hager, General Manager, responded the contract was limited at \$72,000 which included support services.

18-0598 Approval of Contract with Phoenix Business Consulting, Inc. in the Amount of \$71,080 for Specialized on-demand Contracting Services to Support the Ongoing Operation of the SAP Enterprise Resource Planning System

18-0592 Extension of the 2018 Listing Period for Business Personal Property

18-0593 Appointments to the Criminal Justice Advisory Committee

\*18-0606 Property Tax Releases and Refunds for December 2017

\*18-0608 Property Tax Releases and Refunds for November 2017

18-0614 Appointment - Workforce Development Board

18-0618 Contract with Smith Moore Leatherwood, LLP

Consent Agenda Item #18-0606

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 December 2017.

December 2017 Releases and Refunds

Releases & Refunds for 2017 Taxes

Real Property	\$ 179,867.47
Personal Property	\$ 119,837.30
Solid Waste Fees	\$ 158.81
VTS Refunds	\$ <u>11,357.01</u>
Total	\$ 311,220.59

Releases & Refunds for Prior Years

2015----2016

Personal Property	\$ 928.19
Real Property	\$ <u>71,252.14</u>
Total	\$ 72,180.33

Grand Total \$ 383,400.92

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Consent Agenda Item #18-0608

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 November 2017.

November 2017 Releases and Refunds

Releases & Refunds for 2017 Taxes

Real Property	\$ 13,809.78
Personal Property	\$ 2,593.86

Solid Waste Fees	\$ 0.00
VTS Refunds	\$ <u>20,110.84</u>
Total	\$ 36,514.48

Releases & Refunds for Prior Years  
2012----2016

Personal Property	\$ 7,657.62
Real Property	\$ <u>10,585.59</u>
Total	\$ 18,243.21
Grand Total	\$ 54,757.69

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**Public Hearings**

**Public Hearing to Consider Allocating Economic Development Investment Funds to Corning, Incorporated**

Jay Gibson, General Manager, stated the Board was requested to hold a public hearing to consider allocating a total of up to \$2,7000,000 in Economic Development Investment funds over a period of seven (7) years to Corning, Incorporated. He added Corning wished to expand into the area to provide capital investment and hire over 317 people of which 269 would be hired in the manufacturing and logistics departments. Mr. Gibson continued to say the pay to employees would be at or above the living wage scale for the Durham area.

Chair Jacobs opened the public hearing.

Ted Conner, Vice President of Economic Development and Community Sustainability, Durham Chamber of Commerce, thanked the Board in advance for its support and expressed his excitement on Corning, Inc. coming into the area.

Commissioner Howerton asked what type of jobs would be offered. Mike Whipple, Director of Capacity and Program Management, stated skilled and unskilled machine operator positions would be available.

Commissioner Reckhow inquired about the type of skills needed for those positions and asked if someone directly from high school could be employed. Mr. Whipple responded there would not be any advanced degrees required for the machine operator positions. Commissioner Reckhow mentioned she served on the Durham Technical Community College (DTCC) Board of Directors and would be available to assist where needed. She expressed her excitement with Corning, Inc. coming into the area and stated she would be pleased if there was a significant number of Durham County residents hired. Commissioner Reckhow suggested a job fair and possibly working with the Workforce Development Board and the Durham Public School System to help prepare adults and our youth for upcoming positions.

Commissioner Carter asked if it was possible to see an official plan of the Durham workforce. Commissioner Reckhow interjected that this was something never done before; however, the companies were urged to work closely with the Board to make sure Durham was a part of the hiring workforce.

Commissioner Howerton stated she would like to make sure community citizens are invited to

participate so that they could get to know the constituents and the job opportunities that would become available.

Commissioner Carter asked if Corning, Inc. was expanding and constructing new square footage. Mr. Whipple responded yes. Commissioner Carter inquired about other Durham based businesses being used for the construction. Mr. Whipple stated Corning, Inc. was determined to become a part of the community. He added that O'Brien Atkins Associates, which is a local company was being used for the architecture of the building and the construction company was based in Charlotte but held local offices in the area.

Chair Jacobs stated this was exciting and the County was thrilled to have Corning, Inc. grow and expand in the area. She asked the representative from DTCC to share ways on partnering with Corning, Inc.

Beth Payne, Dean for Corporate Services at DTCC, stated the college was willing to partner with Corning, Inc. through NC Works to customize a training program. She added DTCC would help identify good pipeline programs and apprenticeship opportunities.

Commissioner Reckhow asked if the Durham Chamber had begun the process of moving forward with the Work Ready Community Initiative. She explained that a team needed to be assembled and the process should already be put together. Geoff Durham, Durham Chamber, responded a team had been assembled.

Commissioner Carter asked if there was a reporting mechanism being used. Mr. Gibson responded yes. He added the County would get with the client following the approval and finalize an agreement which would include targets, state requirements and additional language pertaining to fees and schedules.

Chair Jacobs asked Manager Davis if a copy of the contract would be available for the Board to review. Manager Davis responded a contract would not be available but a follow-up would be provided on how well the company was doing on meeting the objectives on the incentive. Chair Jacobs mentioned in the past, there were written agreements that the Board would approve once the contract was finalized. Manager Davis stated there were files created with the incentives included; however, in the past the Board did not receive a copy. Chair Jacobs asked Willie Darby, Senior Assistant County Attorney, to provide clarification. Attorney Darby responded the Board was allowed to approve the contract once it was negotiated. Chair Jacobs asked if the contract was negotiated. Attorney Darby responded no, not at this time.

Chair Jacobs closed the public hearing and asked the Board to entertain a motion.

Commissioner Howerton moved, seconded by Commissioner Reckhow to approve the proposed total of up \$2,700,000 in incentives for Corning, Inc.

The motion carried unanimously.

**Directive: Commissioner Carter stated she would like to see a formalized work plan in the future and also asked if it was an item that could be added to the Economic Incentive Plan. Commissioner Reckhow suggested this topic be added to the retreat so more conversation could take place.**

**Public Hearing to Consider Allocating Economic Development Investment Funds to Braeburn Pharmaceuticals, Incorporated**

Jay Gibson, General Manager, stated the Board was requested to hold a public hearing to consider allocating a total of \$50,000 in Economic Development Investment funds to Braeburn Pharmaceuticals, Incorporated utilizing funds provided as a donation to Durham County by Longfellow Real Estate Partners via the Chamber of Commerce.

Chair Jacobs opened the public hearing.

Ted Conner, Vice President of Economic Development and Community Sustainability, Durham Chamber of Commerce, provided additional background information on the types of products/services offered by Braeburn. He hoped the item would be approved by the Board so they could move forward.

Vice Chair Hill asked if there was any Durham tax money being spent on this item. Mr. Conner responded no. Vice Chair Hill added after doing research, he noticed there were no people of color or women/minorities on the Braeburn, Inc. Board of Directors. He added he would like to see them in Durham, but there were concerns with regard to their Board of Directors.

Chair Jacobs stated this was a great opportunity for additional jobs and increased wages for the citizens in the community. She added it was a donation being passed through the County and welcomed all other donations in this matter as well.

Chair Jacobs closed the public hearing and entertained a motion.

Commissioner Reckhow moved, seconded by Commissioner Howerton to approve the proposed total of up to \$50,000 in incentives for Braeburn.

The motion carried unanimously.

## **Board and Commission Appointments**

Chair Jacobs requested to delay the vote for the Women's Commission to the February 8, 2018 Worksession meeting. She added the applicants were added at the later, and there was not sufficient time to review the information.

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 identified with an (i). Individuals who are recommended by a Board are underlined.) Individuals listed in bold print were appointed.

### Adult Care Home Community Advisory Committee

**Christopher Fisher** (Carter, Hill, Howerton, Jacobs, Reckhow)

**Christopher Jones** (Carter, Hill, Howerton, Jacobs, Reckhow)

**Jennifer Melvin Pifer** (Carter, Hill, Howerton, Jacobs, Reckhow)

**Kimberly Robertson** (Carter, Hill, Howerton, Jacobs, Reckhow)

### GoTriangle Citizen Advisory Committee

**Philip Azar** (Carter, Hill, Howerton, Jacobs, Reckhow)

**Edward C. Harrison** (Carter, Hill, Howerton, Jacobs, Reckhow)

**Nicolas Norboge** (Carter, Hill, Howerton, Jacobs, Reckhow)



**Jacobs Rogers** (Carter, Hill, Howerton, Jacobs, Reckhow)  
**Monique Velasquez** (Carter, Hill, Howerton, Jacobs, Reckhow)

Historic Preservation Commission

**Matt Bouchard** (Carter, Hill, Jacobs)  
Ricky Hart (Howerton)  
Anthony Reevy (Reckhow)

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Chair Jacobs provided an update on the *Draft Durham County NACo Resolution*. She asked the Board to review it for any necessary changes needed before it was presented to the Association.

Commissioner Reckhow suggested the resolution move forward without the approval of the Board. She added she was not familiar with the background and the resolution was something that should be discussed with the appropriate NACo committee and sub-committee.

Chair Jacobs stated she wanted to make sure the Board was informed and she would move the draft resolution forward.

**Adjournment**

Vice Chair Hill moved, seconded by Commissioner Carter to adjourn the Regular Session meeting.

The motion carried unanimously.

Respectfully Submitted,



Monica W. Toomer  
Deputy Clerk to the Board.