

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

Monday, February 10, 2020

7:00 P.M. Regular Session

MINUTES

Place: Commissioners' Chambers, Second Floor, Durham County Government Administrative Complex, 200 East Main Street, Durham, North Carolina

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

Presider: Chair Wendy Jacobs

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Jacobs announced that there were no agenda adjustments.

Announcements

Chair Jacobs read the following announcements:

1. Voting Information for the March 3, 2020 Primary Election is a follow:

- Photo ID is **NOT** required for the 2020 Primary Election
- Absentees-by-mail voting request deadline is **February 25th** and they must be returned to the Board of Elections by **Tuesday, March 3rd**
- Early voting for the primary election begins **Thursday, February 13th** and ends **Saturday, February 29th**.

For full details on early voting and other important information, please visit www.dcovotes.com

- 2. Durham Planning Academy Seeks Spring 2020 Applicants** – Have you ever wondered what zoning can and cannot do or questioned how things get built in Durham? If you've answered yes, then you should apply for the next Durham Planning Academy.

The **FREE** interactive four-week course begins Thursday, March 26, 2020 with participants meeting every Thursday for four weeks. Online applications are now being accepted until Sunday, March 1, 2020.

To apply, please visit www.durhamnc.gov/3174/Planning-Academy and for additional questions, please contact Kayla Seibel, Senior Planner at 919-560-4137 ext. 28271 or by email kayla.seibel@durhamnc.gov

- 3. The Durham County Juvenile Crime Prevention Council (JCPC) is requesting proposals for fiscal year 2020-2021** – The JCPC anticipates funds from the NC Department of Public Safety (DPS) in the amount of \$701,101 to fund programs that will serve delinquent and at-risk youth. The application deadline is March 31, 2020. Additional information can be found on the Criminal Justice Resource Center’s website: www.dconnc.gov/government/departments-a-e/criminal-justice-resource-center/youth-services/jcpc.

For interested organizations, informational meetings are scheduled for Tuesday, March 10, 2020 and Tuesday, March 17, 2020 from 1:00 p.m. to 2:30 p.m. at the Criminal Justice Resource Center located at 326 East Main Street.

- 4. Tax Assistance Offered at VITA Sites** – The Volunteer Income Tax Assistance (VITA) program offers free tax help to people who make \$56,000 or less, persons with disabilities and limited English-speaking taxpayers. In addition to VITA, the Tax Counseling for the Elderly (TCE) program offers free tax assistance to individuals 60 years of age or older, specializing in questions about pensions and retirement.

To locate a VITA or TCE Site near you, please visit www.irs.treasury.gov/freetaxprep or call 888-227-7669.

- 5. 2020 Golden Leaf Awards Nominations are Now Being Accepted** – Do you know of a Durham property that’s outstanding for its design, preservation, curb appeal, or stewardship of the natural and built environment? Nominate it now for the 2020 Golden Leaf Awards.

Nominations can be submitted at <https://durhamappearance.com/entry-form> and are due by 5:00 p.m. on Tuesday, March 13th. For additional information please contact Senior Planner Kayla Seibal at 919-560-4731 ext. 28271 or by email at kayla.seibel@durhamnc.gov.

Commissioner Reckhow stated residents could register to vote and vote during the early voting period. Chair Jacobs added residents should be aware of poll location changes between early voting and election day precincts.

Minutes

Commissioner Reckhow moved, seconded by Commissioner Howerton to approve the January 27, 2020 Regular Session minutes.

The motion carried unanimously.

Consent Agenda

Chair Jacobs asked the Board if they requested to pull or comment on any items on the Consent Agenda.

Commissioner Reckhow had a comment on 20-0045, Commissioner Howerton had a comment on item 20-0065 and Chair Jacobs had a comment on items 20-0059 and 20-0066. Chair Jacobs had questions on items 20-0056 and 20-0049.

- Item 20-0045 – Commissioner Reckhow thanked the Durham Open Space and Trails Commission for the four projects approved for the Durham County Matching Grants Program totaling \$76,700.
- Item 20-0065 – Commissioner Howerton thanked staff for their research and commitment to opening a new Durham County Youth Home. Chair Jacobs asked if the design of the youth home accommodated transgender youth. Angela Nunn, Youth Home Director responded the youth home was designed for the safety of all youth.
- Item 20-0059 – Chair Jacobs highlighted the amendment to the Durham Transit Tax Annual Work Plan was for an increase in funding to construct 10 bus stops and amenities for all 50 bus stops.
- Item 20-0066 – Chair Jacobs thanked Andrew Miracle, Economic Development Officer for revisions to effectuate the Economic Development Incentive Policy.
- Item 20-0049 – Chair Jacobs inquired about how closing projects and moving bonds funds for Durham Public Schools (DPS) would impact the funds allocated for Northern High School and Elementary School “C”. Keith Lane, Director of Budget and Management replied closing seven DPS Capital Projects and moving funds to multiple new Capital Projects would not fundamentally change any funding for Northern High School and Elementary School “C”.
- Item 19-0056 – Chair Jacobs asked why the new Interlocal Agreements for the Durham Sports Commission were not on the February 3, 2020 Work Session agenda. Drew Cummings, Chief of Staff responded the new Interlocal Agreements were not completed in time to be added to the Work Session but was time sensitive with the current Interlocal Agreement expiring.

Chair Jacobs stated citizens requested to pull items 20-0032, 20-0037, 20-0042 and 20-0066.

Hearing no additional comments, Chair Jacobs entertained a motion to approve all items except 20-0032, 20-0037, 20-0042, and 20-0066.

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

The motion carried unanimously.

*20-0034 Budget Ordinance Amendment No. 20BOCC000042 Appropriation of \$79,000 of Fund Balance from the General Fund and the Transfer of the funds to the City of Durham and Approval of an Interlocal Agreement with City of Durham for the Continuation of Street Outreach for the Homeless.

*20-0035 Budget Ordinance Amendment No. 20BCC000043 to Appropriate \$147,253 of Fund Balance in the General Fund to Purchase (A) New Chemistry Analyzer, (B) Tube Transport System Replacement, (C) Replace Two Laboratory Refrigerators, (D) On-Site Staff Licenses and (E) Veteran Services Vehicle.

*20-0036 Budget Ordinance Amendment on 20BCC000044 to Create One FTE Sr. Public Health Nurse Grant Funded Position at \$95,965 in the Durham Count Department of Public Health Family Planning

Program.

20-0038 Contract Amendment Increase The Select Group Contract \$62,640.00 for a total of \$108,808.00.

*20-0041 Budget Ordinance Amendment No. 20BCC000046 to Create one Full FTE County Funded Dental Van Driver Position in the Durham County Department of Public Health Dental Division at \$38,738 of transferred funding from contracted services.

20-0045 Durham County Matching Grants Program – Approval of FY19-20 Grant Cycle.

*20-0047 Capital Project Amendment No. 20CPA000019 – Reducing the IT&S FY20 CIP IT Hardware Replacement Capital Project (42001910DC120) by \$887,245.00 and increasing the Audio-Visual Tech. Life Capital Project No. 42001910DC107 by \$403,245.00 and increasing the 16 Telecommunication Capital Project No. 42001910DC104 by \$484,000.00.

*20-0049 Capital Project Amendment No. 20CPA000020 Moving 2016 General Obligation Bond Funds Between Multiple Durham Public School Capital Projects and Closing Seven Bond Funded Capital Projects and Creating Six New Capital Projects.

*20-0050 Capital Project Amendment No. 20CPA000021 to Amend the Alliance Behavioral Backfill Project by \$500,000 with a Funding Source of Pay-As-You-Go Capital Project Fund as well as the Execution of the Construction Contract for the Alliance Behavioral Healthcare Backfill Renovation Project No.: 473DC143.

20-0055 Extension of Contract with Nehemiah Christian Center for Day Center Activities.

20-0056 Approval of New Interlocal Agreements for Durham Sports Commission.

20-0059 Durham Transit Plan ILA Material Change for GoDurham Bus Stops.

20-0067 Agreement Amendment to Extend North Carolina Biotechnology Award Passthrough to Aurobindo By Three Years.

Consent Agenda Item #20-0034

**Durham County, North Carolina
2019-2020 Budget Ordinance
Amendment Number 20BCC000042**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2019-2020 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 Services	\$31,489,313	\$79,000	\$31,568,313

Expenditures:

Function
GENERAL FUND

Human Services \$85,058,179 \$79,000 \$85,137,179

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

Approved February 10, 2020

Consent Agenda Item #20-0035

**Durham County, North Carolina
2019-2020 Budget Ordinance
Amendment Number 20BCC000043**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2019-2020 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 Services	\$31,782,391	\$147,253	\$31,929,644

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
General Government	\$129,198,235	\$32,955	\$129,231,190
Human Services	\$85,137,179	\$114,298	\$85,251,477

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

Approved February 10, 2020

Consent Agenda Item #20-0036

**Durham County, North Carolina
2019-2020 Budget Ordinance
Amendment Number 20BCC000044**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2019-2020 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	\$45,171,852	\$95,965	\$45,267,817

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$85,251,477	\$95,965	\$85,347,442

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

Approved February 10, 2020

Consent Agenda Item #20-0041

**Durham County, North Carolina
2019-2020 Budget Ordinance
Amendment Number 20BCC000046**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2019-2020 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>			

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services (Personnel)	\$0	\$37,964	\$37,964
Human Services (Cont. Services)	\$85,467,195	(\$37,964)	\$85,429,231
Total	\$85,467,195	\$0	\$85,467,195

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

Approved February 10, 2020

Consent Agenda Item #20-0047

**DURHAM COUNTY, NORTH CAROLINA
2019-20 Capital Project Ordinance
Amendment Number 20CPA000019**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY2019-20 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/Decrease	Revised Budget	Revised Budget
FY20 CIP IT Hardware (42001910DC120-20)	\$3,016,944.00	(\$887,245.00)	\$2,129,699.00	Amending
FY20 Audio-Visual Tech. Life (42001910DC136-Audio-Visual)	\$0.00	\$403,245.00	\$403,245.00	New
FY20 Telecommunication (42001910DC137)	\$0.00	\$484,00.00	\$484,00.00	New
Totals	\$3,016,944.00	\$0.00	\$3,016,944.00	

Adopted this the 10th day of February 2020.

**DURHAM COUNTY, NORTH CAROLINA
2019-20 Capital Project Ordinance
Amendment Number 20CPA000020**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY2019-20 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/ Decrease	Revised Budget	Project Status
16 GO Bond – Boiler and Chiller Replacements (SH267)	\$2,543,750.00	(\$202,329.73)	\$2,341,420.27	Closing
16 GO Bond – Camera Upgrades (SH269)	\$1,098,750.00	(\$106,310.75)	\$992,439.25	Closing
16 GO Bond – Holt Roof Replacement (SH257)	\$625,000.00	(\$66,497.97)	\$558,502.03	Closing
16 GO Bond – Pearsontown Renovations (SH243)	\$1,062,500.00	(\$128.46)	\$1,062,371.54	Closing
16 GO Bond – School for Creative Studies Renovations (SH251)	\$511,466.94	(\$24,244.95)	\$487,221.99	Closing
16 GO Bond – Staff Development Roof Replacements (SH265)	\$360,500.00	(\$27,393.62)	\$333,106.38	Closing
16 GO Bond – Watts Roof Replacement (SH261)	\$375,000.00	(\$126,739.29)	\$248,260.71	Closing
16 GO Bond – Northern High School Replacement (SH239)	\$51,307,341.10	(\$3,165,893.23)	\$48,141,447.89	Amending
16 GO Bond – Security Vestibules (SH268)	\$2,682,250.00	\$328,576.00	\$3,010,826.00	Amending
16 GO Bond – Parkwood Quad Modular Unit (SH283)	\$0.00	\$1,000,000.00	\$1,000,000.00	New
16 GO Bond – Lowe's Grove Structural Remediation to Exterior Brick Veneer (SH284)	\$0.00	\$1,008,000.00	\$1,008,000.00	New
16 GO Bond – Structural Analysis Various Schools (SH285)	\$0.00	\$261,158.00	\$261,158.00	New
16 GO Bond – Durham School of the Arts Boiler Replacement (SH286)	\$0.00	\$621,645.00	\$621,645.00	New
16 GO Bond – Brogden Boiler Replacement (SH287)	\$0.00	\$311,000.00	\$311,000.00	New
16 GO Bond – Easley Boiler Replacement (SH288)	\$0.00	\$189,159.00	\$189,159.00	New
Totals	\$60,566,558.04	\$0.00	\$60,566,558.04	

Adopted this the 10th day of February 2020.

**DURHAM COUNTY, NORTH CAROLINA
2019-20 Capital Project Ordinance
Amendment Number 20CPA000021**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY2019-20 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/ Decrease	Revised Budget
Alliance Backfill Renovation Project (4730DC145)	\$1,067,400.00	\$500,000.00	\$1,567,400.00
Total	\$1,067,400.00	\$500,000.00	\$1,567,400.00

Adopted this the 10th day of February 2020.

Public Hearings

Public Hearing to Consider Allocating Economic Development Funds to Eli Lilly and Company

Andy Miracle, Economic Development Officer explained the Board was requested to hold a public hearing to consider allocating a total of \$2,550,000 in Economic Development funds to Eli Lilly and Company and authorize the Manager to enter into preliminary negotiations and execute an agreement with the Company. Eli Lilly and Company, a global healthcare and biopharmaceutical company, would build a new state-of-the-art pharmaceutical manufacturing facility in Durham County to help produce and develop medicines for people with serious illnesses; creating 462 jobs and investing \$440 million.

Chair Jacobs opened the public hearing.

Bryan Fox, Vice President of Public Policy, Greater Durham Chamber of Commerce expressed his excitement for Eli Lilly and Company to join the Durham community as a diverse employer, purchaser, major investor and corporate citizen.

C.J. Broderick, citizen expressed concern with Durham County having inclusive and equitable economic development. He added in two to five years employees working for Eli Lilly and Company would start to buy homes in Durham and displace current residents. Mr. Broderick asked was there a plan for the displaced residents in the area. Chair Jacobs asked Mr. Broderick to review the Economic Development Policy suggesting his participation and present it to the Board at a Budget Work Session.

Chair Jacobs closed the public hearing.

The Board thanked Eli Lilly and Company for following the draft Economic Development Policy and commended staff for the policy. The Board recommended promoting transportation management by having provisions to promote flex time, along with car and van pooling. The board asked how much the State committed to Eli Lilly and Company. Mr. Miracle responded \$5 million.

The Board stated Eli Lilly and Company was the first Fortune 200 company in Durham County. They highlighted the foundation was the second largest in the United States; also highlighting their Early Childhood investment stated and more than half of the 462 jobs would only require an associate degree or certification and pay \$50,000 or above.

Commissioner Reckhow moved, seconded by Commissioner Carter for County Manager Davis to enter into preliminary negotiations and execute an agreement allocating a total of \$2,550,000 in Economic funds to Eli Lilly and Company.

The motion carried unanimously

Directive: Commissioner Reckhow requested the County Manager Davis compose a letter to the Environmental Affairs Board (EAB) to review questions and issues for 300 and 500 Main Street. She requested the EAB to review policy changes, infrastructure changes, work schedules and other communities for best practices and provide report to Board.

Other Business

20-0053 Follow-Up on Commissioner Directives

Directives from previous meetings and staff follow-up were reviewed by the Board.

Directives:

- **Peri Manns, Interim General Manager was asked to follow up with a previous directive the Board issued regarding parking options for 300 and 500 East Main Street. The Board requested Mr. Manns to have staff provide an update at the March 2, 2020 Work Session on the Transportation Demand Management and staff parking assessment.**
- **Commissioner Reckhow requested a report on the total amount spent on the discharged Engage Durham Consultant.**
- **County Manger Wendell Davis was asked to provide the Board with updates on the Sales Tax Interlocal Agreement.**

20-0058 Resolution – Triangle Trails Initiative

Commissioner Reckhow stated she along with Chair Jacobs, County Manager Wendell Davis and Jane Korest, Open Space/Real Estate Manager had a meeting with Chuck Flank, President of Greenways Incorporated and Sig Hutchinson, Wake County Commissioner to discuss information about the Triangle Trails Initiative and how to include Durham County in the multi-county regional greenways and trails strategy. She added the initiative raised private funds and not public funds to complete the plan. Commissioner Reckhow stated the greenways and trails could be used for transportation and not just recreation for an economic boost and health. Chair Jacobs stated the trails could be one way to address change and congestion on the roads and recommended adding the following whereas to the resolution:

“Whereas, bike and pedestrian paths are necessary means for transportation to work and not just for recreation.”

Commissioner Reckhow recommended to have the Triangle Trails Initiative work with Durham Open Space and Trails, Bicycle Pedestrian Advisory Committee, Bike Durham and public meetings. Commissioner Carter asked if the County would follow the blueprint for equitable engagement. Commissioner Reckhow responded it was not discussed but was a great point. Commissioner Howerton asked which County was designated as being responsible for the initiative. Commissioner Reckhow replied each County was responsible for their own greenways and trails. Commissioner Howerton expressed her concern regarding the essence of the initiative adding she was uncomfortable with voting in favor of the resolution.

Commissioner Carter moved, seconded by Commissioner Reckhow to approve the Triangle Trails Initiative Resolution with the addition of:

“Whereas, bike and pedestrian paths are necessary means for transportation to work and not just for recreation.”

The motion carried 4-1 with the following vote:
Ayes: Carter, Hill, Jacobs, Reckhow
Nays: Howerton

Items Pulled from the Consent Agenda

20-0032 Execution of a Contract with Bordeaux Construction Company for the Pre-Construction Services for the New Durham County Youth Home.

Waldo Fenner, citizen stated he was thankful to hear a new youth home was being built, although he thought it was overdue and should have been built earlier. Commissioner Howerton explained that the delay was due to the County planning for funding and resources for the project. Vice Chair Hill interjected that the State was initially responsible, however the County took leadership with funding the project.

***20-0037 Budget Ordinance Amendment No. 20BCC000045 to Create One Full-Time FTE County Funded Physician Extender Position using \$119,753 of transferred funding from contracted services.**

Waldo Fenner, citizen stated the County spent money adding a physician and not a dentist. He stressed the importance of an additional dentist position at the Lincoln Community Center.

Consent Agenda Item #20-0037

**Durham County, North Carolina
2019-2020 Budget Ordinance
Amendment Number 20BCC000045**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2019-2020 budget ordinance is hereby amended to reflect budget adjustments.

<u>Revenue:</u>			
<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditures:</u>			
<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services (Personnel)	\$0	\$119,753	\$119,753
Human Services (Cont. Services)	\$85,347,442	(\$119,753)	\$85,227,689
Total	\$85,347,442	\$0	\$85,347,442

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

Approved February 10, 2020

20-0042 Amendment to the Public Art Agreement with Volkan Alkanoglu for the Fabrication/Installation of the Public Art at the Main Library Renovation Project No.: DC094

James Chavis, citizen expressed his concern regarding rumors in the community about removing Urban Ministries. Chair Jacobs responded the County had no plans to remove Urban Ministries and recently devoted \$56,000 to the renovation of the café. Drew Cummings added the County’s total annual funding for Urban Ministries was \$352,000.

20-0066 Resolution to Approve Amended Economic Development Incentive Policy

C.J. Broderick, President of the Greater Durham Black Chamber of Commerce stated he submitted a proposal to receive funding from the County; however, he did not receive any funds. He added inclusive and equitable economic development was not being offered to minorities and smaller businesses.

Commissioner Carter moved, seconded by Vice Chair Hill to approve items 20-0032, 20-0037, 20-0042 and 20-0066 on the Consent Agenda.

The motion carried unanimously.

Closed Session

Chair Jacobs stated the board was requested to adjourn to Closed Session to discuss matters relating to the location and expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to G.S. 143-318.11(a)(4).

Commissioner Carter moved, seconded by Commissioner Reckhow to adjourn into the Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Chair Jacobs announced the Board met in Closed Session and provided direction to staff.

Adjournment

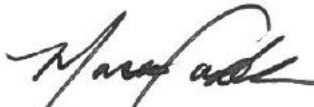
Vice Chair Hill requested an excused absence for the Work Session on March 2, 2020.

Commissioner Carter moved, seconded by Reckhow to grant Vice Chair Hill an excused absence for the Work Session on March 2, 2020.

Commissioner Reckhow moved, seconded by Vice-Chair Hill to adjourn the Regular Session meeting at 9:06 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Macio Carlton", written in a cursive style.

Macio Carlton
Deputy Clerk to the Board