

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

Monday, January 6, 2014

9:00 A.M. Worksession

MINUTES

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

Present: Chairman Michael D. Page, Vice Chair Brenda A. Howerton and Commissioners Fred Foster, Jr. and Ellen Reckhow

Absent: Commissioner Wendy Jacobs

Chairman Page noted that Commissioner Jacobs was absent due to travel and asked for a motion to excuse her from this meeting.

Commissioner Reckhow moved, seconded by Commissioner Foster to suspend the rules to excuse Commissioner Wendy Jacobs.

The motion carried unanimously.

Commissioner Reckhow moved, seconded by Commissioner Foster to excuse Commissioner Jacobs from the meeting.

The motion carried unanimously.

Chairman Page asked for a moment of silence for Commissioner Jacobs who lost her mother during the holidays.

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.

Mr. John Mininger thanked the Commissioners for their part in rebuilding the bridge on Hill Forest Road in Rougemont. Mr. Mininger also expressed his happiness with the Rougemont water system; however he wanted to ensure the boundary was the required 250 feet from the center of contamination. Mr. Drew Cummings, Assistant County Manager, confirmed the border was at the required 250 feet.

Durham Convention and Visitors Bureau Update

Ms. Shelly Green, President of the Durham Convention and Visitors Bureau (DCVB) shared a presentation of previous activities of DCVB and the upcoming three-year marketing plan. She discussed the primary purpose and mentioned that DCVB was not funded by tax dollars, but by visitors to Durham. Ms. Green highlighted Durham being named the “Tastiest Town in the South” and the increased attendance of group services which provided 548 groups meeting in Durham. Ms. Green stated DCVB provided visitor services through Way Finders adding that Way Finders had over 2500 volunteers who provided over 60,000 hours for events. Ms. Green discussed the three-year strategic blueprint marketing for Durham; stating the purpose was to maximize revenue. She also mentioned accreditation highlights of DCVB which included being an accredited Destination Marketing Organization as well as receiving 12 exemplary citations for their work.

Commissioner Reckhow commended the DCVB for the Way Finders program and thanked Ms. Green for starting that program.

Chairman Foster also commended Ms. Green for her presentation and encouraged her to stay around for the sports presentation.

Crime Lab Update

Mr. Lee Worsley, Deputy County Manager, shared a Crime Lab Report presentation. He discussed the purpose of the lab and provided three options for the Board to consider. Mr. Worsley stated the State Bureau of Investigations (SBI) was behind on analyzing samples which increased the wait time of pending cases.

The three options and advantages/disadvantages are described below:

- Option 1 – Fund 3 Chemist Positions at the SBI at approximately \$186,000 per year
 - Durham would fund three positions
 - Chemist would be responsible for analyzing samples from Durham County which include; blood alcohol, blood drug and drug analysis testing
 - Advantages: No equipment or facility cost, accreditation, liability, would provide blood and drug testing
 - Disadvantages: Control and Travel Time
- Option 2 – Host Durham Crime Lab for Blood Alcohol Content Analysis Only
 - Grant will fund:
 - Blood alcohol testing, equipment and materials; One year of personnel cost; Travel
 - Grant will not fund:
 - Facility modification; Blood drug and drug testing equipment of materials; Ongoing personnel cost; Possibility of applying for ongoing funds, but the State cannot guarantee funding
 - Advantages: Grant funding for initial equipment and personnel cost for blood alcohol testing; Reduced travel time; Local control

- Disadvantages: Unknown ongoing cost; Blood drug and drug analysis not included; Facility (upfront cost, no viable facility identified); Liability; no promise of future funding; would only be able to spend about half of grant
- Option 3 – Incorporate Full Lab into Future Satellite Jail
 - Incorporate multi-disciplinary crime lab into plans for future jail expansion
 - Explore possibility of regional partnerships to develop full-service forensic facility
 - Could be similar to City County Bureau of Investigation (CCBI) regional lab
 - Advantages: Opportunity to appropriately size and outfit the lab to meet Durham's current and future needs; Potential opportunity to consolidate other functions; Reduced travel time; Local control
 - Disadvantages: Facility and equipment cost; Liability; Delay in implementation time.

Mr. Worsley mentioned two recommendations; the short-term recommendation would be to contract with the SBI and talk with the City of Durham about the ability to provide blood services; and the long-term approach would be to incorporate a laboratory into the satellite jail project.

Manager Ruffin mentioned the City could possibly assist with the laboratory cost. He added this could help with their crime statistics as well. The District Attorney is supportive of recommendation.

Commissioner Foster asked how long the contract with the SBI would last and asked would there be a termination date. Mr. Worsley stated there would be a contract and those details would have to be negotiated; however, all contracts would be brought to the Board for approval. Commissioner Foster inquired about an escape clause in the contract, expressing his concern with the ability to control what the people hired for Durham would do. Mr. Worsley mentioned the contract was critical in making sure Durham's interest was protected. Commissioner Foster asked about the status of the jail annex and putting that facility together. He also inquired about the possibility of utilizing other County buildings for the lab purpose. Mr. Worsley stated existing buildings would need work done to meet the requirements of a lab.

Mr. Glen Whisler, County Engineer added the planning of the satellite building was underway and all details would be provided to the Board in the future. In regards to incorporating a crime lab, that would be fairly easy to do.

Commissioner Foster inquired about a time frame for this project, asking if it could be 5-10 years from now. Mr. Worsley stated that no time frame had been established. Chairman Foster mentioned the grant money, asking if those funds could be used to offset other costs. Mr. Worsley stated the grant money would not be able to fund the SBI option.

Commissioner Reckhow inquired about the current backlog, asking what could we anticipate from the 19 positions approved by the State moving forward and could we fund two positions

instead of three. Mr. Worsley stated that we were not at that point, adding those were all questions that would be asked when negotiating the contract.

Commissioner Reckhow asked Manager Ruffin to follow up with Commissioner David Guice regarding repurposing the Guess Road facility. Manager Ruffin stated he would reach out to Commissioner Guice and provide follow up to Steve Medlin, Joint City-County Planning Director.

Vice Chair Howerton stressed the importance of having the crime lab in Durham. She questioned the responsibility of those who would be hired, asking that once they were hired in Raleigh, how would they be accountable in Durham County. Vice Chair Howerton also inquired about the amount of backlog Durham had. Mr. Worsley stated the backlog depended on the type of analysis that needed to be done. The District Attorney suggested six months would be the amount of time needed to catch up on the backlog. Mr. Worsley also stated having personnel not work for the County meant less control, however drawing up the contract would help ensure Durham achieved the results expected. Vice Chair Howerton asked if the crime lab would be funded only by Durham County or in collaboration with the City of Durham. Manager Ruffin recommended going to the City to ask for assistance with funding since both entities share the responsibility for helping the DA's office get the backlog cleared up.

Manager Ruffin discussed the grant stating Durham County had decided not to accept it and he would contact the Department of Transportation (DOT) with the County's decision. Commissioner Reckhow asked if the DOT would be willing to transfer that support to another area. Manager Ruffin stated the DOT was not interested in other areas, adding the grant started at one million dollars but had been reduced to \$700,000.

Commissioner Foster asked if a conversation would take place with the City prior to the next Worksession to discuss their willingness to contribute. Mr. Worsley stated a number of things would take place. He would speak with the City in regards to hosting the lab; he would speak with the SBI regarding the hiring process and how the backlog would be handled; and talking with the City about a willingness to help fund the positions.

Commissioner Reckhow asked if a conversation with the City was made to possibly house the three positions at one of their facilities. Mr. Worsley stated that such conversation had not taken place yet. Commissioner Reckhow asked if a call could be made to the City to discuss the option before the County declined the grant.

Chairman Page suggested adding this item to the City-County Meeting Agenda scheduled for January 14, 2014.

Commissioner Foster inquired about surrounding counties, asking if there were labs in Alamance or Chatham County that Durham could collaborate with. Mr. Worsley mentioned when speaking with the CCBI lab, they were not interested in working with Durham County and the closest lab to us would be in Wake County.

Rougemont Water System Update

Mr. Drew Cummings, Assistant County Manager stated community meetings were planned for February in Rougemont.

Chairman Page inquired about an overview of this project, asking were there concerns not being addressed. Mr. Cummings stated most concerns arrived from citizens not understanding the two projects. He stated in regards to the water system, petroleum contamination was a problem, adding the citizens' health was in danger and they were not able to sell their homes. He stated the water system project was on a faster track while the Village of Rougemont Plan was a separate project and was moving at a slower pace.

Vice Chair Howerton mentioned the importance of keeping the two projects separate. She stated that Ms. Hallie Bass, County citizen had scheduled meetings in Rougemont to help the community get a better understanding of these projects.

Commissioner Reckhow inquired about the timeline for the water project, stating it appeared longer. She questioned being able to access all the grant funds due to the timeline provided. Mr. Cummings stated this timeline was workable with the Community Development Block Grant (CDBG). Commissioner Reckhow asked if there was a way to overlap the construction design. Joe Pearce, Utility Division Manager, explained the timeline, adding there was work being done between January and August which may not be reflected on the timeline provided. Commissioner Reckhow asked that staff elaborate on the timeline so the citizens would have a better understanding.

Triangle Sports Commission Study

Manager Ruffin on behalf of Commissioner Jacobs introduced Hill Carrow, CEO, Triangle Sports Commissioner stating he would explain how the Triangle Sports Commission (TSC) could assist with promoting more sporting events in Durham County.

Chairman Page asked if the TSC would replace the Durham County Stadium Authority. Manager Ruffin stated it was not a replacement; the TSC was looking to be an affiliate and help bring more events into Durham County.

Mr. Carrow shared a presentation on the TSC and its potential partnership with Durham County. Some highlights from this presentation include:

- TSC 2.0 Project
 - Taking the TSC to the next level
 - Full-time staff
 - Consistent and more substantial funding
 - Revamped Board
 - Greater community impacts
 - Current Model Users
 - Central Florida Sports Commission
 - St. Louis Sports Commission

- Greater Richmond Sports Backers
- Advantages
 - Non-postponable tourism
 - Brings the community together
 - Promotes/showcase the host community
 - Delivers positive economic impacts: sports economic development
- Goals of the TSC
 - Build the Durham/Triangle Brand
 - Involve collaboration and cooperation among Triangle communities
 - Have positive economic impacts

Mr. Carrow discussed how the partnership with the County and the TSC would work stating a staffing plan and management plan would be needed to make this a successful partnership.

Vice Chair Howerton inquired about the financial layout for Durham County. Mr. Carrow stated no funding or handouts would be requested from the County. He mentioned \$500,000 a year in funding would come from private sources/corporate sponsors. This was intended to have the government as a partner so the community could benefit more. Vice Chair Howerton asked if this would be a public/private partnership. Mr. Carrow responded affirmatively.

Chairman Page asked if all three counties would play a role in this endeavor. Mr. Carrow stated the goal was to have a region wide approach. He stated the TSC would like to start with Durham County. Chairman Page asked if the TSC would promote the activities or bring these activities to the County. Mr. Carrow stated there would be a lot of recruiting done as well as bidding for events.

Ms. Shelly Green stated the DCVB had looked at sports as a market. Unfortunately, sports did not come up as a primary market because of the bid fees. She added that DCVB was not allowed to subsidize events with promotional money. Ms. Green stated many people were interested in bringing sports to Durham County; therefore, a meeting had been planned for January 21, 2014 to discuss this option.

Chairman Page asked if Orange County and Wake County were already on board. Mr. Carrow stated this effort was just beginning so they were not currently on board.

Commissioner Reckhow suggested promoting Durham and utilizing the recently renovated Durham County Stadium. She discussed the TSC 2.0 concept and how it focused on each county, stating it would provide leadership to help facilitate smaller events hosted only by Durham. She also discussed the different facilities Durham had to offer and mentioned a discussion with the City to get them on board.

Mr. Tommy Hunt, Chairman of the Durham County Stadium Authority, concurred with Commissioner Reckhow. He provided an example where the North Carolina High School Athletic Association playoffs were held in three different locations due to limited funding

that the County was able to provide for events. Mr. Hunt stated the TSC could possibly fund these events to bring them into our area.

Commissioner Foster stated the idea was to keep money in Durham County and utilize the stadium for Durham events. He also recommended developing a Durham Sports Authority.

Commissioner Reckhow interjected that this presentation did not mention taking money from Durham County. She said this was for a regional approach that would involve bringing bigger events to our area.

Vice Chair Howerton asked for clarification on the staffing plan. Mr. Carrow stated the proposal would have staff in each county dedicated to recruiting events and providing marketing, advertising, fund-raising, operations and event staff support.

Manager Ruffin mentioned Mr. Carrow would be presenting this concept on January 21, 2014 at the Durham Chamber at 12 noon.

Commissioner Reckhow requested additional background information on the three models (Richmond, St. Louis and Central Florida) and mentioned possibly visiting Richmond to do a site visit.

Discussion of 2014 Federal Legislative Agenda

Ms. Deborah Craig-Ray, Assistant County Manager, presented the Board with items to be submitted to the 2014 Federal Legislative Agenda if approved by the North Carolina Association of County Commissioners (NCACC). Ms. Craig Ray discussed each item and asked the Board to suspend the rules to vote on the items that would be taken forward.

Chairman Page asked Ms. Craig-Ray to elaborate on the minimum wage proposal. Ms. Craig-Ray stated the House Resolution 1010 - Harkin Miller Bill would raise the minimum wage from \$7.25/hr to \$10.10/hr. Vice Chair Howerton added some states increased their minimum wage to \$9.00. Ms. Craig-Ray stated no increases were made at a federal level. Commissioner Reckhow expressed her support for the increase of minimum wage and discussed President Barack Obama's Fair Minimum Wage Act of 2013.

Vice Chair Howerton inquired about the funding for SNAP, Mental Health and the remaining programs listed in that category, asking would they be submitted together or as separate documents. Ms. Craig-Ray stated they could be together or submitted separately, it was at the Boards discretion.

Commissioner Reckhow mentioned revisions were needed in two areas. She asked the following changes be made:

- Transit Funding – please change to Transportation Funding and add “due to re-approval of the transportation bill”

- Minimum Wage – amend minimum wage to say “to support for the Fair Minimum Wage Act of 2013”

Ms. Craig-Ray stated she received an additional request from Gudrun Parmer titled “Funding for Substance Abuse Treatment and Offender Rehabilitation Services.” Ms. Craig-Ray asked the Board for their permission to submit this request. Commissioner Reckhow asked if Ms. Parmer was requesting additional money. If so that should be reflected in her request. Chairman Page mentioned the terminology “Offender Services” was very offensive and asked that the terminology be rephrased.

Commissioner Foster asked if the NCACC was considering an extension of the unemployment benefits. Ms. Craig-Ray stated she would follow-up on that concern.

Commissioner Reckhow stated she would like to see an increase in support for workforce preparedness adding there had been a reduction in the past years. Ms. Craig-Ray stated that was a suggestion made last year; however it was to maintain, not increase preparedness. She stated she would suggest an increase.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to suspend the rules to approve the 2014 Federal Legislative agenda items.

The motion carried unanimously.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to move ahead with the 2014 Federal Legislature Agenda as amended.

The motion carried unanimously.

Review of November BOCC Directives

Ms. Dionne Hines, County Intern, presented the Board Directives for the months of August, September, October, November and December of 2013.

Commissioner Reckhow inquired about the November directives regarding the “contingency best practice survey of peer counties.” The status showed completed but she had not received any information. Ms. Hines stated she would forward that information to Board.

Vice Chair Howerton asked if the meeting with the Department of Social Services (DSS) took place. Manager Ruffin stated that meeting was being planned. He stated Michael Becketts, Director of DSS had been out of the country and the information requested had not been provided. Manager Ruffin added Mr. Becketts was working on that information and would like to schedule a special meeting.

Commissioner Foster inquired about the December directives. Ms. Hines stated they were still pending; adding directives were up to date for month of December.

Closed Session

The Board was requested to adjourn to Closed Session pursuant to the following:

- 1) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege and to discuss the case in the matter of Geraldine Robinson v. Joe Bowser et al.;
- 2) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege;
- 3) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege in the matter of IBM.

Commissioner Reckhow moved, seconded by Vice Chair Howerton that the Board moved into Closed Session pursuant the aforementioned Statutes.

The motion carried unanimously.

Reconvene from Closed Session

Chairman Page reconvened the meeting. He announced that the Board met in Closed Session, and directions were given to staff.

Chairman Page asked the Board to determine a date for the joint DSS Meeting. The Board agreed on January 17, 2014 at 9am in the Commissioners' Chambers.

Adjournment

Commissioner Reckhow moved, seconded by Vice Chair Howerton that the meeting be adjourned.

The motion carried unanimously.

Respectfully Submitted,

Monica W. Toomer
Administrative Assistant II