



## Durham County

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

### Meeting Minutes Board of County Commissioners

*Michael D. Page, Chair*  
*Brenda A. Howerton, Vice Chair*  
*Fred Foster, Jr., Commissioner*  
*Wendy Jacobs, Commissioner*  
*Ellen W. Reckhow, Commissioner*

Monday, March 9, 2015

7:00 PM

Commissioners' Chambers

#### **"Public Charge"**

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

**As a courtesy to others, please turn off cell phones during the meeting.**

#### **7:00 pm Regular Session**

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

#### **Agenda Adjustments**

Chairman Page announced that Commissioner Fred Foster, Jr. would be excused from the meeting.

#### **Announcements:**

Chairman Page read the following announcements:

- 1) "In Touch with Durham County," the Durham County Television show, airs daily on Durham Television Network (DTN) Channel 8 or 97-5 at 10 a.m., 3:30 p.m. and 6:30 p.m. Our County Commissioners' meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m. Kaaren Johansson, Crop Walk Coordinator and Tammy Baggett, Library Director are the current guests.
- 2) Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a

difference in our community. Contact the Clerk's Office at 919-560-0025, visit the County's website, or email [Clerk@dconc.gov](mailto:Clerk@dconc.gov) for more information. Please note that all City and County taxes must be current at the time of application.

- 3) "Living Healthy," the Durham Diabetes Coalition Television show, airs daily on Cable TV Channel 8 or 97-5 at 7 p.m. Each episode features Durham County resources and residents successfully living with diabetes. This is also an initiative that supports Durham County's strategic goal Health and Well-being for All.
- 4) As Chair of the Board of County Commissioners, I will hold office hours for citizens each Wednesday from 2:00 pm to 5:00 pm. Appointments can be made by calling me at (919) 949-4022.
- 5) Commissioner Reckhow announced that there would be an open house for the preliminary assessment of the Light Rail Project at the Durham Station on 515 W. Pettigrew Street on March, 19, 2015 from 4:00pm – 7:00pm. She stated that presentations would be shared at intervals beginning at 4:15pm, 5:15pm, and 6:15pm with staff available for questions. Commissioner Reckhow encouraged all interested citizens to attend.
- 6) Vice Chair Howerton acknowledged the 50<sup>th</sup> Anniversary of Selma and thanked any members of the community who participated.

#### **Minutes:**

Commissioner Reckhow provided the following directives to staff:

- Requested follow-up from staff from the February 2, 2015 Worksession minutes regarding interviews required for boards and commissions position and how applicants would be notified about the requirements.
- Requested follow-up from the January 26, 2015 Regular Session minutes regarding the cost around medical care for inmates in the jail since the new regulations had passed and requested a comparison.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to approve the minutes of the January 26, 2015 Regular Session, February 2, 2015 Worksession, and the February 9, 2015 Regular Session meetings.

The motion carried unanimously.

#### **Ceremonial Items:**

#### **Proclamation – Proclaim March 22nd as “41st Annual CROP Hunger Walk Day” in Durham County**

Chairman Page read the following proclamation:

**WHEREAS**, at the end of World War II many people wanted to share our country's abundance with European war victims; and CROP's first purpose was to gather wheat and other crops from U.S. farms for shipment to Europe; and

**WHEREAS**, today, the Durham CROP Hunger Walk is an important part of community life, bringing together people of different faiths, diverse cultures, and all age groups; and

**WHEREAS**, in the last 41 years, Durham CROP Hunger Walks have raised over \$3.82 million to bring help and hope to hungry people in need around the world and in the U.S.; and

**WHEREAS**, each year Durham CROP Hunger Walk helps local agencies such as Meals on Wheels, Urban Ministries, Housing for New Hope, Threshold Clubhouse, Food Bank of Central and Eastern North Carolina, and church food pantries who provide food to neighbors in need; and

**WHEREAS**, the Durham CROP Hunger Walk is working to raise enough money to be able to support two additional local agencies this year; and

**WHEREAS**, the Durham CROP Hunger Walk is the oldest fund-raising walk in NC and helps the community to become aware of and concerned about hunger and its causes; and

**WHEREAS**, the Durham CROP Hunger Walk is the 3<sup>rd</sup> largest walk in the nation, out of more 1300 walks, demonstrating the tremendous compassion and altruism of Durham's citizens; and

**WHEREAS**, Durham CROP Hunger Walk will raise funds to help stop hunger both locally and globally.

**NOW, THEREFORE**, I, Michael D. Page, on behalf of the Board of County Commissioners, do hereby proclaim Sunday, March 22, 2015 as

**“41<sup>st</sup> ANNUAL CROP HUNGER WALK DAY”**

in Durham County, North Carolina and call upon citizens to participate in hunger awareness.

This the 9<sup>th</sup> day of March, 2015.

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Michael D. Page, Chairman  
Durham Board of County Commissioners

Kaaren Johannson, Crop Walk Coordinator thanked the Board for the proclamation. She stated Crop Hunger Walk had provided \$1 million dollars to hunger fighting agencies. Ms. Johannson encouraged more walkers and stated Sunday, March 22, 2015 would also be World Water Day. T-shirts designed by Christopher Melvin, student at North Carolina Central University were given to the Board.

Chairman Page thanked Ms. Johannson and the committee for coordinating the walk.

**Proclamation - Honoring the 50th Anniversary of Triple Basketball State Championships**

Chairman read the following proclamation:

**WHEREAS**, racial segregation prevented optimum participation and interaction in the public schools of Durham County and other portions of the South; and

**WHEREAS**, the 1950s and the 1960s were glory days for boys and girls basketball at the three black high schools in Durham; Merrick-Moore, Little River, and Hillside spent multiple years playing in state championship games within the old North Carolina High School Athletic Conference; and

**WHEREAS**, the girls teams at these schools were outstanding; however, North Carolina state law prohibited girls championships on the state level until 1972; and

**WHEREAS**, the NCHSAC placed schools within four divisions (1-A, 2-A, 3-A, 4-A) based on student enrollment and held championships for those divisions; Little River competed in the 1-A Division, Merrick-Moore played in the 3-A division, and Hillside clashed with schools in the 4-A Division; and

**WHEREAS**, in 1963, Little River won the state 1-A championship by defeating Laurel Hill Carver 82-56; the Busy Beavers repeated as state 1-A champs in 1964 by trouncing Mooresville Dunbar by a score of 70-48; and

**WHEREAS**, in 1964, Merrick-Moore played for the state championship against Winston-Salem Paisley; the Tigers lost in a three-overtime thriller, 54-52; and

**WHEREAS**, in March of 1965 ... in Greensboro, all three of the black high schools in Durham won state championships. Little River “three-peated” as 1-A state champions by defeating West Southern Pines 83-66; Merrick-Moore won the 2-A state championship by beating Burlington Jordan-Sellars, 67-55 and the Hillside Hornets won the 4-A state championship with a come-from-behind overtime victory over West Charlotte 80-78; and

**WHEREAS**, the 2-A state championship was won by a Wake County school, Berry O’Kelly High, 84-76 over Kinston Woodington; thus, all four black high school boys championships were won by schools less than 25 miles apart; and

**WHEREAS**, Merrick-Moore played for the state championship in their division again in 1966, 1967, and 1969; Merrick-Moore won the state championship by beating Winston-Salem Anderson in 1967 and by beating Burlington Jordan-Sellars in 1969, Little River won the state championship in their division again in 1967 by beating Laurel Hill Carver and Hillside played for the state championship the next two years following their 1965 title; however, the Hornets lost to West Charlotte in 1966 and to Raleigh Ligon in 1967.

**NOW, THEREFORE**, I, Michael D. Page, on behalf of the Durham Board of County Commissioners, do hereby proclaim March, 2015 as

**“THE GOLDEN ANNIVERSARY OF THE 1965 TRIPPLE BASKETBALL CHAMPIONS”**

in Durham County, North Carolina and commend its observance to all citizens in recognition of the positive impact and the historical significance of these honors.

This the 9<sup>th</sup> day of March, 2015.

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Michael D. Page, Chairman  
Durham Board of County Commissioners

David Harris, member of the Little River Basketball team from 1964-1968 thanked the Board for the proclamation and also thanked Eddie Davis, City Councilman for gathering the history. Mr. Harris thanked the Carolina Times Newspaper for helping them celebrate the milestone 50 years ago and also celebrating it today.

Marshall Hill, Alphonso Regal and Gregory Monroe, all members of the Hillside High School basketball team thanked the Board and citizens for the recognition.

Councilman Davis thanked the Board for the recognition. He added that no one was there to represent Merrick Moore and he also thanked the Board on their behalf.

Vice Chair Howerton inquired about the Women’s Basketball League. Mr. Harris responded that the schools were integrated by the time the girls’ basketball league played.

Commissioner Jacobs congratulated the gentlemen for making history and thanked Councilman Davis for putting the proclamation together.

Commissioner Reckhow thanked Councilman Davis for providing the information and suggested he provide the proclamation to the Herald-Sun so that the history could be showcased.

**2014 Durham County Cares Campaign**

Wendell Davis, County Manager introduced Nina Bullock, Durham County Cares Chair to share the results of the 2014 County Cares Campaign.

Ms. Bullock thanked County Manager Davis and Lowell Siler, County Attorney for their support. She stated the campaign ran from October 13, 2014 – November 14, 2014 and thanked those who helped contribute to the County's exceeded goal of \$77,076.00. Ms. Bullock also acknowledged the following departments and people who exceeded the goals and volunteered time.

- 100% Participation – Finance Department
- Donated 70% or more – Sheriffs Department
- Shining Star Awards – Fredericka Carver, County Engineering; Lakieta Sanders and Donna Rosser, Public Health; and Norman Crenshaw, Information Technology & Services
- Beating Heart Award – Reiko Horton, County Attorneys Office; and Joann Hawkins, Criminal Justice Resource Center

Ms. Bullock lastly thanked those who supported Durham County Cares and stated she looked forward to another successful upcoming year.

Chairman Page thanked the County for their contributions.

Mr. Siler thanked Ms. Bullock and stated how much he appreciated and valued her passion for the groups to ensure they received funds.

Commissioners thanked Ms. Bullock and the staff for her presentation and participation with the Durham County Cares Campaign.

#### **Consent Agenda:**

Chairman Page announced that item 15-273 – Watts Endowment Resolution was removed from the agenda and asked the Commissioners if they desired to pull any items from the Consent Agenda.

Commissioner Reckhow requested to pull item 15-276 and stated she wished to comment on item 15-289. She thanked the staff and the consultant for capturing the comments from the Worksession and enhancing the agreement.

Commissioner Jacobs requested to pull item 15-286 and commented on item 15-266. She mentioned she was proud to read that the City of Seattle was consulting with Michelle Young, Director of Project Build on their Youth Violence Prevention Initiative. Commissioner Jacobs added the fact that Seattle sought help from Durham for their programing was something to be proud of.

Chairman Page commented on item 15-203. He acknowledged the donations and stated that every donation made a difference.

\*15-260 Budget Ordinance Amendment No. 15BCC000044 to Recognize Additional Funds in the amount of \$6,869 from NC DHHS, Division of Public Health for Pregnancy Care Management Services in Durham County

\*15-266 Budget Ordinance Amendment No. 15BCC000043 - Recognize Revenue to the Cooperative Extension Program (Project BUILD) Budget from a Grant from the Durham County Juvenile Crime Prevention Council, a Grant from the Governor's Crime Commission, and a Contract with the Seattle

City Auditor's Office for Consultation with the Seattle Youth Violence Prevention Initiative

\*15-280 Budget Ordinance Amendment No. 15BCC000045 - Transition of Full-Time Parkwood Firefighters to Durham County Employees

15-282 Approve Managing for Results Consulting Contract with Martha Marshall Management Consultant in the Amount of \$27,820

15-283 Reappointment to Alliance Behavioral Healthcare Area Board of Directors

\*15-268 Budget Ordinance Amendment No.15BCC000042 Appropriating \$197,205 of Debt Service Fund Balance and Transferring Those Funds to the General Fund (Engineering Department) and Approval of Professional Services for the Update to the Durham County Space Needs Analysis and Facility Master Plan

15-270 Approval of Interlocal Agreement between the County of Durham and the City of Durham for the International City/County Management Association (ICMA) Local Government Management Fellowship Position

\*15-248 Budget Ordinance Amendment No. 15BCC000041 Public Health: Recognize Funds from NC DHHS, Division of Public Health to Continue the TANF Out-Of-Wedlock Birth Prevention Program in Durham County

15-274 Manhole Inspection Services Contract, RFP15-002

15-275 Standard Non-Reimbursable Utility Contracts for County Sewer System Extensions

\*15-203 Budget Ordinance Amendment No. 15BCC000035 for Social Services Recognizing Additional Revenue

15-291 Authorize the Transfer of \$101,000.00 to Made in Durham for its Youth Initiative Program

15-289 Consideration of Public-Private-Partnership (PPP) Agreement Related to Whitted School Redevelopment

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

The motion carried unanimously.

Consent Agenda Item 15-260

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000044**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 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	\$57,772,617	\$6,869	\$57,779,486

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$89,509,278	\$6,869	\$89,516,147

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

This the 9<sup>th</sup> day of March, 2015.

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Consent Agenda Item 15-266

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000043**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 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	\$56,811,152	\$56,246	\$56,867,398
Service Charges	\$17,691,185	\$5,350	\$17,696,535

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Economic and Physical Development	\$5,750,862	\$61,596	\$5,812,278

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

This the 9<sup>th</sup> day of March, 2015.

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Consent Agenda Item 15-280

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000045**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$25,727,354	\$268,000	\$25,995,354
<u>BENEFITS PLAN FUND</u>			

Other Financing Sources	\$17,097,011	\$46,400	\$17,143,411
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Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$95,256,112	\$46,400	\$95,302,512
Public Safety	\$54,771,024	\$221,600	\$54,992,624
<u>BENEFITS PLAN FUND</u>			
Public Safety	\$6,706,446	\$46,400	\$6,752,846
<u>SPECIAL REVENUE FUNDS</u>			
General Government	\$2,906,119	\$268,000	\$3,174,119
Public Safety	\$4,374,382	-\$268,000	\$4,106,382

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

This the 9<sup>th</sup> day of March, 2015.

Consent Agenda 15-268

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000042**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$25,530,149	\$197,205	\$25,727,354
<u>DEBT SERVICE FUND</u>			
Other Financing Sources	\$62,531,077	\$197,205	\$61,728,282

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Environmental Protection	\$4,020,978	\$197,205	\$4,218,183
<u>DEBT SERVICE FUND</u>			
General Government	\$62,314,298	\$197,205	\$62,511,503

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

This the 9<sup>th</sup> day of March, 2015.

Consent Agenda 15-248

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000041**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 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	\$56,758,995	\$52,157	\$56,811,152

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$88,551,153	\$52,157	\$88,603,310

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

This the 9<sup>th</sup> day of March, 2015.

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Consent Agenda 15-203

**Durham County, North Carolina  
2014-2015 Budget Ordinance  
Amendment Number 15BCC000035**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2014-2015 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	\$56,867,398	\$905,219	\$57,772,617
Contributions & Donations	\$58,817	\$749	\$59,566

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$88,603,310	\$905,968	\$89,509,278

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

This the 9<sup>th</sup> day of March, 2015.

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**Items Pulled From Consent Agenda:**

**15-276 Request to Extend Lebanon Fire Insurance Rating District and Response District**

Commissioner Reckhow asked for an understanding of the boundaries of the Lebanon Fire Districts.

Jeff Batten, Fire Marshal/Emergency Management Director explained that the State changed their interpretation after ten (10) years. He added there was a Memorandum of Understanding between the City and the County; however, the State responded and said that the City could not provide service to a rural fire district. Fire Marshal Batten stated there was no change in the tax value of the district; they were seeking a response district change to meet the State requirements.

Commissioner Reckhow inquired about who provided the fire service and held prime responsibility. Fire Marshal Batten responded the City of Durham, Bahama and Lebanon would continue to provide the services and Lebanon held prime responsibility. Commissioner Reckhow asked for clarification on the maps provided. Fire Marshall Batten displayed the maps and stated the areas on Snow Valley were unrated so the citizens in the area were paying a higher rate.

Lee Worsley, Deputy County Manager stated the City was contracted to be the primary responder. He continued to say that the State changed the interpretation so the contract was no longer accepted and it caused the insurance to increase. Mr. Worsley stated the service had not changed, it was just an administrative change to the maps to satisfy the State.

Commissioner Jacobs inquired about the insurance rate increase for the green areas. Fire Marshall Batten responded the increase took place two (2) years ago. Commissioner Jacobs inquired about the district that covered the Eastern portion of the County. Fire Marshal Batten stated the County entered into a partnership with Emergency Medical Services (EMS) and placed two (2) fire trucks at the locations to help.

Commissioner Reckhow mentioned the service areas were disconnected and suggested the County coordinate with the City to review the service delivery. She added as annexation requests were received by the City, the County should be included to ensure areas were being covered. Mr. Worsley assured Commissioner Reckhow that when the Board adopted the fire study in February 2014, conversations were conducted with the City about that issue. He added all fire departments had a good working relationship. Mr. Worsley continued to say the maps dealt with insurance ratings regulated by State law; the City of Durham was not a rated rural fire department.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve item 15-276.

The motion carried unanimously.

#### **15-286 Administrative Interpretation of Falls Lake Protection Overlay F/J-A**

Commissioner Jacobs asked what would happen if there were other properties that would fall under the similar request presented by the applicant. Steve Medlin, Director City/County Planning responded any property owner within the watershed could make a request to be re-evaluated with appropriate documentation.

Commissioner Jacobs asked were there any other similar submittals. Mr. Medlin stated over the past six (6) or seven (7) years there were four (4) or five (5) total requests from the City and the County. He commented in most instances they involved where the arc bisected a property. Commissioner Jacobs asked from a City-County perspective, were the surveys submitted accepted or was an overview requested. She questioned the evaluation process that citizens provide. Laura Woods, Senior Planner shared a presentation titled *Administrative Interpretation – Falls Lake/Jordan Lake Critical Area (F/J-A)* which provided a brief overview of the process. Commissioner Jacobs thanked Ms. Woods for her presentation.

Commissioner Reckhow stated she did not recall the argument about the direction of the drainage. Mr. Medlin responded it was not this argument but one very similar was received by the Treyburn developer in 1980s.

Commissioner Jacobs moved, seconded by Commissioner Reckhow to approve item

15-286.

The motion carried unanimously.

**Adjournment:**

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

The motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Monica Toomer". The signature is written in a cursive, flowing style.

Monica W. Toomer,  
Deputy Clerk to the Board