



Durham County

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

Meeting Minutes - Draft Board of County Commissioners

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

Commissioners' Chambers

Monday, July 27, 2015

Closed Session held at 4:00 pm

Opening of Regular Session:

Chairman Page opened the meeting and stated the Board was requested to adjourn to Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6).

Vice Chair Howerton moved, seconded by Commissioner Jacobs to adjourn to Closed Session.

The motion carried unanimously.

7:00 pm Regular Session

Chairman Page announced that the Board met in Closed Session and would reconvene in Closed Session following the Regular Session meeting.

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments:

Chairman Page noted there were no agenda adjustments.

Announcements:

Chairman Page read the following announcements:

1. Durham County Government innovative awardees recognized with NACo Achievement Awards include the following:
 - Durham County Information Services and Technology – “EMS Protocol Mobile Website:

Improving Delivery of Emergency Medical Services through the Innovative Use of Mobile Technology” in the category of Information Technology.

- Durham County Library – “Library Link Trail” in the category of Libraries and “Cankerworm Banding Kit Checkout” in the category of County Resiliency: Infrastructure, Energy and Sustainability, and “Digging Durham Seed Library” in the category of Libraries.
- Durham County Tax Administration – “Online Property Tax Appeal Management System” in the category of County Administration and Management.

All winners were recognized at NACo’s 80th Annual Conference and Exposition held July 10-13, 2015 in Charlotte, NC.

2. All announcements may also be found on the County’s website or you may call the Clerk’s Office at 919-560-0025.
3. Commissioner Reckhow announced that she would be at the Advanced Leadership Training the week of September 14, 2015 and requested an excused absence from the Regular Session meeting.

Vice Chair Howerton moved, seconded by Commissioner Jacobs to excuse Commissioner Reckhow from the September 14, 2015 Regular Session Meeting.

The motion carried unanimously.

4. Chairman Page also requested to be excused from the August 24, 2015 Regular Session meeting.

Commissioner Reckhow moved, seconded by Commissioner Jacobs to excuse Chairman Page from the August 24, 2015 Regular Session meeting.

The motion carried unanimously.

5. Commissioner Jacobs announced that she and Commissioner Reckhow attended the GoTriangle Light Rail Tour and shared details of that event. She also mentioned the “*Stepping up Initiative*” that was going on nationwide regarding mental health in the jail. Lastly, Commissioner Jacobs encouraged all citizens to sign up for the Community Reads program through www.spirithouse-nc.org. She stated the book being read was “*Urban Alchemy – Restoring Joy in America Cities.*”
6. Vice Chair Howerton announced that there were over 3,000 commissioners from across the country at the NACo Annual Conference held in Charlotte, NC. She noted that mental health was a serious conversation amongst all commissioners and stated that she would pass other items to Wendell Davis, County Manager so that he can review those initiatives and possibly consider undertaking a few for the County.

Minutes:

Commissioner Reckhow moved, seconded by Commissioner Jacobs to approve the April 13, 201 Regular Session minutes, June 1, 2015 Worksession minutes and the June 22, 2015 Regular Session minutes.

The motion carried unanimously.

Other Business:

15-538 Citizen Comments

There were no citizens who signed up to speak.

Ceremonial Items:

15-532 Recognition that the Information Services and Technology Department has Received Six National Awards within Three Important Areas that Demonstrate World-Class IT Effectiveness

Chairman Page recognized the Information Services and Technology (IS&T) Department for receiving six (6) National Awards. He asked Greg Marrow, Director to say a few words regarding the recognition.

Mr. Marrow acknowledged Wendell Davis, County Manager for his leadership and vision for technology in Durham County. He also thanked all team members and interns for their hard work.

Chairman Page asked the IT&S team to stand and be acknowledged for their work.

Commissioner Reckhow stated the work done in the department was invaluable to the County. She thanked Mr. Marrow for embracing the internship program and getting young adults engaged.

Commissioner Jacobs congratulated Mr. Marrow, staff and the interns. She also mentioned the Open Durham website (www.opendurham.nc.gov) and stated that there were 160 data sets available to the citizens of Durham.

Vice Chair Howerton echoed the comments made by Commissioners Jacobs and Reckhow.

Consent Agenda:

Chairman Page asked the Commissioners if they desired to pull any items from the Consent Agenda. Commissioner Reckhow requested to pull item 15-531.

Commissioner Jacobs gave a brief comment on the three grants received by the County Library. She stated that she was proud of the staff for applying for the grants and informed the community about the opportunities that would be available in the community.

Commissioner Reckhow also commented that the grants received by the County Library were from out of the box thinking and targeting groups that the library had not targeted in the past.

Vice Chair Howerton moved, seconded by Commissioner Reckhow to approve the following items on the Consent Agenda with the exception of item 15-531:

*15-497 Budget Ordinance Amendment No. 16BCC000005 to Recognize Revenue to the Information Services and Technology Department for the 2014 Government Innovation Grant Award (GiGa) for the County's Document Management Solution

*15-500 Budget Ordinance Amendment No. 16BCC000001 to Recognize Ebola Preparedness &

Response Funds from NC DHHS, Division of Public Health to Support Preparedness Planning and Operational Readiness for Ebola Virus Disease

15-527 Approval of Maintenance Contract with Otis Elevator Company

15-533 Approval of Annual Maintenance with Schneider Electric Buildings America for Heating, Ventilation, Air Conditioning (HVAC) and Security

15-536 Change Status of Appointment on Board of Adjustment

*15-539 Property Tax Releases and Refunds for June, 2015

15-540 Grant Offer for the Raleigh-Durham International Airport

15-542 Award Contract for Solid Waste Collection Services at County Buildings

15-544 Settlement of 2014 Property Taxes and the Charge of 2015 Property Taxes to the Tax Collector

15-545 Approve Contract with Republic Services for Solid Waste Collection Services at Convenience Sites

*15-548 Capital Project Amendment No. 16CPA000001 - FY 2015-16 Appropriation of Approved County Contribution Funds (\$3,144,046) for Multiple Capital Projects

*15-549 Budget Ordinance Amendment No. 16BCC000002 Durham County Library Recognizes Grant Funding from the North Carolina Department of Cultural Resources/State Library of North Carolina to Support the “Teen Tech Learning Lab - Where Science and Imagination Collide!” Initiative

*15-551 Budget Ordinance Amendment No. 16BCC000003 Durham County Library Recognizes Grant Funding from the National Endowment for the Humanities (NEH) and the American Library Association (ALA) to Support the Latino Americans: 500 Years of History Project

*15-552 Budget Ordinance Amendment No. 16BCC000004 Durham County Library Recognizes Grant Funding from the North Carolina Department of Cultural Resources/State Library of North Carolina to Support the “Digital Bridge Project” Initiative

15-567 Juvenile Crime Prevention Council Appointments

15-576 Contract with Duke Health System for EMS Medical Direction

15-577 Amend Interlocal Agreement for the City to Provide Convenience Site Recycling Services

The motion carried unanimously.

Consent Agenda Item #15-497

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000005**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2015-2016 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	\$19,344,393	\$2,500	\$19,346,893

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$97,731,644	\$2,500	\$97,734,144

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

This the 27th day of July, 2015.

Consent Agenda Item #15-500

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000001**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2015-2016 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	\$57,510,044	\$39,000	\$57,549,044

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$89,258,669	\$39,000	\$89,297,669

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

This the 27th day of July, 2015.

Consent Agenda Item #15-539

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 June, 2015.

Releases & Refunds for 2015 Taxes

Real Property	\$ 196.99
Personal Property	\$ 44,165.41
Solid Waste Fees	\$ <u>139.00</u>
Total for 2015	\$ 44,501.40

Releases & Refunds for 2014 Taxes

Real Property	\$ 11,501.89
Personal Property	\$ 25,189.81

Solid Waste Fees	\$ 139.00
NCVTS	\$ 11,132.24
Total for 2014 Taxes and Fees	\$ 47,962.94
<u>Releases & Refunds for Prior Years</u>	
Year 2007-2013	\$ 45,578.76
Grand Total	\$ 138,043.10

Consent Agenda Item #15-548

**DURHAM COUNTY, NORTH CAROLINA
2015-16 Capital Project Ordinance
Amendment Number 16CPA000001**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2015-16 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Capital Project	Current Budget	Inc./Dec.	Revised Budget
Open Space Land Acquisition (4730DC083)	\$11,842,910	\$500,000	\$12,342,910
Ongoing Roof Replacement Project (4190DC073)	\$1,978,296	\$595,765	\$2,574,061
Ongoing Parking Resurfacing Project(4190DC074)	\$485,275	\$524,050	\$1,009,325
Ongoing HVAC Replacement Project(4190DC076)	\$1,026,900	\$434,231	\$1,461,131
Jail Elevator Upgrade Project (4190DC077)	\$0	\$90,000	\$90,000
Rougemont Water System Project (4120DC098)	\$1,270,000	\$850,000	\$2,120,000
Major Laserfishe Upgrade Project (4200DC138)	\$150,000	\$150,000	\$300,000

Adopted this the 27th day of July, 2015.

Consent Agenda Item #15-549

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000002**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2015-2016 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	\$57,510,044	\$74,200	\$57,623,244

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Cultural and Recreation	\$12,009,942	\$74,200	\$12,084,142

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

This the 27th day of July, 2015.

Consent Agenda Item #15-551

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000003**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2015-2016 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	\$57,623,444	\$10,000	\$57,633,444

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Cultural and Recreation	\$12,084,142	\$10,000	\$12,094,142

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

This the 27th day of July, 2015.

Consent Agenda Item #15-552

**Durham County, North Carolina
2015-2016 Budget Ordinance
Amendment Number 16BCC000004**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2015-2016 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	\$57,633,244	\$25,000	\$57,658,244

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Cultural and Recreation	\$12,094,142	\$25,000	\$12,119,142

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

This the 27th day of July, 2015.

Board and Commission Appointments:

Michelle Parker-Evans, Clerk to the Board, distributed ballots to the Board to make appointments to boards and commissions.

The Board made the following appointments (incumbents are underlined.) Individuals listed in bold print were appointed:

Adult Care Home Community Advisory Committee

Marjorie Lipscomb (Foster, Howerton, Jacobs, Page, Reckhow)

Adaire Salt (Foster, Howerton, Jacobs, Page, Reckhow)

Alcoholic Beverage Control Board

Wayland Burton (Foster, Howerton, Jacobs, Page, Reckhow)

Deidre Guion (Jacobs, Reckhow)

Jacqueline Wagstaff (Foster, Howerton, Page)

Bicycle and Pedestrian Advisory Committee

Rebecca Board (Foster, Howerton, Jacobs, Page, Reckhow)

Frank Glover (Foster, Howerton, Jacobs, Page, Reckhow)

John Morris (Howerton)

Dangerous Dog Appeal Board

James Mark Brown (Foster, Howerton, Jacobs, Page, Reckhow)

Motiryo Keambiroiro (Foster, Howerton, Jacobs, Page, Reckhow)

Durham Open Space and Trails Commission

Thomas Davis (Page, Reckhow)

Meredith Stewart (Foster, Howerton, Jacobs)

Durham Planning Commission

Andre Vann (Foster, Howerton, Jacobs, Page, Reckhow)

Durham-Wake Counties Research and Production Service District

Tom Baldrige (Howerton)

Chris F. Buchholtz (Howerton, Jacobs, Page, Reckhow)

Karem Jackson (Howerton, Page, Reckhow)

Rynita Julien (Howerton, Jacobs, Page, Reckhow)

Stephanie Mcdougal (Howerton, Jacobs, Page, Reckhow)

Eddie Sells (Howerton, Jacobs, Page, Reckhow)

Industrial Facilities/Pollution Control Financing Authority

Anthony Gallop (Foster, Howerton, Jacobs, Page, Reckhow)

John Morris (Foster, Howerton, Jacobs, Page, Reckhow)

Jury Commission

Tiffany Taylor (Foster, Howerton, Jacobs, Page, Reckhow)

Juvenile Crime Prevention Council

Arnold Dennis (Foster, Howerton, Jacobs, Page, Reckhow)

Nicole Jimerson (Foster, Howerton, Jacobs, Page, Reckhow)

Jessica Jones (Foster, Howerton, Jacobs, Page, Reckhow)

Library Board of Trustees

Beth Fowler (Foster, Howerton)

Hank Kinsley (Foster, Jacobs, Reckhow)

Robert K. Otterbourg (Howerton, Page)

Angela L. Wilson (Jacobs, Page, Reckhow)

Nursing Home Community Advisory Committee

Katie Huffman (Jacobs, Page, Reckhow)

Marjorie Lipscomb (Foster, Howerton)

Women's Commission

Shauna Johnson (Foster, Howerton, Jacobs, Page, Reckhow)

Items Pulled From Consent Agenda:

15-531 Six Parking Lots Restorations located at the Agricultural Building, Criminal Justice Resource Center, and The Milton Rd. EMS #6. County Animal Shelter, East Main Street & Liberty Street

Commissioner Reckhow stated there were two issues with the bidding process. She mentioned she read the background materials and questioned why there was only one bid. Shawn Swiatocha, Assistant Director of General Services responded there was only one response received from the advertisement. Motiryo Keambiroiro, Director of General Services stated the bid was advertised with Purchasing, local newspapers and select companies. Ms. Keambiroiro continued that a total of 13 companies received the information with only one proposal being offered.

Directive: Commissioner Reckhow asked staff to revisit the bidding procedures and look at the issue of only one firm being pulled in on the job.

Commissioner Reckhow also stated there was a proviso that was missing from the item present. She referenced the following:

“COMPLIANCE WITH LAWS: Contractor represents that it is in compliance with all Federal, State and local laws, regulations or orders, as amended or supplemented. The implementation of this Contract shall be carried out in strict compliance with all Federal, State, or local laws.”

Commissioner Reckhow moved, seconded by Vice Chair Howerton to move forward with the contract with the addition of the compliance clause.

The motion carried unanimously

Commissioner Foster asked Wendell Davis, County Manager if in his professional opinion that it would come back to the Board that only one person came forward with a bid on the project. He also asked if the County Manager would ensure the County was in compliance with the contract laws with regards to the bidding process. County Manager Davis responded that he would revisit the issue with the Finance department.

Commissioner Jacobs asked if there was any minority participation with the contract. Ms. Keambiroiro responded there was no minority participation in the contract. Commissioner Jacobs inquired about the

length of time the contract was advertised for. Ms. Keambiroiro responded there was a minimum of 30 days. Commissioner Jacobs asked was the advertisement extended. Ms. Keambiroiro responded the bid could have been rejected but that was not the recommendation. She added majority of the construction contracts were advertised for 30 days for representatives to propose on the bids. Commissioner Jacobs also encouraged the County Manager and staff to review the process.

Reconvene to Closed Session:

The Board reconvened to Closed Session.

Reconvene to Open Session:

Chairman Page announced that the Board met in Closed Session to evaluate the performance of the following appoint and elected officials – the County Attorney, County Clerk, Tax Administrator, and Register of Deeds. The following motions were made as a result of Closed Session:

Commissioner Reckhow moved, seconded by Vice Chair Howerton to give all of the above named officials a 3% increase effective July 1, 2015.

The motion carried unanimously.

Adjournment:

Commissioner Reckhow moved, seconded by Commissioner Jacobs to adjourn the Regular Session meeting.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Monica Toomer".

Monica W. Toomer
Deputy Clerk to the Board