



# 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, November 9, 2015

7:00 PM

Commissioners' Chambers

### 7:00 pm Regular Session

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

#### Agenda Adjustments:

Chairman Page announced that there were no agenda adjustments.

#### Announcements:

Chairman Page read the following announcements:

- 1) Durham residents needing help to pay for their heating expenses can apply for the Low Income Energy Assistance Program (LIEAP) offered by the Durham County Department of Social Services beginning Monday, December 1, 2015. LIEAP funds, providing a one-time annual payment to help eligible families cover their heating expenses, will be available until March 31, 2016 or until funds are exhausted. For more information about the LIEAP or the LIEAP application, call (919) 560-8000.
- 2) Durham County Information Services & Technology will host a free Cyber Security Seminary on Tuesday, November 10, 10:00 – 11:30 am, here in the Chambers, 200 E Main Street. For more information, please call 919-560-8569 or contact Les Hamashima via email at [lhamashima@dconc.gov](mailto:lhamashima@dconc.gov).
- 3) The Durham County Veteran Services Office will honor our veterans in a program open to the public on November 11, 2014 from 11:00 am – 1:00 pm. The event will be held at the Human Services Complex, 2<sup>nd</sup> floor, 414 E. Main Street to formally recognize all of our veterans in this community and across the nation for their service and sacrifice in the defense of our country.

4) Young people, ages 14 to 24, and their parents are invited to register now for the 2015 Durham YouthWork Summit, "Passport to Your Future," a free event designed to help youth explore and learn about various careers, community resources, and educational opportunities. The summit will be held from 8 a.m. to 2:30 p.m. Wednesday, Nov. 11 (a Durham Public Schools holiday) at Holton Career and Resource Center, 401 N. Driver St.

For more information contact Employment Program Coordinator James Dickens at 919-560-4965, ext. 15217 or by email.

5)Join NCDOT Secretary Nick Tennyson and Durham Assistant Police Chief Ed Sarvis to celebrate the 2015 Watch for Me NC campaign Thursday, November 12, 2015, 11:30 am -12:00 noon at the Pavilion at Central Park, 501 Foster Street. Come learn more about the statewide effort to improve pedestrian and bicycle safety. Free bicycle jerseys, arm bands and other safety items will be available for attendees.

6)The Health Equipment Loan Program (HELP) which is a part of Project Access which loans free medical equipment to people in need will be accepting donations at the Scrap Exchange located at 2050 Chapel Hill Road, November 14, 2015 from 10am-3pm.

7)These announcements may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.

#### **Minutes:**

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve the October 12, 2015 Regular Session minutes.

The motion carried unanimously.

#### **Ceremonial Items:**

#### **15-732 Introduction of Jim Groves as Fire Marshal and Emergency Management Director**

Wendell Davis, County Manager thanked Mark Schell, Interim Fire Marshal and Emergency Management Director for his hard work and dedication during his second term as interim Director. He added that Mr. Schell represented the glue that kept the operations together. County Manager Davis stated that Mr. Schell has not only worked as the Interim Fire Marshal and Emergency Management Director but he continued his role as the Emergency Management Coordinator as well. He commended him for his dedication and recognized Mr. Schell for his commitment to Durham County.

Mr. Schell stated the Interim role offered him great experience and he looked forward to working with the new Fire Marshal and Emergency Management Director. He also thanked the County Manager and the Board for the recognition.

County Manager Davis introduced Jim Groves as the new Fire Marshal and Emergency Management Director. He stated Mr. Groves began his public safety work nearly 30 years ago with Durham County. County Manager Davis shared Mr. Groves work experience outside of the County and explained his return to local government in 2013. He expressed his excitement with Mr. Groves return and asked that the Board and Staff give him a warm welcome.

Mr. Groves thanked the County Manager and the Board for the warm welcome and stated how it was a pleasure to be back in Durham. He shared his excitement to work with the engaged staff and thanked everyone for being supportive of his return. Mr. Groves stated he was looking forward to taking the organization forward.

Chairman Page thanked Mr. Schell for his dedication and welcomed Mr. Groves back to Durham County Government.

**15-720 Resolution - Veterans Day 2015**

Chairman Page read the following proclamation:

**VETERANS DAY 2015**

**WHEREAS**, each year, our Nation pauses to pay tribute to the many men and women who have pledged their allegiance to the United States Armed Forces;

**WHEREAS**, their loyalty to the military is evident in their commitment and willingness to make sacrifices to protect our country;

**WHEREAS**, their faithfulness and courage commands respect as many have stood in the face of our country's adversaries to protect our freedom;

**WHEREAS**, the United States Congress passed a concurrent resolution on June 4, 1926, calling for the observance of November 11 with appropriate ceremonies, and later provided in an act approved on May 13, 1938, that the eleventh of November in each year should be a legal holiday celebrated and known as Armistice Day; and

**WHEREAS**, on June 1, 1954, Congress made an amendment replacing "Armistice" with "Veterans";

**WHEREAS**, November 11 is Veterans Day and is set aside as a legal state and federal public holiday to honor our Nation's veterans;

**WHEREAS**, it is hoped that we are inspired and our bond as a Nation is strengthened as we gather on Veterans Day to recognize the patriots across our great nation and the nearly 17,000 veterans of Durham County who have defended our rights, values and freedoms;

**NOW, THEREFORE BE IT RESOLVED** that we, the members of the Durham Board of County Commissioners, do hereby resolve that November 11, 2015 as

**VETERANS DAY**

in Durham County. We urge all citizens in Durham to observe Veterans Day 2015 by displaying respect and gratitude for our veterans, both living and deceased, through appropriate services and ceremonies recognizing their great sacrifice.

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

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Michael D. Page, Chairman

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Brenda A. Howerton, Vice-Chairman

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Wendy Jacobs

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Fred Foster, Jr.

Lois Harvin-Ravin, Veterans Services Director announced to the citizens of Durham County that the Veteran Service Office was fully supported by the County Manager and the Board of County Commissioners and would not be closing permanently. Ms. Harvin-Ravin invited all Veterans to attend the celebration scheduled for November 11, 2015 from 11am-1pm at the Veteran Services Office located in the Human Services Complex.

Commissioner Jacobs welcomed Lindsey Atkins, Veterans Service Officer, to the organization. She also thanked Ms. Harvin-Ravin for always putting together an amazing Veteran Services program. Commissioner Jacobs asked for clarification on the Veteran offices that would be closing. Ms. Harvin-Ravin responded a few months ago a notice was sent out which stated the Durham Veteran Services Center was closing and she just wanted to inform the citizens that the Durham County office was not closing. Commissioner Jacobs asked Deborah Craig-Ray, Assistant County Manager, to assist with a press release to inform County citizens.

Vice Chair Howerton echoed Commissioner Jacobs and also thanked Ms. Harvin-Ravin for her attendance at many meetings and her hard work.

**15-728 Resolution - Honoring Veteran Samie Anderson**

Chairman Page read the following resolution:

**SAMIE ANDERSON**

**WHEREAS**, Samie Anderson, born July 21, 1908, was the second oldest verified American World War II veteran who lived in Durham, North Carolina; and

**WHEREAS**, he was born in Shuqualak (Noxubee County), Mississippi to father, Genius Anderson (1886- 1954) and Rachael Anderson (1886- 1968). He was the oldest son of six children; and

**WHEREAS**, Mr. Anderson, also known as a Master Chef, loved to cook, travel, spend time with friends and adored his family; and

**WHEREAS**, , Baltimore, Maryland was Samie Anderson's home for 75 years where he spent time with his best friend Andrew Hopkins and met and married his wife Ruby Carter; and

**WHEREAS**, Charles, Donald and Dale are Mr. Anderson's three children. He was also a grandfather and great grandfather; and

**WHEREAS**, in 1941, Samie Anderson enlisted in the military at Fort Huachuca Arizona as a specialty cook in the United States Army. He served in Luzon, Philippines, and was honorably discharged from military service of The United States of America in 1945; and

**WHEREAS**, Mr. Anderson was a testimony of honest and faithful service to this country; and

**WHEREAS**, Mr. Samie Anderson, who moved to Durham in 2009, was Durham's oldest veteran; and

**WHEREAS**, the world lost a great soldier when Mr. Anderson passed away on Wednesday, October 14, 2015, at the age of 107 years old.

**NOW, THEREFORE BE IT RESOLVED** that we, the members of the Durham County Board of Commissioners, do hereby resolve to pay tribute to

**MR. SAMIE ANDERSON**

a leader who has sacrificed much to protect our community and our country. I encourage all county residents to applaud his significant accomplishments and recognize his outstanding service and legacy with the upmost respect.

This the 9<sup>th</sup> day of November 2015

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Michael D. Page, Chairman

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Brenda A. Howerton, Vice-Chairman

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Fred Foster, Jr.

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Wendy Jacobs

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Ellen W. Reckhow

Lois Harvin-Ravin, Veteran Services Director, acknowledged the family of Mr. Anderson and asked them to join her in accepting the resolution. She shared fond memories of Mr. Anderson prior to his death and thanked the Board for the recognition.

Dale Anderson, daughter of Mr. Anderson, shared a story about her father. She stated that we as a County should celebrate the liberties of freedom. Ms. Anderson also asked all citizens to recognize a veteran and simply thank them for their service.

Commissioner Foster thanked Ms. Anderson’s family for allowing him to share his time with Durham County.

**15-736 Proclamation - National Hospice Care Month**

Chairman Page read the following proclamation:

**NATIONAL HOSPICE PALLIATIVE CARE MONTH | 2015**

**WHEREAS**, hospice and palliative care empower people facing a serious or life-limiting illness to live as fully as possible, surrounded and supported by family and loved ones;

**WHEREAS**, hospice and palliative care professionals are dedicated to helping diverse communities access quality end-of-life care and are committed to removing barriers to accessing care;

**WHEREAS**, hospice and palliative care bring patients and family caregivers the highest quality care delivered by an interdisciplinary team of skilled professionals that includes physicians, nurses, social workers, therapists, counselors, health aides, spiritual care providers and others who make the wishes of each patient and family a priority;

**WHEREAS**, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support, allowing patients to live fully and make more meaningful moments until the end, surrounded and supported by the faces of loved ones, friends, and committed caregivers;

**WHEREAS**, each year, hospice saves Medicare more than \$2 billion by providing solutions for physicians, care to patients and comfort to families anywhere, at any time;

**WHEREAS**, every year more than 1.5 to 1.6 million Americans living with life-limiting illness, and their families, receive care from the nation’s hospice programs in communities throughout the United States;

**WHEREAS**, more than 355,000 trained volunteers contribute 16 million hours of service to hospice programs annually in the U.S.;

**WHEREAS**, hospice and palliative care providers encourage all people to learn more about options of care and to share their wishes with family, loved ones, and their healthcare professionals;

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

**“NATIONAL HOSPICE PALLIATIVE CARE MONTH”**

in Durham County, North Carolina and encourage citizens to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

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

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Michael D. Page, Chairman  
Durham Board of County Commissioners

John Thoma, CEO, Transitions LifeCare, thanked the Board for helping to educate the community. He added Transitions LifeCare had a passion to improve the quality of life for the citizens of Durham County.

**15-742 Proclamation - National Adoption Awareness Month**

Chairman Page read the following proclamation:

**NATIONAL ADOPTION AWARENESS MONTH | 2015**

**WHEREAS**, the County of Durham recognizes the importance of giving children in foster care permanent, safe and loving families through adoption; and

**WHEREAS**, every child deserves the chance to grow up in a loving, stable family

**WHEREAS**, children of all ages need adoptive homes. Forty percent are five and under (few are infants), another 40 percent are between six and twelve years, and 20 percent are between 13 and 18 years. Many of them are siblings and need to be placed together, and

**WHEREAS**, more than 102,000 children in the United States foster care system are waiting to be adopted; and

**WHEREAS**, more than 2,200 children in North Carolina are waiting for permanent families; and

**WHEREAS**, more than 213 children in Durham County, NC are in foster care and of that number 11 are legally free for adoption but are not currently in an adoptive placement and are waiting for permanent families; and

**WHEREAS**, this effort along with similar celebrations in all 50 states around the country will offer children the chance to live with stable and loving families and encourage other dedicated individuals to make a powerful difference in the lives of a child through adoption;

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

## “NATIONAL ADOPTION AWARENESS MONTH”

in Durham County, North Carolina and I commend this observance to our citizens and urge all citizens to join in raising awareness on behalf of the 11 children in Durham County who are waiting for a loving family. I further encourage communities, businesses, schools, faith-based organizations and families to “answer the call” and honor the special needs of Durham County’s children in hopes of securing a permanent, loving family for each and every child regardless of race, age, gender, healthy, emotional or behavioral condition and past distress.

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

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Michael D. Page, Chairman  
Durham Board of County Commissioners

Commissioner Reckhow mentioned that Michael Becketts, Social Services Director, had written a column in the Durham Herald which discussed adoption and foster parenting. She highlighted statistics from the column that included ages of children vs. the number of foster homes available for the children. Commissioner Reckhow hoped the Board would look at the foster care issue and see if there were further actions and best practices that could be taken.

Chairman Page thanked Sharyn Flood, Program Manager and Janice Williams, Adoption Supervisor, for their consistency in assisting the families in need.

Ms. Williams thanked the Board for recognizing the statics mentioned in the column by Mr. Becketts. She added that as of November there were 220 children who were in foster care.

Commissioner Jacobs mentioned the importance of foster care and recognized a foster parent that was in the audience. She asked Ms. Flood if there was contact information available for a citizen who was interested in getting more information on foster parenting. Ms. Flood stated that interested citizens should call 919-560-8392 if they desired to get more information.

### **Consent Agenda:**

Chairman Page asked the Commissioners if they desired to pull any items form the Consent Agenda. No items were pulled.

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

\*15-729 Sheriff's Office - Budget Ordinance Amendment No. 16BCCC000021 to Recognize and Appropriate Revenue from the Bureau of Justice Assistance (BJA) in the Amount of \$58,285 to Support Detention Center Overtime Staffing Needs.

\*15-733 Budget Ordinance Amendment No. 16BCC000022 to Recognize Funds in the Amount of \$127,500 from the Medicaid and Medicare Electronic Health Record (EHR) Meaningful Use Incentive Program.

\*15-738 Capital Project Amendment No. 16CPA000006 - Creation of Lincoln Community Health Center - Phase II Renovation Project (4730DC139), Appropriation of \$1,000,000 of Department of Health and Human Services Grant Funds to the Capital Project, and Execution of Contract for Architectural Design Services with Swanson + Stewart Architects for the LCHC Phase II Renovation.

\*15-740 Capital Project Amendment No. 16CPA000007 -Appropriation of County Contribution Funds (\$599,400) for a New Sheriff Technology Upgrade (4200DC105) Capital Project.

15-743 Award Contract for Third Party Administrator Claims Services

15-744 Board of County Commissioners’ 2016 Meeting Schedule

The motion carried unanimously.

Consent Agenda Item #15-729

**Durham County, North Carolina  
2015-2016 Budget Ordinance  
Amendment Number 16BCC000021**

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	\$57,715,953	\$58,285	\$57,773,238

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Public Safety	\$58,132,239	\$58,285	\$58,190,524

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

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

Consent Agenda Item #15-733

**Durham County, North Carolina  
2015-2016 Budget Ordinance  
Amendment Number 16BCC000022**

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 Revenues	\$506,991	\$127,500	\$634,491

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$90,672,868	\$127,500	\$90,800,368



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

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

Consent Agenda Item #15-738

**DURHAM COUNTY, NORTH CAROLINA  
2015-16 Capital Project Ordinance  
Amendment Number 16CPA000006**

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.

<b>Capital Project</b>	<b>Current Budget</b>	<b>Inc./Dec.</b>	<b>Revised Budget</b>
LCHC Phase II Renovation Project (4730DC139)	\$0	\$1,000,000	\$1,000,000

Adopted this the 9<sup>th</sup> day of November, 2015.

Consent Agenda Item #15-740

**DURHAM COUNTY, NORTH CAROLINA  
2015-16 Capital Project Ordinance  
Amendment Number 16CPA000007**

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.

<b>Capital Project</b>	<b>Current Budget</b>	<b>Inc./Dec.</b>	<b>Revised Budget</b>
16 Sheriff Technology Upgrade Project (4200DC105)	\$0	\$599,400	\$599,400

Adopted this the 9<sup>th</sup> day of November, 2015.

**Public Hearings:**

**15-747 Public Hearing to Consider Allocating Economic Development Investment Funds to Fidelity Investments**

Marqueta Welton, Deputy County Manager stated that the Board was requested to hold a public hearing to consider allocating \$450,000.00 in economic development investment funds to Fidelity Investments. She added the company proposed to expand its Durham campus by adding 600 new workers by the end of 2018. Ms. Welton recommended the County provide up to \$450,000.00 in economic development incentives.

Chairman Page asked the Board if they had any questions about the item.

Commissioner Jacobs asked was there information available about the \$1.4million for training. Ms. Welton responded that the training was being provided through Durham Technical Community College (DTCC). Commissioner Jacobs asked was the training held exclusively through DTCC. Ms. Welton concurred.

Chairman Page opened the public hearing. No one was signed up to speak, therefore Chairman Page closed the public hearing. He asked the Board what was their pleasure on the item.

Commissioner Reckhow stated there needed to be a focus on preparing the younger citizens for these types of jobs. She mentioned the My Brother's Keeper (MBK) event that was held on Tuesday, November 3, 2015 and suggested a conversation with the Durham Public School Board about more innovative ways to get young citizens interested in technology.

Commissioner Reckhow moved, seconded by Commissioner Jacobs to approve the allocation of \$450,000.00 in economic development investment funds to Fidelity Investments.

The motion carried unanimously.

## **Regular Business:**

### **15-748 Approval of Public-Private Project Agreement with Harris Beverages, LLC**

Marqueta Welton, Deputy County Manager stated that the Board was requested to approve a Public Private Project (PPP) Agreement negotiated with Harris Beverage, LLC in an amount of \$2,650,000.00 for the development of a new headquarters, warehouse and distribution facility on Junction Road. She continued to say that the County would significantly benefit from participation in the development of the project from increases to annual property and the creation of new jobs. Ms. Welton added there were additional changes made to the agreement which were made available to the Board.

Vice Chair Howerton inquired about the salary range. Ms. Welton stated the average salary was \$30,000.00. Jay Harris, President of Harris Beverage, LLC, also commented that the salary range would be from \$25-75,000.00 depending on the position. Vice Chair Howerton asked if benefits were included. Mr. Harris responded that insurance was separate. Vice Chair Howerton asked Mr. Harris to expand on the "community space" offered at the facility. Mr. Harris stated the "community space" was the company's way of giving back to the community. He continued to say the Hillsborough Road location offered a meeting space to the citizens that could be used for meetings and other functions. Mr. Harris also added that the new space would offer the same opportunity with about 4,000 square feet of space. He also mentioned this space have multi-media access and would be available nights and weekends to the public.

Chairman Page recognized Patrick Byker, Attorney, representative for Harris Beverages, LLC, and Jay Harris, President of Harris Beverage, LLC to speak.

Mr. Byker stated Harris Beverage, LLC was a Durham based business that had been in operation for decades. He thanked the Board and County administration for their time while working on the project.

Mr. Harris stated the Hillsborough Road location had been in operation since 1982. He thanked the

Board for their support and enthusiasm around this project. Mr. Harris also thanked Ms. Welton, George Quick, Chief Finance Officer; Wendell Davis, County Manager and Lowell Siler, County Attorney, for their help with the agreement. He added that Harris Beverage was looking forward to staying in Durham for the next 30 years.

Chairman Page hoped that Harris Beverage would consider the citizens of Durham County and most importantly the offenders in the Criminal Resource Justice Center who were looking to return to the workforce when they began hiring. Mr. Harris responded the company had lowered their hiring age to 18 years old and they also offer a returning citizen program where offenders were hired.

Commissioner Reckhow applauded the initiative. She expressed her excitement for younger adults who could easily get employed after high school graduation. Commissioner Reckhow stated she looked forward to the opportunity of having a company with good wages and growth in Durham County that also helped the youth.

Commissioner Jacobs stated that Durham County had the option to make more of an investment in East Durham by expanding and offering more jobs. She recognized Mr. Harris for highlighting in the agreement the need to make good efforts to hire returning citizens within the company.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to approve the public-private agreement with Harris Beverage LLC, in the amount of \$2.56 million dollars for the development of a new headquarters, warehouse and distribution facility on Junction Road.

The motion carried unanimously.

**Closed Session:**

Chairman Page announced that the Board was requested to adjourn to Closed Session pursuant to G.S. 143-318.11(a)(4) to discuss matters related to the location or expansion of a business or industry.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to adjourn to closed session.

The motion carried unanimously.

**Reconvene to Open Session:**

Chairman Page announced the Board met in closed session and provided direction to staff.

**Adjournment:**

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

The motion carried unanimously.

Respectfully Submitted,



Monica W. Toomer  
Deputy Clerk to the Board