



Durham County

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

Meeting Minutes

Board of County Commissioners

Monday, November 14, 2016

7:00 PM

Commissioners' Chambers

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chairman Page announced that there were no agenda adjustments.

Chairman Page shared the following Statement of Affirmation received by Commissioner Jacobs regarding the unrest in the surrounding communities:

“The Durham County Board of Commissioners joins our voices with Durham Public Schools, the Durham City Council and Durham Tech to affirm our commitment that Durham is a welcoming, tolerant, inclusive, loving community where all people can pursue their dreams and live their lives free from the fear of intimidation, harassment, and violence. Durham County Government is committed to ensuring that all people in our community, including refugees and immigrants, are able to work, go to school, raise their families and live their daily lives free from discrimination based on religion, race, gender, sex, sexual orientation, or country of origin. We, the Durham County Board of Commissioners, reiterate our commitment to the values of democracy, equality, justice and liberty that are the underpinning of our nation, and our beloved home, Durham North Carolina.”

Chairman Page added the Board would continue to stand with the community in any way possible.

Announcements

- 1) Help us update Durham County's Strategic Plan. Please go to tinyurl.com/durhamcountyplan to share your vision for what Durham County should be doing in the areas of community prosperity, health, safe and secure community, the environment and visionary government. This online community forum, which only takes a few minute to complete, will be live now through the end of the year. We greatly value your feedback as we refresh our Strategic Plan and plan for the future of Durham County.
- 2) Please contact the Clerk's Office at 919-560-0025 or clerk@dconc.gov to find out about opportunities to serve on one of our volunteer boards or commissions.
- 3) These announcements may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.

4) Vice Chair Howerton briefly commented on the My Brother's Keeper Initiative and suggested that the County begin to bring women into the conversation regarding incarceration. She asked the Board to begin to look at similar initiatives for girls in the coming year.

Minutes

Commissioner Reckhow moved, seconded by Commissioner Jacobs to approve the October 24, 2016 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

Proclamation-National Adoption Awareness Month

Chairman Page read the following proclamation:

NATIONAL ADOPTION DAY | 2016

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 opportunity to grow up in a loving, stable home and adoption is one way to build a family; and

WHEREAS, caring adults can make all the difference in the lives of young people, sibling groups, children with special needs, and teenagers; and

WHEREAS, more than 260 children in Durham County, NC are in foster care, 39 are legally free for adoption and of that total number 10 children are waiting for permanent families; and

WHEREAS, since January 2013 Durham County has successfully recruited families for children waiting resulting in a total of 97 finalized adoptions, including 20 sibling groups; 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, BE IT RESOLVED that I, Michael D. Page, Chairman of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners do hereby proclaim November 2016, as

“ADOPTION AWARENESS MONTH”

I commend this observance to our citizens and urge all citizens to join in raising awareness on behalf of the 10 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 14th day of November, 2016.

Michael D. Page, Chairman
Durham Board of County Commissioners

Chairman Page thanked Janice Williams, Adoption Supervisor and her staff for all their hard work. Ms. Williams thanked the Board for the proclamation and invited citizens to attend the celebration Saturday, November 19, 2016 at the Health and Human Services Building, 414 E. Main Street.

Commissioner Jacobs thanked the staff for helping the families through the adoption process. She inquired about the number of children available for adoption. Ms. Williams responded that currently, there were 12 children in need of a loving home; three (3) between the age of 0-5, four (4) between 5-10 and four (4) between the age of 12-15.

Vice Chair Howerton also thanked the staff and inquired about the time of the celebration on Saturday. Ms. Williams responded the celebration was scheduled from 11am -1pm.

Resolution and Recognition of Veterans Day 2016

Chairman Page read the following resolution:

VETERANS DAY 2016

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, 2016 as

VETERANS DAY

in Durham County. We urge all citizens in Durham to observe Veterans Day 2016 by displaying respect and gratitude for our veterans, both living and deceased, through appropriate services and ceremonies recognizing their great sacrifice.

This the 11th day of November, 2016.

Michael D. Page, Chairman

Brenda A. Howerton, Vice-Chairman

Wendy Jacobs

Fred Foster, Jr.

Ellen W. Reckhow

Chairman Page acknowledged the special Veterans Day Program held on Friday, November 11, 2016 and read a letter received from Jay Don Horton, President of World War II Veterans.

Lois Harvin-Ravin, Veteran Services Director, thanked the Board, citizens and the veterans for coming out and attending the services.

Commissioner Reckhow thanked Ms. Harvin-Ravin and Linzie Atkins, Veterans Service Officer for putting together an excellent program. She commended them on the great speakers also.

Vice Chair Howerton and Commissioner Jacobs thanked the staff and the veterans of Durham County.

Resolution in Support of the Equal Rights Amendment

Commissioner Reckhow read the following resolution:

EQUAL RIGHTS AMENDMENT 2016

WHEREAS, Durham County steadfastly supports equal rights for the citizens of Durham County; and women constitute over 53 percent of the citizenry; and

WHEREAS, to further demonstrate that support Durham County created its Durham County Women's Commission on February 2, 1987 to create space for leaders to work on issues and recommend policy changes to enhance the quality of life for all women; and

WHEREAS, despite efforts to bring awareness, women continue to confront a lack of political parity, workplace discrimination, health care inequities, disparate rates of poverty, rape and domestic violence assaults; and

WHEREAS, the US Constitution does not explicitly guarantee that all rights that it protects are held equally by all citizens without regard to sex; and

WHEREAS, the 14th Amendment's equal protection clause has never been interpreted to guarantee equal rights for women in the same way the ERA would, by situating sex as a suspect category invoking strict judicial scrutiny, just as race, national origin and religion do; and

WHEREAS, the ERA was passed by Congress in 1972 and ratified by 35 of the 38 states necessary to put it into the Constitution, yet was assumed to have expired in 1982; and

WHEREAS, State Senator Floyd B. McKissick, Jr. and Representative Carla Cunningham introduced ERA ratification bills in the NC General Assembly in the 2015 long session with State Senator Mike Woodard co-sponsoring the Senate bill and Representative Henry M. Michaux co-sponsoring the House bill; and our legislators will introduce like bills in 2017; and

WHEREAS, US Representatives G.K. Butterfield, David Price and Alma Adams co-sponsored bills in the 114th Congress to pass an ERA and to lift the time limits on the states for ratifying the ERA.

NOW, THEREFORE, BE IT RESOLVED THAT WE, the members of the Durham County Board of Commissioners, now call on Congress to pass into law a bill to pass an ERA and to remove the time limit for ratification of the ERA so that ratification shall be achieved upon the affirmative vote of 38 states, of which 35 have already ratified; and

BE IT FURTHER RESOLVED that Durham County also calls on the NC General Assembly to pass into law a bill to ratify the ERA to the US Constitution as proposed by Congress on March 22, 1972.

This the 14th day of November, 2016.

Michael D. Page, Chairman

Brenda A. Howerton, Vice-Chairman

Wendy Jacobs

Fred Foster, Jr.

Ellen W. Reckhow

Commissioner Reckhow thanked Marena Groll, Chair of NC4ERA for her active role with the Equal Rights Amendment and expressed her appreciation for all the work done to bring the resolution forward.

Ms. Groll thanked the Board for the resolution and asked for advocacy for Civil Rights. She briefly discussed the 14th and 19th amendments and asked for equal access to protection as well as Civil Rights for women.

Chairman Page and Vice Chair Howerton both thanked Ms. Groll for bringing the amendment forward.

Commissioner Jacobs thanked Commissioner Reckhow for bringing the resolution forward. She stated it had been 44 years and the amendment was still not adopted. Commissioner Jacobs asked Ms. Groll to inform the Board if she needed assistance moving forward with the State Legislature.

Recognition of “Peaceful Presence Award” Recipient -Durham County Criminal Justice Resource Center

Chairman Page congratulated Gudrun Parmer, Director of the Criminal Justice Resource Center (CJRC) for receiving the award.

Marcia Owen, Executive Director of the Religious Coalition for a Nonviolent Durham stated the Reconciliation Ministry was established in 2004 as a private-partnership to develop teams that reached out to the community. She added Durham County’s CJRC trained and provided assistance. Ms. Owen thanked Ms. Parmer and her staff for all their work.

Ms. Parmer stated it was very humbling to receive the award. She stated the relationship with the Faith Community did so much more for CJRC and the clients. Ms. Parmer reflected that the relationship opened the doors to understanding the complexities of a person who was trying to start over.

Commissioner Reckhow stated that she and Vice Chair Howerton attended the breakfast when Ms. Parmer was honored and they were both very proud. She encouraged anyone interested in getting involved to please be active in giving back to the community.

Vice Chair Howerton commended Ms. Parmer on being a hard working woman who worked continuously and being someone to always see the possibility in others.

Commissioner Jacobs thanked Ms. Parmer for being a powerful and humble woman in the community.

Consent Agenda

Chairman Page asked the Board if they desired to pull any items from the Consent Agenda. A citizen requested to pull items #16-1358 and #16-1366. Commissioner Jacobs requested to comment to items #16-1347 and 16-1355 and Commissioner Reckhow requested to comment on items #16-1346 and 16-1387.

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

16-1273 Approval for Sole Source Exemption for the Purchase of the Hoopla Service

16-1291 Appointment of Chairperson for Durham County ABC Board

*16-1345 Budget Ordinance Amendment No. 17BCC000018 - General Fund fund Balance Appropriation of \$140,473 to Re-appropriate Funds Approved in FY2016 to Support Roof Repairs to the Lincoln Community Health Center

*16-1346 Budget Ordinance Amendment No. 17BCCC000019 to Recognize Revenue from the Bureau of Justice Assistance (BJA) in the amount of \$60,811

*16-1347 Budget Ordinance Amendment No. 17BCCC000020 to Recognize Revenue from the American Society for the Prevention of Cruelty to Animals (ASPCA) in the amount of \$50,000

*16-1350 Budget Ordinance Amendment No. 17BCC000027 Recognizing \$99,926 in Federal Grant Funds from the North Carolina Division of Social Services for the Community Response Program (CRP)

*16-1351 Budget Ordinance Amendment No. 17BCCC000021 to Recognize Revenue from the Bureau of Justice Assistance (BJA) in the amount of \$228,808 for a Mental Health Collaboration Grant With 25% (\$57,202) Matching County Grant

16-1352 Records Retention and Disposition Schedule for the Office of the Sheriff

*16-1353 Budget Ordinance Amendment No. 17BCC000022 to Recognize \$10,000 from the North Carolina Division of Health and Human Services, Division of Public Health to Increase HIV/STD testing

*16-1354 Budget Ordinance Amendment No. 17BCC000023 to Recognize \$7,500 from the NC Department of Health and Human Services (Division of Public Health) to Promote Naloxone Distribution

*16-1355 Budget Ordinance No. 17BCC000025 Recognizing a Total of \$140,413 in Revenue for Child Care, Adult Day Care Funds and First Presbyterian Donations

*16-1359 Budget Ordinance Amendment No. 17BCC000024 - Appropriate Restricted Funds for the Sheriff's Office, CJRC, Fire Marshall, Public Health, Social Services and Cooperative Extension

16-1360 Request Approval of Three Year Contract (\$99,615 Annually) with OpenGov Inc. for Software

Services Supporting Managing For Results (MFR) Data Analysis and Visualization Needs

*16-1364 Budget Ordinance Amendment No. 17BCC000026 Appropriating \$1,250.00 from General Fund Fund Balance for the “All Together Now Award” for the Youth Home

16-1373 Approval of Information Security Services from Robert Half Technology Division in the Amount of \$45,630 for the Purpose of Information Security Program Analysis and Review

16-1387 Interlocal Agreement with City of Durham for New E911 Communications Facility

Item #16-1346

Commissioner Reckhow commended the Sheriff’s Office for their work in gaining over \$60,000 in revenue. She stated they used a consulting firm to obtain resources for the department. Commissioner Reckhow urged the County Manager to highlight the group and encourage other larger departments to look into utilizing the same resources.

Item #16-1347

Commissioner Jacobs recognized the staff for numerous budget amendments for grants that would benefit the citizens of Durham County.

Item #16-1351

Vice Chair Howerton thanked the Sheriff’s department for their assistance in working toward mental health.

Item #16-1355

Commissioner Jacobs stated this was funding deposited by First Presbyterian Church to the Department of Social Services to assist citizens in making down payments, application fees or security deposits on rental property. She recognized First Presbyterian and welcomed other churches to participate as well.

Item #16-1387

Commissioner Reckhow stated she supported the item but stated there was an obligation to pay a share of the capital improvement project. She added with new data on population distribution and the utilization of 911, it would possibly lead to a lower distribution from the County. Commissioner Reckhow hoped moving forward the County would look at re-negotiating the Interlocal Agreement.

The motion carried unanimously.

Consent Agenda Item #16-1345

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000018**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$27,954,899	\$140,473	\$28,095,372

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$107,986,625	\$140,473	\$108,127,098

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

This the 14th day of November 2016.

Consent Agenda Item #16-1346

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000019**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$58,929,084	\$60,811	\$58,989,895

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$60,739,234	\$60,811	\$60,800,045

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

This the 14th day of November 2016.

Consent Agenda Item #16-1347

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000020**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$58,989,895	\$50,000	\$59,039,895

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$60,800,045	\$50,000	\$60,850,045

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

This the 14th day of November 2016.

Consent Agenda Item #16-1350

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000027**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$59,423,879	\$99,926	\$59,523,805

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$95,664,674	\$99,926	\$95,764,600

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

This the 14th day of November 2016.

Consent Agenda Item #16-1351

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000021**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$59,039,895	\$228,808	\$59,268,703
Other Financing Sources	\$28,095,372	\$57,202	\$28,152,574

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Public Safety	\$60,850,045	\$286,010	\$61,136,055

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

This the 14th day of November 2016.

Consent Agenda Item #16-1353

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000022**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$59,268,703	\$10,000	\$59,278,703

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$94,985,477	\$10,000	\$94,995,477

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

This the 14th day of November 2016.

Consent Agenda Item #16-1354

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000022**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$59,278,703	\$7,500	\$59,286,203

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$94,995,477	\$7,500	\$95,002,977

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

This the 14th day of November 2016.

Consent Agenda Item #16-1355

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000025**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$59,286,203	\$137,676	\$59,423,879
Contributions & Donations	\$78,276	\$2,000	\$80,276
Other Financing Sources	\$28,910,741	\$747	\$28,911,488

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$95,524,261	\$140,423	\$95,664,684

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

This the 14th day of November 2016.

Consent Agenda Item #16-1359

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000024**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$28,152,574	\$758,168	\$28,910,741

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$61,136,055	\$212,182	\$61,348,238
Economic and Physical Development	\$6,142,935	\$24,701	\$6,167,637
Human Services	\$95,002,977	\$521,284	\$95,524,261

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

This the 14th day of November 2016.

Consent Agenda Item #16-1364

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000026**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$28,911,478	\$1,250	\$28,912,728

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Hearing	\$61,348,238	\$1,250	\$61,349,488

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

This the 14th day of November 2016.

Public Hearings

Public Hearing and Award of Franchise to Provide Ambulance Service

Skip Kirkwood, Director of Emergency Medical Services (EMS) stated Medex Patient Transport of Raleigh was one (1) of two (2) applicants to be considered to provide patient transport within Durham County for non-emergency and inter-facility transportation. He added all requirements were met and staff recommended that franchises be granted to both applicants.

Chairman Page stated after reviewing the applications, he noticed none were from Durham County. He asked if anyone in Durham submitted an application. Mr. Kirkwood responded there were no established ambulance companies in Durham County. Chairman Page asked for clarification on the term “established.” Mr. Kirkwood stated since the ordinance was amended, the County opened the door for additional franchises. He continued to say there was one service provider in Durham County but they left the business.

Chairman Page opened the public hearing. No one was signed up to speak. Chairman Page closed the public hearing and stated the matter was back before the Board.

Commissioner Reckhow moved, seconded by Commissioner Jacobs to approve the Award of Franchise to Provide Ambulance Service as indicated.

The motion carried unanimously.

Public Hearing and Award of Franchise to Provide Ambulance Service

Skip Kirkwood, Director of Emergency Medical Services (EMS) stated LifeStar Emergency Services 2023, LLC was one (1) of two (2) applicants to be considered to provide patient transport within Durham County for non-emergency and inter-facility transportation. He added all requirements were met and staff recommended that franchises be granted to both applicants.

Commissioner Jacobs asked if the rates were similar between companies. Mr. Kirkwood stated rates were not addressed. He added he could gather that information if requested by the Board. Commissioner Jacobs asked if the nursing home would arrange the service. Mr. Kirkwood responded in

the affirmative.

Chairman Page asked if the patient could arrange their own transportation. Mr. Kirkwood stated the patient or facility could arrange the transportation. Chairman Page stated with the options available, would it decrease the wait time. Mr. Kirkwood responded yes, with multiple providers in the market it would open up availability.

Chairman Page opened the public hearing. No one was signed up to speak. Chairman Page closed the public hearing and stated the matter was back before the Board.

Vice Chair Howerton moved, seconded by Commissioner Jacobs to approve the Award of Franchise to Provide Ambulance Service as indicated.

The motion carried unanimously.

Items Pulled From Consent Agenda

16-1358 - Approval of BOCC - Board of Education Memorandum of Understanding

Dr. E. Lavonia Allison, citizen, was concerned with six of the fourteen items on the Board of Education Memorandum of Understanding. She was concerned that there was a lack of specificity and there was no community input.

Chairman Page stated the School Board had not approved the Board of Education Memorandum of Understanding and another meeting was scheduled in December. Chairman Page asked Dr. Allison to provide the Clerk to the Board or County Manager documentation of her concerns.

Commissioner Jacobs mentioned the Board of Education Memorandum of Understanding was not perfect, but she would like to see it move forward. She commented that County Manager Davis had put a lot of work into the document.

Commissioner Reckhow stated she was concerned that a couple of the provisions were related to the budget and were time sensitive. She asked the Manager to relay the concerns to the Superintendent in order to move the document forward. She hoped that as a good faith step, there would be willingness to share information in #4 of the MOU.

County Manager Davis stated that the item would be pulled and brought back to the November 28th Regular Session.

Directive: Manager address Dr. Allison's questions and bring the MOU back to the Board on November 28.

***16-1366 - Capital Project Amendment No. 17CPA000009 Appropriation of 2016 Authorized Limited Obligation Bond (LOBs) Funding in the Amount of \$4,000,000 for the Judicial Building Capital Project (4730DC073) and Approval of Construction Contingency for the Construction Manager @ Risk "Guaranteed Maximum Price" Contract for the Judicial Building Renovation**

Dr. E. Lavonia Allison, citizen, was concerned with employment opportunities and the Minority and Women Owned Businesses (MWBE) with capital projects.

County Manager Davis stated the project was for the Judicial Building renovation and the County was seeking funding. He added the project had 30% or more of MWBE participation.

General Manager Jay Gibson mentioned the Construction Manager at Risk was a joint venture between Whiting Turner and Hope Brothers. He added 20% of the prime was going to a certified minority firm and subcontractors.

Commissioner Jacobs asked General Manager Gibson for a list of subcontractors that were working on the project and where they were based. County Manager Davis answered the County had rules to follow but had always been conscious of MWBE and didn't want to give any false pretenses. Commissioner Jacobs asked if the Main Library included the contingencies, furniture, fixtures and extras in the cost package. Peri Manns, Engineering and Environmental Services Deputy Director, answered yes.

Commissioner Howerton asked if the subcontractor information was available on the website. General Manager Gibson responded the information was provided to the Commissioners earlier, but he would provide it again.

Commissioner Reckhow asked why the original contract did not include the cost increase for the construction contingency amount. General Manager Gibson answered the Construction Management At Risk (CMAR) was a new process and would show costs for the project differently. Commissioner Reckhow asked for transparency going forward to create an overview when it related to cost to have it more as a package. Commissioner Reckhow asked if the County could use some of the good furniture already being used by existing departments instead of purchasing all new furniture for \$2.8 million. Mr. Manns answered some departments had requested to reuse some of their furniture.

Directive: Commissioner Jacobs asked General Manager Gibson for a list of subcontractors that were working on the project and where they were based.

Commissioner Reckhow moved, seconded by Commissioner Howerton to approve item 16-1366 – Capital Project Amendment No. 17CPA000009.

The motion carried unanimously.

Adjournment

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

The motion carried unanimously.

Respectfully Submitted,

Macio Carlton, III
Senior Administrative Assistant