



Durham County

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

Meeting Minutes

Board of County Commissioners

Wendy Jacobs, Chair
James Hill, Vice Chair
Heidi Carter, Commissioner
Brenda A. Howerton, Commissioner
Ellen W. Reckhow, Commissioner

Commissioners' Chambers

Monday, March 27, 2017

7:00 PM

Opening of Regular Session - Pledge of Allegiance

Chair Jacobs shared the following statement on behalf of the Board:

“In light of the protests which took place at our March 13, 2017 Board of County Commissioners Meeting in which citizens protested the issue of video visitation at the Detention Center, on behalf of the Board of County Commissioners, I would like to clarify the position of the Durham County Board of Commissioners in regard to this issue and correct misinformation.

The Durham County Board of Commissioners supports the maintenance of in person visitation at the jail as an option for people who are visiting friends and family members. We believe that in person visitation is important for the inmates in the Detention Center awaiting trial and for their loved ones outside of the jail. We believe that being able to have an in person visit with friends and family members can have a positive impact on the mental health and behavior of inmates and thus also on the well-being of Detention Center staff.

The Durham County Board of Commissioners understands that the Sheriff's department intends to install 8 video portals in the lobby of the Detention Center for video visitation. We believe that this has merit to give family members and friends an additional option. We also understand that this technology has the potential to give family members who are unable to travel to the Detention Center the opportunity to connect with their loved ones. The Durham County Board of Commissioners supports the implementation of video visitation as an additional option for detainees and their family members but not as a replacement for in person visitation.

The Durham County Board of Commissioners would like to clarify that the video visitation is being funded by a grant from the Department of Justice and that the contract is between GTL and the Sheriff's department. We received a report about this grant for video visitation in 2013 from the Sheriff's department but we are not involved in this contract nor are we an approving body for this contract or program. The Sheriff's Department has statutory authority for the operation of the Detention Center, not the Board of County Commissioners. We are responsible for approving the budget for the Detention Center.

In our capacity as the funding authority, the Durham County Board of Commissioners has actively supported programs to improve conditions and services involving citizens in the Detention Center, including the DPS and the Durham Literacy Center High School and GED programs, the STAR substance abuse treatment program,

funding of increased mental health services in the jail, hiring of additional Detention Officers to support a mental health pod, hiring of an additional public defender and district attorney in the Jail Court to support pretrial release and expedited processing, and active jail diversion through our 24 hour crisis center, Misdemeanor Diversion Program, Drug Court and new Mental Health Court Program.

We encourage all citizens to contact the Sheriff's department directly about any concerns related to in person and video visitation at the Detention Center.”

Agenda Adjustments

Chair Jacobs announce that there were no additional agenda adjustments

Announcements

Chair Jacobs read the following announcement:

- 1)Tax Administrator Kimberly Simpson wants to remind property owners that this year's deadline to appeal real property tax values will be April 17, 2017 at 5:00 p.m. "That is the date and time that the Durham County Board of Equalization and Review officially adjourns for the year, and state statutes remove the Board's authority to consider appeals filed after the adjournment."

Commissioner Reckhow shared Chuck Watts a local lawyer and Durham resident was appointed to the to the North Carolina Department of Transportation (NCDOT) board. She added it was great to have a high level person from Durham working as the General Counsel of the NCDOT.

Minutes

Commissioner Howerton moved, seconded by Commissioner Reckhow to approve the February 3, 2017 Legislative Agenda Breakfast meeting minutes.

The motion carried unanimously.

Other Business

Advance Public Comments on the Fiscal Year 2017-2018 Budget

Chair Jacobs stated there was one citizen signed up to speak.

Dr. E. L. Allison, citizen asked that all presentations pertaining to the budget be shared with citizens prior to the comment period. She also recommended the County and Joint Boards offer better customer friendly service. Dr. Allison suggested town meetings with the school board, commissioners and community so that neighborhoods were aware of the updates and changes.

Chair Jacobs stated she shared suggestions with Wendell Davis, County Manager about incorporating budget presentations as part of the community presentations. She added there were scheduled meetings with the PACs and Ruritan clubs.

Commissioner Howerton mentioned there was conversation with staff about offering different places to have meetings within the community.

Commissioner Carter suggested a discussion take place with all Commissioners around the community involvement with the budget process.

Commissioner Reckhow stated there were multiple attempts made over the years to have special meetings but there would be a low turnout. She added the County has continued to reach out to rural areas and suggested adding an item to the agenda during a Regular Session meeting to give more citizens an opportunity to come out and speak.

Ceremonial Items

Recognition of Budget and Management Services for Receiving the GFOA Distinguished Budget Presentation Award for the FY 2016-17 Budget

Keith Lane, Budget and Management Services Director thanked the Board and introduced the Budget staff. He stated the award represented the quality of the budget document and proved the County was in great standing. Mr. Lane added the GFOA Distinguished Budget Presentation Award was the only national award program in governmental budget and this was the 20th time the County received this award and the 13th consecutive year.

Proclamation - Durham Crop Walk 2017

Commissioner Carter read the following proclamation:

DURHAM CROP HUNGER WALK DAY | 2017

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, different socioeconomic levels, diverse cultures, and all age groups to provide local and international hunger aid; and

WHEREAS, in the last 42 years, Durham CROP Hunger Walks have raised over \$4M to help and bring hope to hungry people in need around the world and here and in the US; and

WHEREAS, each year, Durham CROP Hunger Walk helps local agencies such as Meals on Wheels, Urban Ministries, Housing for New Hope, Double Bucks for SNAP, Threshold Clubhouse, Food Bank of Central and Eastern North Carolina, Families Moving Forward, Open Tables, PYO, St. Andrew's Society and church food pantries who provide food to our Durham neighbors in need; and

WHEREAS, the Durham CROP Hunger Walk raised over \$145,000 last year; and

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

WHEREAS, the Durham CROP Hunger Walk in 2017 will dedicate all of the internationally designated funds over what was raised last year to refugee aid, and

WHEREAS, the Durham CROP Hunger Walk is the oldest fund-raising walk in NC, and will hold its 43rd Annual CROP Hunger Walk on Sunday, April 2nd; and

WHEREAS, the Durham CROP Hunger Walk helps the community to become aware of and concerned about hunger and its causes; and

WHEREAS, the Durham CROP Hunger Walk is the 2nd largest CROP Walk in the nation, out of more 1000 walks, demonstrating the tremendous compassion and altruism of Durham’s citizens; and

WHEREAS, Durham CROP Hunger Walk successfully raises funds to help stop hunger One Step a Time.

NOW, THEREFORE BE IT RESOLVED, I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim the month of April 2, 2017 as

“DURHAM CROP HUNGER WALK DAY”

in Durham County, North Carolina

This the 27th day of March, 2017.

Wendy Jacobs, Chair
Durham Board of County Commissioners

Bob Newlin and Marg Clemmons, both with the Durham Crop Walk stated the walk was one of the second largest of over 1,000 walks in the country. Mr. Newlin stated the theme for 2017 was “Neighbors Feeding Neighbors” and the t-shirts were designed by students at North Carolina Central University (NCCU). He invited the Board to Duke Chapel on Saturday, April 2, 2017 beginning at 1:30 to participate in the festivities.

Chair Jacobs and Commissioners Howerton and Reckhow thanked Mr. Newlin and Ms. Clemmons for the shirts and stated how they looked forward in participating this year’s event.

Proclamation - Pauli Murray Family Home as a National Historic Landmark

Chair Jacobs read the following proclamation:

PAULI MURRAY FAMILY HOME AS A NATIONAL HISTORIC LANDMARK | 2017

WHEREAS, the Pauli Murray family home at 906 Carroll Street has been designated a National Historic Landmark by the National Park Service because of its association with ground-breaking African American civil rights activist, lawyer, feminist, educator, writer, Episcopalian priest and LGBTQ community member Pauli Murray; and

WHEREAS, Pauli Murray grew up in Durham, North Carolina as a part of a prominent African American family, the granddaughter of educator and Union Army veteran, Robert Fitzgerald; the grandniece of brick maker and banker Richard Fitzgerald; and the niece of longtime Durham public school teacher Pauline Fitzgerald Dame; and

WHEREAS, Pauli Murray was an acclaimed author who wrote *Proud Shoes: The Story of an American Family*, 1956, which offers an unprecedented glimpse of early Durham; and

WHEREAS, Pauli Murray serves as an example for LGBTQ people living out their sexual orientation and gender identities; and

WHEREAS, Pauli Murray wrote *States Laws on Race and Color*, labeled the “bible” by Thurgood Marshall and was instrumental in the landmark 1954 *Brown v Board of Education*; and

WHEREAS, Pauli Murray served as an advisor to Eleanor Roosevelt and John F. Kennedy; and

WHEREAS, Pauli Murray was a founder of the National Organization for Women; and

WHEREAS, Pauli Murray was the first African American woman to be ordained as an Episcopal Priest in 1977 and included in the Episcopal Celebration of Saints in 2012; and

NOW, THEREFORE BE IT RESOLVED, I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim April 1, 2017 as

“PAULI MURRAY FAMILY HOME NATIONAL HISTORIC LANDMARK DAY”

in Durham County, North Carolina and commend its observance to all citizens in recognition of this distinction for our community.

This the 27th day of March, 2017.

Wendy Jacobs, Chair
Durham Board of County Commissioners

Barbara Lau, Board Member of the Pauli Murray Center for History and Social Justice thanked the Board for the proclamation and invited them to attend the Homecoming Celebration of the National Historic Landmark Designation on Saturday, April 1, 2017 from 1:00pm – 5:00pm at 906 Carroll Street. She stated the event would be begin with neighborhood walking tours starting at 12:00pm and a plaque presentation at 1:00pm.

Proclamation - April 2017 is National County Government Month

Commissioner Howerton read the following proclamation:

NATIONAL COUNTY GOVERNMENT MONTH IN DURHAM | 2017

WHEREAS, the nation’s 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe and vibrant; and

WHEREAS, counties move America forward by providing health care, administering justice, keeping communities safe, creating economic opportunities and much more; and

WHEREAS, Durham County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in efficient and cost-effective ways; and

WHEREAS, through National Association of Counties President Bryan Desloge’s “Brilliant Ideas at Work” initiative, NACo is encouraging counties to focus on the most innovative programs and services that strengthen communities; and

WHEREAS, in order to remain healthy, vibrant and safe, America’s counties provide public health, justice, safety, infrastructure, transportation, technology, environmental stewardship and economic

services that play a key role in everything from residents' daily commutes to emergency response; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve; and

WHEREAS, this year's celebration will include highlights of the County's many brilliant ideas and their innovation throughout the month; including information sharing about Durham County's Managing for Results approach designed to enable decision makers in Durham County to analyze data and trends over time and then review programs and services objectively to ensure use of tax dollars to buy the results that residents want; and

NOW, THEREFORE BE IT RESOLVED, I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim April 2017 as

“NATIONAL COUNTY GOVERNMENT MONTH IN DURHAM”

and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

This the 27th day of March, 2017.

Wendy Jacobs, Chair
Durham Board of County Commissioners

Dawn Dudley, Senior Public Information Specialist stated this year's theme was "Brilliant Ideas at Work" and mind activities would be the driven focus through social media beginning Wednesday, April 12, 2017. She encouraged citizens to schedule tours of various departments so they could capture the work life as a County employee.

Consent Agenda

Chair Jacobs announced that items #17-0126 and #17-0127 were pulled by Dr. E.L. Allison.

Dr. Allison, citizen asked how could an amendment be made after a person was in the position since June 2016. She stated people were being hired based on quantitative experience instead of qualitative experience. Dr. Allison stated if those hired were working with families and children, they should have that type of experience with the target groups being served. She asked if data could be shared with concerned citizens so that everyone could be aware of the changes.

Chair Jacobs asked Gayle Harris, General Manager to respond to Dr. Allison concerns.

Ms. Harris responded the provisional position being created was for the maternal and child health initiative and Durham County was one (1) of five (5) counties awarded grants to participate in the legislative collective impact model in 2016. She added the department worked through a temporary agency however, since the approval was granted for an additional two years, the temporary employee would be hired as full time staff. Ms. Harris discussed different uses of the grant throughout the

program and stated additional money was provided without a request being made.

Commissioner Howerton asked if the County reached out to North Carolina Central University (NCCU) to use students for the DINE program. Ms. Harris responded Master Degree students were used frequently for the DINE program but she was unsure if they attended NCCU.

Directive: Ms. Harris stated she would follow up and provide feedback to the Board.

Chair Jacobs commented on item #17-0103 and recognized Ekklesia Community Development Corp and Wepay for donating money to Project BUILD. She stated it was significant to have church and community groups that wanted to support County initiatives.

Commissioner Reckhow asked for clarification on item #17-0130. She noticed the appointment of two additional members and asked if this was done in the past. Kimberly Simpson, Tax Administrator stated the new appointments were for alternate members. She added in the event there was no quorum, the alternates could be used and the meetings would continue to take place.

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

17-0076 Approval of Closed Session Minutes

*17-0102 Budget Ordinance Amendment No. 17BCC000062 to recognize \$10,795 from the Duke Health's Division of Community Health to support the Community Health Assessment Survey

*17-0103 Budget Ordinance Amendment No. 17BCC000061 to Recognize \$522.73 in Donations from the Ekklesia Community Development Corp and Wepay to Support Project BUILD

*17-0116 Property Tax Releases and Refunds for February 2017

*17-0125 Budget Ordinance Amendment No. 17BCC000060 to Recognize a Decrease of \$60,034 from the NC Division of Public Health Epidemiology/Communicable Disease Branch for Safe Spaces

17-0126 Create One Full-Time Provisional FTE Health Education Specialist position Using Evidence Based-Strategies for Maternal and Child Health Using Previously Recognized SHIFT-NC Grant Funds

*17-0127 Budget Ordinance Amendment No. 17BCC000059 to Create One Full-Time Provisional FTE Nutrition Specialist Position and Recognize Additional Funds in the Amount of \$71,412 from the Division of Social Services, NC Department of Health and Human Services for the Public Health Nutrition DINE SNAP-Ed Grant for the Position

17-0130 Request to Appoint Members of the 2017 Board of Equalization and Review

17-0140 Contract Amendment to add Engineering Services for Replacement of the Roof Top HVAC Unit at the CJRC Building

17-0141 Appointment of Juvenile Crime Prevention Council - Alliance Behavioral Healthcare Representative

*17-0144 Budget Ordinance Amendment No. 17BCC000058 - Appropriating \$350,000 of Debt Service

Fund Fund Balance and Transferring \$4,250,000 of Available Funds to a New Capital Project and Capital Project Amendment No. 17CPA000016 - Appropriation of \$4,250,000 of County Contribution Funds to Create a New Capital Project for the W.G. Pearson/Student U Renovation Project (4120DC101)

The motion carried unanimously.

Consent Agenda Item #17-0102

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000062**

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	\$60,078,258	\$10,795	\$60,089,053

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$96,245,394	\$10,795	\$96,256,189

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

This the 27th day of March 2017

Consent Agenda Item #17-0103

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000061**

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>			
Contributions & Donations	\$80,276.00	\$522.73	\$80,798.73

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$96,244,871.05	\$522.73	\$96,246,393.78

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

This the 27th day of March 2017

Consent Agenda Item #17-0116

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 February, 2017.

Releases & Refunds for 2017 Taxes

Personal Property	\$ 216.68
Motor Vehicles	\$ 151.18
Motor Vehicle Fees	\$ <u>15.00</u>
Total for 2017 Taxes/Fees	\$ 382.86

Releases and Refunds for 2016 Taxes

Real Property	\$ 61,300.25
VTS Refunds	\$ 19,075.44
Personal Property	\$ <u>22,047.99</u>
Total	\$102,423.68

Releases & Refunds for Prior Years

Real Property	\$ 979.15
Personal Property	\$ <u>5,352.40</u>
Total	\$ 6,331.55

Grand Total \$ 109,138.09

Consent Agenda Item #17-0125

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000060**

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	\$60,138,292	-\$60,034	\$60,078,258

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$96,304,905	-\$60,034	\$96,244,871

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

This the 27th day of March 2017

Consent Agenda Item #17-0127

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000059**

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	\$60,066,880	\$71,412	\$60,138,292

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$96,233,493	\$71,412	\$96,304,905

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

This the 27th day of March 2017

Consent Agenda Item #17-0144

**Durham County, North Carolina
2016-2017 Budget Ordinance
Amendment Number 17BCC000058**

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>DEBT SERVICE FUND</u>			
Other Financing Sources	\$175,531,058	\$350,000	\$175,881,058

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>DEBT SERVICE FUND</u>			
General Government	\$176,319,277	\$350,000	\$176,669,277

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

This the 27th day of March 2017

**DURHAM COUNTY, NORTH CAROLINA
2016-17 Capital Project Ordinance
Amendment Number 17CPA000016**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2016-17 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/ Decrease	Revised Budget
W.G. Pearson/Student U (412DC101)	\$0	\$4,250,000	\$4,250,000

Adopted this the 27th day of March, 2017.

Board and Commission Appointments

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

The Board made the following appointments (incumbents are identified with an (i). Individuals who are recommended by a Board are underlined.) Individuals listed in bold print were appointed.

Adult Care Home Community Advisory Committee

(i)Jeffrey L. Austin (Carter, Hill, Howerton, Jacobs, Reckhow)

Katherine Visconti (Carter, Howerton, Jacobs, Reckhow)

Laila Watson-El (Carter, Howerton, Jacobs, Reckhow)

Alliance Behavioral Healthcare Board of Directors

(i)Amelia P. Thorpe (Carter, Hill, Howerton, Jacobs, Reckhow)

(i)Lascal Webley Jr. (Carter, Hill, Howerton, Jacobs, Reckhow)

Animal Services Advisory Committee

(i)Jennifer Campbell (Carter, Howerton, Jacobs, Reckhow)

(i)Joyce McKinney (Carter, Howerton, Jacobs, Reckhow)

City-County Appearance Commission

Kamala Uzzell (Carter, Hill, Howerton, Jacobs, Reckhow)

Durham County Hospital Corporation Board of Trustees

Patricia Francis (Carter, Hill, Howerton, Jacobs, Reckhow)

Durham Open Space and Trails

Julie King (Carter, Howerton, Jacobs, Reckhow)

Juvenile Crime Prevention Council

London Burnham (Carter, Howerton, Jacobs, Reckhow)

Nursing Home Community Advisory Committee

(i)Anne Burgess (Carter, Hill, Howerton, Jacobs, Reckhow)

(i)Dana Lynn Pearson (Carter, Hill, Howerton, Jacobs, Reckhow)

Raleigh-Durham Airport Authority

(i)Patrick Hannah (Carter, Hill, Howerton, Jacobs, Reckhow)

David Morgan (Carter, Howerton, Jacobs, Reckhow)

Transportation Advisory Board

David Mansor (Carter, Howerton, Jacobs, Reckhow)

Closed Session

Chair Jacobs stated the Board was requested to adjourn into Closed Session pursuant to:

- 1)G.S. 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the Unit States, or not considered a public record within the meaning of Chapter 132 of the General Statues;
- 2)G.S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; in the matter of Marqueta Welton vs. Durham County, Durham Board of County Commissioners, Wendell Davis, and Kathy Everett-Perry.

Commissioner Reckhow moved, seconded by Commissioner Howerton to adjourn to Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Chair Jacobs announced that the Board met in Closed Session and provided direction to staff.

Adjournment

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

The motion carried unanimously.

Respectfully Submitted,



Monica W. Toomer
Deputy Clerk to the Board