



# 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*

Monday, April 24, 2017

7:00 PM

Commissioners' Chambers

### Opening of Regular Session - Pledge of Allegiance

### Agenda Adjustments

Chair Jacobs announced Laura Benson, Durham Partnership for Children would speak during the ceremonial items to discuss the planned events for the Week of the Young Child.

### Announcements

Chair Jacobs read the following announcements:

- 1)The Durham City/County Planning Department and Preservation Durham are collaborating to update Durham's Architectural and Historic Inventory. A series of community meetings are planned where residents can learn how to input information into the Open Durham website to assist in collecting robust data for the inventory and sharing their stories about Durham. The drop-in style workshops will take place from 6-8 pm as follows:
  - April 27: Durham County Library North Regional Branch, 221 Milton Road
  - June 15: Durham County Library Southwest Branch, 3605 Shannon Road
  - September 14: Durham County Library South Branch, 4505 S Alston Road
  - November 2: Durham County Library East Branch, 211 Lick Creek LaneFor more information, contact Lisa Miller at 919-560-4137, ext 28270.
- 2)Cooperative Extension will offer a new Cook Smart, Eat Smart Cooking School to teach participants how to prepare simple, healthy and delicious foods in just four weeks. Sessions will be offered from 5:30-8:30 pm on Thursday evenings from April 27-May 18, 2017. The registration fee is \$40 which includes the ingredients for the dishes planned. To register, contact Pam Jordan-Carrington at 919-560-0536 or [pjcarrin@dconc.gov](mailto:pjcarrin@dconc.gov).

- 3)The State of Durham County’s Young Children Report is now available online. To access the report, go to Durham County’s website and search for Durham County’s Young Children. The full report as well as an executive summary are available.
- 4)Congratulations to the County for receiving the Golden Leaf Award for Sustainability for the Human Services Building. Thank you to all of those who were involved in the efforts of that project.
- 5)Please contact the Clerk’s Office at 919-560-0025 or [clerk@dconc.gov](mailto:clerk@dconc.gov) to find out about opportunities to serve on one of our volunteer boards or commissions.
- 6)These announcements may also be found on the County’s website or you may call the Clerk’s Office at 919-560-0025.

## **Ceremonial Items**

### **Recognize Morris White, III as Durham County Extension Director**

Chair Jacobs recognized Mr. White as the new Director of Cooperative Extension. She stated he served as the Interim Director since November 1, 2016 and since taking the new Director position, Mr. White split his time between both Durham and Vance Counties. Chair Jacobs recalled his experience in Cooperative Extension and welcomed him to Durham County.

Mr. White expressed his excitement as the new Director for Cooperative Extension and briefly discussed the new initiatives currently taking place.

### **Proclamation - Children’s Mental Health Awareness Month**

Commissioner Carter read the following proclamation:

#### **CHILDREN’S MENTAL HEALTH AWARENESS MONTH | 2017**

**WHEREAS**, to promote awareness of positive mental health, well-being and development for all children, youth and young adults ages birth through 26 years in North Carolina; and

**WHEREAS**, the leadership in Durham, North Carolina recognizes that mental health needs and treatment be on par with medical needs and treatment; and

**WHEREAS**, families shall not feel stigma and shame to seek treatment for their children and youth and be able to discuss openly their need for help without public retribution; and

**WHEREAS**, Children’s mental health promotion needs to be available to everyone. Education on the identification and use of child strengths to support success and promote mental health as well as anti-stigma, inclusion and social skills education should be available to all citizens of North Carolina; and

**WHEREAS**, available school based mental health programs and positive behavior, interventions and supports should be considered as best practice, and be encouraged to be practiced in every Durham, North Carolina public school; and

**WHEREAS**, children are recognized for having unique needs for recovery of mental health, emotional, behavioral and substance use issues, and not being combined with the adult mental health population for treatment; and

**WHEREAS**, effective mental health treatment services to strengthen families, youth leadership development and family partner/peer supports results in children and youth overcoming trauma, becoming successful and contributing Durham, North Carolina citizens in a safe environment in their homes, schools and communities; and

**WHEREAS**, Durham County Commissioners, North Carolina Mental Health Planning and Advisory Council, National Federation of Families for Children’s Mental Health, Alliance Behavioral Healthcare, NC Families United, the NC State Children’s Collaborative and the families, NAMI-NC, Public Health, Department of Social Services, all medical and legal entities, and communities who have children, youth and young adults struggling with emotional and behavioral health issues join to recognize Children’s Mental Health Awareness month and safety.

**NOW, THEREFORE**, 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 May 2017 as

**“CHILDREN’S MENTAL HEALTH AWARENESS MONTH”**

in Durham, North Carolina and commend its observance to our citizens.

This the 24<sup>th</sup> day of April, 2017.

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Wendy Jacobs, Chair  
Durham Board of County Commissioners

Teka Dempson, Family Partner Coordinator, Alliance Behavioral Healthcare thanked the Board for the proclamation and their continued support over the years. She asked the Board to be on the look-out for invitations to their annual breakfast held on Thursday, May 11, 2017 in Johnston County and she asked citizens to check the website for additional activities and events.

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**Resolution for North Carolina Central University’s Men’s Basketball Team**

Commissioner Howerton read the following resolution:

**NORTH CAROLINA CENTRAL UNIVERSITY MEN’S BASKETBALL TEAM**

**WHEREAS**, the North Carolina Central University’s Men’s Division 1 Basketball Team won the school’s second Mid-Eastern Athletic Conference (MEAC) Championship and advanced to the NCAA tournament; and

**WHEREAS**, this legendary season was highlighted with Coach LeVelle Moton earning the 2017 BOXTOROW Co-Coach of the Year and National Association of Basketball Coaches (NABC) District 15 Coach of the Year after guiding the Eagles to their second Division-I NCAA Tournament appearance in a four-year span with a 13-3 mark in the MEAC; and

**WHEREAS**, Patrick Cole, senior guard was honored as BOXTOROW National Player of the Year, NABC All-District 15 First Team, and MEAC Player of the Year after finishing in the top-three in the league in scoring, assists and rebounds; and

**WHEREAS**, heading to Dayton for post conference play with its 25-8 season record, this determined team entered the NCAA as a Number 16 seed matching up against UC Davis in the first round of play; and

**WHEREAS**, while the Eagles played valiantly against its opponent, they experienced an end to an impressive season finishing with a 25-9 record; and

**WHEREAS**, collectively, this team will long be celebrated for its excellence, athletic prowess and the enormous sense of pride it brought to alumni, fans and the larger community of North Carolina Central University.

**NOW, THEREFORE BE IT RESOLVED** that we, the members of the Durham County Board of Commissioners do hereby salute Coach LeVelle Moton, his staff and members of the

**2017 NORTH CAROLINA CENTRAL UNIVERSITY MEN’S BASKETBALL TEAM**

for winning the MEAC Championship and for its second appearance in the NCAA Tournament. We call upon all citizens in Durham County to join in saluting these outstanding athletes and the NCCU athletic staff for a job well done! We are confident in a bright future for this program and can’t wait until next season.

This the 24<sup>th</sup> day of April 2017.

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Wendy Jacobs, Chair

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James Hill, Jr., Vice Chair

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Heidi Carter

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Brenda Howerton

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Ellen W. Reckhow

Coach Moton thanked the Board for the resolution and he asked his team and coaching staff to stand for a brief recognition.

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**Proclamation - World Autism Month**

Vice Chair Hill read the following proclamation:

**WORLD AUTISM AWARENESS MONTH | 2017**

**WHEREAS**, Autism spectrum disorder (ASD) is a developmental disability that can cause significant social, communication and behavioral challenges; and

**WHEREAS**, it is the result of a group of complex neurological disorders that affects the normal functioning of the human brain and can be exhibited by anyone, regardless of race, ethnicity, or gender; and

**WHEREAS**, the Centers for Disease Control and Prevention reports that one in sixty-eight school-aged children have been identified with autism spectrum disorder; and

**WHEREAS**, while currently there is no cure for autism, it is well-documented that if individuals with autism receive early, accurate diagnosis, and appropriate intensive treatment and education, they are more able to lead significantly improved lives; and

**WHEREAS**, the goal of this annual observance is to work with community partners, governments and other organizations to increase understanding and acceptance of autism spectrum disorders.

**NOW, THEREFORE**, 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 2017 as

**“WORLD AUTISM AWARENESS MONTH”**

in Durham, North Carolina. We encourage residents to learn more about autism, as well as how they can help support individuals with autism as well as their families and caregivers.

This the 24<sup>th</sup> day of April, 2017.

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Wendy Jacobs, Chair  
Durham Board of County Commissioners

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**Resolution for Duke University’s Men’s Basketball Team**

Commissioner Reckhow read the following resolution:

**DUKE UNIVERSITY MEN’S BASKETBALL TEAM**

**WHEREAS**, on March 11, 2017, the Duke University men's basketball team rallied to win the 2017 Atlantic Coast Conference (ACC) Tournament Championship by defeating Notre Dame by a score of 75-69; and

**WHEREAS**, Duke Men’s Basketball team started off the season as No. 1 in the country for the eighth time and headed to the National Collegiate Athletic Association (NCAA) Division I Championship for the 22<sup>nd</sup> consecutive time; and

**WHEREAS**, this is Mike Krzyzewski’s (Coach K) 37th season as head coach at Duke which has yielded 5 NCAA championships; and

**WHEREAS**, the Blue Devils won their record 20th ACC Tournament championship by becoming the first team ever to win four games in four days; and

**WHEREAS**, Coach K, the only men’s coach in Division I history to win 1,000 games overall, will enter the 2017-18 season just two wins shy of his 1,000th at Duke. His 998 wins at Duke are the most in NCAA history by a coach at one school; and

**WHEREAS**, Duke had three 1,000-point scorers on its roster for the 14th time in program history, as Grayson Allen, Luke Kennard and Amile Jefferson all reached this momentous milestone.

**NOW, THEREFORE BE IT RESOLVED** that we, the members of the Durham County Board of Commissioners do hereby salute Coach Mike Krzyzewski, his staff and members of the

**2017 DUKE UNIVERSITY MEN’S BASKETBALL TEAM**

for winning the 2017 ACC Championship and for its twenty-second appearance in the NCAA Tournament. We call upon all citizens in Durham County to join in saluting these outstanding athletes and the Duke athletic staff for a great job!

This the 24<sup>th</sup> day of April 2017.

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Wendy Jacobs, Chair

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James Hill, Jr., Vice Chair

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Heidi Carter

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Brenda Howerton

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Ellen W. Reckhow

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### **Recognition - Week of the Young Child**

Chair Jacobs recognized Laura Benson, Durham Partnership for Children and asked her to provide details on events planned during the Week of the Young Child.

Ms. Benson thanked the Board and County Manager for continuously supporting the Durham Partnership for Children. She thanked the current board members and referenced the State of Durham County's Young Children's Breakfast headed by Commissioner Reckhow. Ms. Benson highlighted many program offerings and initiatives and invited the public to attend the Pre-K task force meeting held on Thursday, April 27, 2017 at 1:30pm in the BOCC Chambers.

### **Consent Agenda**

Chair Jacobs stated a citizen requested to speak on item #17-0180.

Loretta Woodall expressed her support for item #17-0180. She added the community addressed the Board several times over the past few years about the need to increase the County's Emergency Medical Services (EMS) resources. Ms. Woodall thanked each member of the Board, the County Manager and all General Managers for listening and investing their time. She stated the community appreciated the support on this issue.

Commissioner Reckhow thanked the residents for bringing the important public safety issue to the Board's attention. She added that the persistence about the critical need led to an excellent model.

Chair Jacobs echoed Commissioner Reckhow's comments and stated the co-location of the facility and sharing spaces created an efficient model for both the City and County.

Chair Jacobs asked the Board if they desired to pull any items for the Consent Agenda. After hearing none, Chair Jacobs entertained a motion for approval.

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

17-0165 Reimbursement Resolution for Series 2018 Limited Obligation Bonds

17-0166 Award of Odor and Corrosion Control Chemical Purchase, IFB 17-022, in the Amount of \$120,186

17-0168 Award of Fairbanks Morse 16", 200HP Pump, IFB 17-030, in the amount of \$94,900

\*17-0170 Property Tax Releases and Refunds for March 2017

17-0172 Non-Reimbursable Utility Contract for the Extension of the County Reuse Water system to Serve BASF

\*17-0174 Capital Project Amendment No. 17CPA000020 - Appropriation of 2016 Voter Approved General Obligation Bonds for the Main Library Renovation Project

17-0177 Award of Contract for the Purchase of a Mobile Technology Vehicle for Durham County Library

\*17-0180 Proposed Interlocal Agreement for a Co-located Public Safety Facility Located at 5503 Leesville Road, Durham, NC and Capital Project Amendment No. 17CPA000021 - Appropriation of \$1,239,596 of Community Health Fund fund balance for Station 17 Project

\*17-0186 Capital Project Amendment No. 17CPA000022 - Appropriation of 2016 Voter Approved General Obligation Bonds for Two New Durham Technical Community College Capital Projects

17-0190 Approval of Increase of Current Contract for Information Security Services from Robert Half Technology Division in the Amount of \$28,365 for a Total Amount of \$73,995 for the Purpose of Information Security Program Analysis and Review

17-019 Approval of Increase of Current Contract for Westaff in the Amount of \$38,745.14 for a Total Amount of \$60,000 and Extend the Contract End Date to September 30, 2017

The motion carried unanimously.

Chair Jacobs commented on item #17-0172 regarding the reclaimed water contract. She wanted to inform the citizens about the selling of reclaimed water to companies in Research Triangle Park (RTP) for their manufacturing process. Chair Jacobs stated this was a great solution to piggy back on the extension of the line in the Park Center renovation project and incorporate the extension of the BASF plant.

Chair Jacobs also commented on item #17-0177 regarding the local mobile unit for the Durham County Library. She stated a special bus was created that would provide STEAM technology, science, experience and computers directly into local communities.

#### Consent Agenda Item #17-0170

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 March, 2017.

#### Releases & Refunds for 2017 Taxes

Personal Property	\$	5.00
Motor Vehicles	\$	<u>129.95</u>
Total for 2017 Taxes/Fees	\$	134.95

#### Releases & Refunds for 2016 Taxes

Real Property	\$	244,348.27
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VTS Refunds	\$ 17,216.33
Personal Property	\$ <u>4,537.52</u>
Total	\$ 266,102.12

Releases & Refunds for Prior Years

Personal Property	\$ <u>190.89</u>
Total for prior years	\$ 190.89
Grand Total	\$ 266427.96

Consent Agenda Item #17-0174

**DURHAM COUNTY, NORTH CAROLINA  
2016-17 Capital Project Ordinance  
Amendment Number 17CPA000020**

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.

**2016 Voter Approved General Obligation Bonds for the Main Library Renovation**

Project	Current Budget	Increase/ Decrease	Revised Budget
Main Library Renovation (6110DC094)	\$3,119,870.22	\$43,966,662	\$47,086,532.22
16 GO Bond Issuance Cost Library (6110DC095)	\$0	\$425,109	\$425,109

Adopted this the 24th day of April, 2017.

Consent Agenda Item #17-0180

**DURHAM COUNTY, NORTH CAROLINA  
2016-17 Capital Project Ordinance  
Amendment Number 17CPA000021**

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.

**Community Health Trust Fund fund balance for the EMS Station 17 Co-Location Project**

Project	Current Budget	Increase/ Decrease	Revised Budget
EMS Station 17 (4410DC133)	\$0	\$1,239,596	\$1,239,596

Adopted this the 24th day of April 2017.



**DURHAM COUNTY, NORTH CAROLINA  
2016-17 Capital Project Ordinance  
Amendment Number 17CPA000022**

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.

**2016 Voter Approved General Obligation Bonds for Durham Technical Community College**

<b>Project</b>	<b>Current Budget</b>	<b>Increase/ Decrease</b>	<b>Revised Budget</b>
Newton Building Renovation and Expansion (5920CC012)	\$0	\$18,000,000	\$18,000,000
Health Technologies Building (5920CC013)	\$0	\$2,000,000	\$2,000,000
2016 GO Bonds Issuance Costs – DTCC (5920CC014)	\$0	\$196,204	\$196,204

Adopted this the 24th day of April, 2017.

**Public Hearings**

**Public Hearing on and Approval of the Revised Durham County Transit Plan and Associated Cost Sharing Agreement for the Durham-Orange Light Rail Project**

Chair Jacobs stated the Board was requested to conduct a Public Hearing regarding the updates to the Durham County Transit Plan and then approve the plan as well as the associated Cost Sharing Agreement.

Chair Jacobs opened the public hearing.

Dan Jewel urged the Board to approve the revised plan and cost sharing agreement.

James Chavis expressed how upset he was with the rail system and how transportation was not coming towards East Durham. He asked the Board if the County examined the cost to relocate the businesses and citizens in the area.

Chair Jacobs closed the public hearing. The Board received an update from John Tallmadge, Director of GoTriangle Regional Services Development Department, who shared a presentation titled “*Durham County Transit Plan – Overview of Final Plan*” which highlighted the following:

- Changes from Draft Plan to Final Plan
  - Cost-Split
  - Inclusion of Wake-Durham Commuter Rail
- Preliminary Cost-Share in Draft Plan
- Scenario Definition

- Cash Balances (data)
- Revenue vs. Debt Services + O&M
- Local Share of LRT Capital Cost

Commissioner Reckhow clarified there was an assumption that the County would pay more than Orange County (16.5%) when in actuality, the County would assume less.

Commissioner Howerton asked for a response to the question regarding the tax increases for businesses to cover the project and how GoTriangle connected with businesses on Alston Avenue to inform them of the changes. Mr. Tallmadge responded the taxes would not be raised to cover the project. He added the only local revenues were the existing dedicated transit revenues which include the ½ cent sales tax that was approved by the voters in 2013. Jeffrey Sullivan, Marketing Specialist, added that all property owners of Alston Avenue were contacted by mailings; and public workshops were conducted to meet and discuss the project. Commissioner Howerton asked if there was documentation to provide to citizens if they had questions. Mr. Sullivan responded yes, documentation was available on the website.

Commissioner Reckhow also highlighted that it was important for citizens to understand that the cash balances were after operational and maintenance expenses.

Commissioner Carter asked if the capital cost shown was for the Durham-Orange Light Rail Transit now and the Commuter Rail Transit in the future. Mr. Tallmadge responded yes. Commissioner Carter asked for the total cost. Mr. Tallmadge stated the total cost would not change, just the percentage.

Chair Jacobs pointed out there were last minute changes to the cost share agreement. Commissioner Reckhow asked for copies of the agreement along with an explanation by Willie Darby, Senior Assistant County Attorney. Attorney Darby stated the last change was made to the mediation and arbitration on page five (5), second paragraph.

Commissioner Carter asked if the agreement would be reviewed every four (4) years. Attorney Darby stated if there was an issue, the agreement would be reviewed. Tammy Bouchelle, Associate General Counsel, added every four (4) years the cost splits were intended to be reviewed. Commissioner Carter questioned why the cost share agreement only went through 2037. Ms. Bouchelle responded it would go through 2037 or when the debt was repaid, whichever was later.

George Quick, Chief Financial Officer, clarified to the Board and the public that this was not Durham County debt. He added this was GoTriangle debt and it was clearly stated in the agreement. Commissioner Reckhow emphasized that section 16 stated that the only thing Durham County pledged was the dedicated transit revenues and the project was not obligated to use County funds.

Commissioner Reckhow moved, seconded by Commissioner Howerton to adopt the DCo Transit Plan as amended along with the additional amendment on page 37 bullet two (2) adding the service district and also adding page 43 section 4.7.1 “Underlying Funding Assumptions” to the Cash Flow Appendix for Durham and Orange Counties.

The motion carried unanimously.

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Commissioner Howerton moved, seconded by Commissioner Reckhow to approve the cost sharing agreement.

The motion carried unanimously.

## **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 now 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

**Ashley Gentile** (Carter, Hill, Howerton, Jacobs, Reckhow)

### Audit Oversight Committee

**(i)Arnold Gordon** (Carter, Hill, Howerton, Jacobs, Reckhow)

### City-County Appearance Commission

**(i)Frederick Jernigan** (Carter, Hill, Howerton, Jacobs, Reckhow)

**Miguel Miller** (Carter, Hill, Howerton, Jacobs, Reckhow)

**(i)Michael Miller** (Carter, Hill, Howerton, Jacobs, Reckhow)

### Transportation Advisory Board

**Natalie Murdock** (Carter, Hill, Howerton, Jacobs, Reckhow)

### Workforce Development Board

**Marlon Tarion Kiel** (Carter, Hill, 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)(3) to consult with an attorney employed or retained by the public body to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; in the matter of Alonzo Green v. County of Durham Office of the Sheriff Department, et.al.,.
- 2) G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of business or industry.

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

The motion carried unanimously.

Respectfully Submitted,

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

Monica W. Toomer  
Deputy Clerk to the Board