

Durham County

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

Meeting Minutes

Board of County Commissioners

Monday, December 11, 2017

7:00 PM

Commissioners' Chambers

Regular Session

Opening of Regular Session - Pledge of Allegiance

Vice Chair Hill opened the meeting and stated Chair Jacobs was excused from the December 11, 2017 Regular Session meeting.

Agenda Adjustments

Vice Chair Hill announced there were no agenda adjustments.

Announcements

Vice Chair Hill read the following announcements:

- 1) Heating, holiday decorations, winter storms and candles all contribute to an increased risk of fire during the winter months. Home fires occur more in winter than in any other season. As you stay cozy and warm this winter season, Be Fire Smart. Heaters, fireplaces and woodstoves require extra care and maintenance. Keep anything that can burn at least 3-feet from any heat source. Have a qualified professional clean and inspect your chimney every year before regular use. If you use fireplaces, woodstoves or gas heaters, we recommend the installation of Carbon Monoxide detectors in your home. Finally, the Fire Marshal encourages the use of electric, or LED, candles instead of traditional open-flame candles. It only takes one accident to cause a deadly fire.
- 2) The ACA Open Enrollment Period is November 1 until December 15, 2017. Consumers who are not eligible for Medicare or Medicaid and do not have other health insurance coverage can enroll in or change health plans during open enrollment. New coverage begins January 1, 2018. MDC, Durham County Department of Social Services and the Lincoln Community Health Center have navigators available to help individuals enroll in ACA. For a full list of local ACA assistance, visit https://localhelp.healthcare.gov. North Carolina consumers can also call 855-755-3711 to schedule an appointment with an ACA Navigator.

- 3) This meeting will conclude the Board's regular meetings for 2017. We wish you safe travels during the holiday season and a Happy New Year. Our next meeting is scheduled for January 2, 2018 at 9:00 am.
- 4) These announcements can be found on the Commissioners' Webpage or you may call the Clerk's Office at 919-560-0025.
- 5) The Eno River Association will present calendars to the Commission.

Robin Jacobs, Executive Director, and Milo Pyne, Vice President, presented the Board with the 2018 calendars and stated they consisted of Eno inspired artwork, songs and poetry. Mr. Pyne thanked the Board for its support of Open Space in the environment, the support of the Durham Open Space and Trails Grant Program and for voting the Eno Association as a non-profit that would receive contributions from the Durham County Cares Program.

Minutes

Commissioner Reckhow moved, seconded by Commissioner Howerton to approve the October 2, 2017 Worksession minutes and the November 27, 2017 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

<u>Proclamation Durham County ACCESS Champions in Transportation Week- December 11- 18, 2017</u>

Vice Chair Hill read the following proclamation:

CHAMPIONS IN TRANSPORTATION WEEK | 2017

WHEREAS, the demand response transportation service provided by Durham County ACCESS provides a vital link to mobility, independence through a safe and dependable transportation network, to medical and health related appointments, shopping, employment and other supportive services; and

WHEREAS, the foundation of Durham County ACCESS Demand Response transportation network is built on a collaborative team effort of the Durham County, City of Durham, Transportation Advisory Board, the North Carolina Department of Transportation, Durham Chapel Hill Carrboro MPO and the Federal Transit Administration that work collectively to assure resources, policies and programs that support and strengthen the transportation network; and

WHEREAS, the Durham County ACCESS Demand Response service utilizes a coordinated model—that provided over 62,000 trips to Durham County residents, with 45,768 provided by Durham County ACCESS alone in FY16-17; and

WHEREAS, this evening four exceptional partners and customers will be honored with a Champion in Transportation Award for their exceptional role in ridership and leadership.

NOW, THEREFORE, BE IT RESOLVED I, James Hill, Vice Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby congratulate the recipients of this year's awards and further proclaim the week of December 11, 2017

"CHAMPIONS IN TRANSPORTATION WEEK"

I encourage all Durham county residents to observe this week by learning more about the services of Durham County Access and participate in championing the way for greater mobility for the citizens of Durham County.

in Durham, North Carolina.

This the 11th day of December, 2017.

James Hill, Vice Chair

Durham Board of County Commissioners

Presentation of the 2017 Champions in Transportation Awards

Fred Myatt, Chair of the Transportation Advisory Board, stated champions were awarded every year for those individuals who exceeded expectations, demonstrated commitment and provided a voice for the service provided by the County. He presented the following awards to the individuals who shared stories about the vital link that transportation played in their lives:

Passengers of the Year – Ms. Tyee Meek, Ms. Kaneasa Brandon, and Ms. Kia Willoughby. Senior Citizen of the Year – Mr. Frank Groce Exceptional Leadership – Mr. Ryan Mayers, NCDOT, and Ms. Ashley Thomas, Bridges II Sports

Mr. Myatt thanked the awardees for their dedication to Durham County transportation.

Proclamation - HIV Cure Research Day

Vice Chair Hill read the following proclamation:

HIV CURE RESEARCH DAY | 2017

WHEREAS, residents of North Carolina are disproportionately affected by the HIV/AIDS epidemic; and

WHEREAS, African Americans and Latinos represent the majority of those affected by the HIV epidemic, yet are underrepresented in HIV clinical trials aimed at innovating prevention, treatment, and cure methods that could benefit them; and

WHEREAS, UNC Chapel Hill is a global leader in HIV cure clinical trial research, and has brought in an excess of \$40 million in federal research funds; and

WHEREAS, the 2BeatHIV project, a research project at UNC Chapel Hill, that is pioneering the use of crowdsourcing contests to improve community engagement for HIV cure research and has been awarded a Health Equity Impact Award from the NC Office of Minority of Health and Health Disparities; and

WHEREAS, the 2BeatHIV project aims to raise awareness about HIV cure research happening in North Carolina and across the world; to increase community buy-in for HIV cure research; to empower community members to engage in critical discussion about the social and ethical concerns about HIV cure research; and to mobilize community members to coordinate prevention and treatment efforts toward the future of HIV cure locally, nationally, and globally; and

WHEREAS, the 2BeatHIV project, in collaboration with HIV cure researchers at UNC Chapel Hill, has engaged over 350,000 people online and in-person at sites in North Carolina, South Africa, England, and China;

NOW, THEREFORE, BE IT RESOLVED I, James Hill, Vice Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim the 14th day of December as

"HIV CURE RESEARCH DAY"

in Durham County, North Carolina and commend its observance to all citizens in recognition of the positive impact of community engagement for HIV cure research.

This the 11th day of December, 2017.

well.

James Hill, Vice Chair
Durham Board of County Commissioners

Dr. Allison Matthews, Founder and Director of 2BeatHIV and Postdoctoral Researcher at UNC, provided background information on HIV Cure Research Day and thanked the Board for the proclamation. She stated the focus of cure research was to be more critical on how to work together to coordinate efforts with the County and community based organizations. Dr. Matthews also added the State of North Carolina also officially proclaimed December 14, 2017 as HIV Cure Research Day as

Resolution Honoring Umar Musa Muhammad

Vice Chair Hill read the following resolution:

UMAR MUSA MUHAMMAD

WHEREAS, the Durham community lost a valued member and leader on Monday July 17, 2017 with the death of Umar Muhammad; and

WHEREAS, Umar Musa Muhammad was born in Durham, North Carolina on January 7, 1987 to Joyce (Ummil) and Musa Muhammad; and

WHEREAS, Umar was a local leader of "All of Us Or None-NC", a state chapter of a human rights organization advocating for current and formerly incarcerated people; and an advocate for the "Ban the Box" movement to have questions about criminal history removed from employment applications; and

WHEREAS, Umar worked as a community organizer with the Southern Coalition for Social Justice from 2014 to 2017, where he organized "Clean Slate Clinics" to clear old criminal records for hundreds of people in Durham and North Carolina; and in July 2017 he joined "Forward Justice" to become the lead organizer and campaign strategist in order to work on national issues through the Formerly Incarcerated, Convicted People's & Families Movement; and

WHEREAS, beginning in 2012, he worked for policy changes to improve the lives of criminal justice involved persons and volunteered his time with many community organizations; joining the Criminal Justice Advisory Committee in 2015 working to effect lasting change; and

WHEREAS, Umar was a member of "*Jamaat Ibad Ar Rahman*" and is survived by his partner Krista, stepsons Kristian & Kristopher, daughter Ella Assata, parents Joyce and Musa, and siblings, Nikki, Hadiyah, and Nashid.

NOW, THEREFORE BE IT RESOLVED we, the Durham County Board of Commissioners, do hereby honor

UMAR MUSA MUHAMMAD

This the 11 th day of December 2017.	
Wendy Jacobs, Chair	James Hill, Jr., Vice Chair
Heidi Carter	Brenda Howerton

Ellen W. Reckhow

Commissioner Howerton expressed her condolences to the family and thanked them for being at the meeting to accept the resolution.

Vice Chair Hill commented that he did not know Mr. Muhammad personally but could tell he was an amazing role model to his community. He thanked the family for sharing him with the citizens of Durham and added he was a great service and left a great legacy behind.

Resolution Recognizing Retirement of George K. Quick as Chief Financial Officer

Vice Chair Hill read the following resolution:

GEORGE KENNETH QUICK

WHEREAS, George Kenneth Quick joined Durham County Government more than 16 years ago as Finance Director following a successful career in banking and finance; and

WHEREAS, George used his expertise to shore up and grow Durham County's fund balance reserves, to introduce significant improvements in financial practices, and to develop progressive approaches to debt management that saved taxpayers millions of dollars; and

WHEREAS, during his remarkable tenure Durham County maintained its Triple A bond rating designation with Moody's and Standard & Poor's; and

WHEREAS, he garnered many honors, awards and accolades including being named 2012 CFO of the Year by Triangle Business Journal in the Government category; and

WHEREAS, his exceptional fiscal and management influence have made a lasting positive impact in Durham County and across the State of North Carolina.

NOW, THEREFORE BE IT RESOLVED we, the Durham County Board of Commissioners, do hereby honor and extend grateful and sincere appreciation to

GEORGE KENNETH QUICK

for his dedicated and transformative service as Durham County's Chief Financial Officer.

BE IT FURTHER RESOLVED that we hereby wish for him a wealth of joy and happiness as he leaves Durham County Government to enjoy a well-earned retirement.

This the 11 th	day of December 2017.	
	Wendy Jacobs, Chair	James Hill, Jr., Vice Chair
	Heidi Carter	Brenda Howerton
	Ellen V	W Reckhow

Commissioner Reckhow commented on Mr. Quick's financial accolades during his role as the Chief Financial Officer. She thanked him for all his hard work and wished him well during his retirement.

Mr. Quick thanked the Board and staff for the support during his 16 year term and allowing him the freedom to make necessary changes. He commented on the Finance team and stated they would move forward with the models he implemented at Durham County.

Resolution - Joint Resolution Regarding K-3 Class Size Reduction Implementation

Commissioners Carter and Reckhow read the following resolution:

RESOLUTION REGARDING K-3 CLASS SIZE REDUCTION IMPLEMENTATION BY DURHAM COUNTY COMMISSIONERS

WHEREAS, pursuant to S.L. 2017-9, local school districts in 2018-19 are required to set class size averages in grades K-3 that equal the State classroom teacher funding ratios and will have to meet more restrictive individual class size maximums across those grade levels; and

WHEREAS, an immediate reduction in the K-3 class size maximum will worsen an already very difficult environment for LEAs in finding licensed and qualified teachers to fill classrooms, most likely leading to more classrooms taught by long-term substitutes or lateral-entry teachers, who do not have the pedagogy and classroom management training necessary; and

WHEREAS, equalizing the average and funded K-3 class size ratios will result in the loss of flexibility to generate State funding for teaching positions in program enhancement courses like art, music, physical education; and

WHEREAS, in Section 2.1 of S.L. 2017-197, the General Assembly declared its intent to create a new funding stream for program enhancement teachers starting in 2018-19; and

WHEREAS, separate, additional funding allotments for program enhancement teachers like art, music, and physical education are essential to provide each student in North Carolina a sound and basic education, and

WHEREAS, even when this funding is provided, there are still classroom space and staffing challenges in implementing the new K-3 class size requirements which are outlined below; and

WHEREAS, the Durham County Commissioners, City Council and Board of Education established a Pre-K Task Force to increase early childhood education in our community and are committed to expanding access to early childhood education rather than reducing Pre-K classrooms in an attempt to make space for the K-3 class size reductions; and

WHEREAS, the immediate reduction in individual class size maximums in grades K-3 would in turn increase the number of physical classrooms required at these grade levels, adding to already \$399 million in unmet school capital needs in Durham; and

WHEREAS, Durham Public Schools estimates that in order to comply, Durham Public Schools would need to build 63 new classrooms and hire 90 additional teachers for 2018-19; and

WHEREAS, Durham does not have capital funding to build new classrooms or purchase additional modular classrooms and a new modular unit requires approximately one year to bring online; and

WHEREAS, Durham lacks space to implement the class size reductions and has already converted art and music rooms into traditional classrooms and has those teachers travel from room to room with a cart to deliver program enhancement classes in traditional classrooms; but this doesn't work well with unique aspects of art and music education; and

WHEREAS, art classes use messy supplies such as paint and clay while music classes generate loud sounds that, without adequate sound proof walls, will travel to neighboring classrooms and disrupt learning in those classes; and

WHEREAS, districts that lack space to implement the class size reductions may need to also convert gymnasiums into traditional classrooms, which would mean that physical education courses are held outdoors with no alternative for days with adverse weather conditions; and

WHEREAS, County Commissioners and Local Boards of Education are already working together to budget and plan for the 2018-19 academic year and this issue requires immediate attention by the NCGA.

NOW, THEREFORE, BE IT RESOLVED that we the members of the Durham County Board of Commissioners respectfully request that the General Assembly fully fund small classes and slow implementation of the K-3 class size reductions outlined in S.L. 2017-9 through a multi-year phase-in that allows time for the legislature and school districts to address the challenges delineated above, and

BE IT FURTHER RESOLVED that the NCGA provide full funding for all enhancement teachers, and

BE IT ALSO RESOLVED that the NCGA approve HB 866: Public School Building Bond Act of 2017, so that districts across North Carolina are better able to meet their school facility needs associated with class size reduction and growth.

Wendy Jacobs, Chair	James Hill, Jr., Vice Chair
Heidi Carter	Brenda Howerton
	. Reckhow

Commissioner Reckhow thanked Commissioner Carter and Natalie Beyer, Durham Board of Education, for working on this very important item. She added this was of great concern to other Commissioners across the State of North Carolina. Commissioner Reckhow also shared information about other counties, their future requirements, and hoped that those counties would weigh in on the topic.

Commissioner Howerton thanked Commissioners Carter and Reckhow for putting this resolution together. She stated this was a problem not just within the County but also in smaller counties. Commissioner Howerton continued to say it was topic of conversation within the North Carolina Association of County Commissioners (NCACC) as well.

Commissioner Carter hoped the NCACC could partner with the Durham Public Schools. Commissioner Howerton responded she and Minnie Forte-Brown, President of the NC School Boards Association were

working diligently on this item. Commissioner Carter stated joining forces was a good first example of aligning the values.

Vice Chair Hill thanked Commissioners Carter, Reckhow and Ms. Beyer. He stated unless addressed, this issue would affect counties throughout the State.

Directive: Commissioner Reckhow requested the Clerk to share the Resolution with all County Clerks; ask them to have their Boards consider changing the language to make it appropriate for their County and consider it at their next meeting; and send a copy of the resolution to the Local delegation, the NCACC, and the Board of County Commissioners. She asked that it be stressed that this issue be a priority for the Special Session scheduled for January 10, 2018.

Other Business

Presentation of the Fiscal Year 2017 CAFR

George Quick, Chief Finance Officer stated at the completion of the annual audit, there was a presentation with results. He introduced Scott Duda, Partner with Cherry Bekaert to share the findings.

Mr. Duda shared the following presentation titled "Audit Wrap Up & Presentation" which highlighted the following:

- Overview
- Audit Areas of Focus
 - o Compliance with new GAAP (GASB) regulations
 - Cash and Investments
 - Receivables and Revenue
 - Capital Assets
 - Accounts Payable and Expenses/Payroll Expenses
 - o Debt
 - o Single Audit: DSS Crosscutting, Medicaid, Foster Care & Adoption, Public School Building Capital Fund, Child Support Enforcement
 - Litigation
 - Management's Judgments and Accounting Estimates
- Results (Data)
- County to County Sample Size Comparison (Data)
- Required Communications

Mr. Duda noted that the state required the same size be increased in the future years if there were findings. He added the County received the 2016 Certification of Achievement.

Commissioner Reckhow stated the report showed the County was in good financial shape and she was struck that a lot of growth in the fund balance was not from revenues budgeted, however the expenditures were under what was budgeted. She continued to say that many departments saved more than 10% of the budgeted amounts. Commissioner Reckhow asked if that was an issue and if the departments should try to remain closer to their budget. Mr. Duda responded he would look for trends over numerous years. He added if it continued to be an occurrence then there should be opportunities to refine it.

Commissioner Carter asked if there were any findings from last year that needed to be corrected. Mr. Duda responded yes, one was found and it was related to eligibility. He continued to say it was very rare for a county of Durham's size to not have a compliance finding. Mr. Duda stated the issue found was caused by an individual due to turnover and had since been resolved. Commissioner Carter inquired about the significance of a low finding. Mr. Duda stated the findings showed where the County was presently at, because over time there would be more of a variance in the findings. He explained in the future, there would be more sample sizes as there were findings in some areas where those numbers would slightly increase.

Commissioner Reckhow highlighted pages 23 and 24 of the report noting the positive data and captured the growth. Mr. Duda responded the report was over 250 pages long and recommended the Board review it in its entirety to get a complete understanding.

Consent Agenda

Vice Chair Hill asked the Board if they requested to comment or pull any items from the Consent Agenda. Hearing none, he asked to entertain a motion for approval.

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

17-0500 Execution of the Construction Manager @ Risk "Guaranteed Maximum Price #2" Contract for the Main Library Renovation (Project No.: DC094)

17-0503 Execution of the Contract Amendment with Vines Architecture, Inc., for the Additional Services for the Main Library Renovation Project. (Project No.: DC094)

*17-0520 Budget Ordinance Amendment 18BCC000016 Appropriating \$1,524,165 of Capital Financing Fund Balance and Transferring the Funds to the "Pay-As-You-Go" Capital Project Fund in Support of Approval of Capital Project Amendment No. 18CPA000007 to Create a New Capital Project (420DC135-Duke Fiber Project) in the amount of \$1,524,165. Authorize County Manager to Execute a "Not to Exceed" Collaborative Agreement with Duke University in the Amount of \$1,116,665 and to Execute a Contract in the Amount of \$125,000 with Kimberly-Horn for Design, Permitting and Project Management

17-0523 Use of Annual Capital Outlay Funding for a Multiyear Purchase of 8 Activity Buses for Durham Public Schools

17-0526 Receive an Application to Provide Non-Emergent Ambulance Service in Durham County and Schedule a Public Hearing

17-0529 Light Rail DPAC Station Addition Approval

*17-0530 Budget Ordinance Amendment No. 18BCC000017 to Recognize Funds in the Amount of \$18,723 from the Alamance County Health Department for Implementation of the Minority Diabetes Prevention Program

17-0533 Durham City-County Appearance Commission Interlocal Agreement Renewal

17-0534 Interlocal Agreement Reauthorizing the Durham Bicycle and Pedestrian Advisory Commission

17-0538 Approve the Contract to Acquire Services Using IS&T Operational Budget Set Aside for Miscellaneous Contracting Services from SAGE Group Consulting in the amount of \$52,850 for the Contract Management Project with a Project Budget Amount not to Exceed 60,000

17-0547 Amendment to Solid Waste Convenience Site Collection Services Contract

17-0548 Courthouse Camera Replacement

*17-0554 Request Approval of the Purchase of a 3 Year License, Setup and Training for Concur Travel and Expense Solution and Approval of Budget Ordinance Amendment No. 18BCC000018 Appropriating General Fund Fund Balance in the Amount of \$85,132 for Year 1

17-0556 Approval of \$25,000 for Reach Out and Read Expansion

The motion carried unanimously.

Consent Agenda Item #17-0520

Durham County, North Carolina 2017-2018 Budget Ordinance Amendment Number 18BCC0000016

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2017-2018 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

Category	Current Budget	Increase/Decrease	Revised Budget
CAPITAL FINANCING FUN	<u>'D</u>		
Other Financing Sources	\$38,589,801	\$1,524,165	\$40,113,966
Expenditures:			
<u>Function</u>			
<u>CAPITAL FINANCING FUN</u>	<u>'D</u>		
General Government	\$73,735,421	\$1,524,165	\$75,259,586

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

This the 11th day of December 2017

Durham County, North Carolina 2016-17 Capital Project Ordinance Amendment Number 18CPA000007

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2017-18 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current	Increase/	Revised
	Budget	Decrease	Budget
Duke Fiber Project (420DC135)	\$0	\$1,524,165	\$1,524,165

Adopted this the 11th day of December, 2017.	
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Consent Agenda Item #17-0530

Durham County, North Carolina 2017-2018 Budget Ordinance Amendment Number 18BCC0000017

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2017-2018 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:				
Category	Current Budget	Increase/Decrease	Revised Budget	
GENERAL FUND				
Intergovernmental	\$60,321,852	\$18,723	\$60,340,575	
Expenditures:				
Function				
GENERAL FUND				
Human Services	\$96,981,731	\$18,723	\$97,000,454	
All ordinances and portions of ordinances in conflict herewith are hereby repealed.				
This the 11 th day of December 2017				
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Consent Agenda Item #17-0554

Durham County, North Carolina 2017-2018 Budget Ordinance Amendment Number 18BCC0000018

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2017-2018 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:			
<u>Category</u>	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			-
Other Financing Sources	\$34,443,544	\$85,132	\$32,528,676
-			
Expenditures:			
<u>Function</u>			
GENERAL FUND			
General Government	\$112,284,423	\$85,132	\$112,369,555
All ordinances and portions of ordinances in conflict herewith are hereby repealed.			

This the 11th day of December 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.

Historic Preservation Commission

Katie Hamilton (Carter, Hill, Howerton, Reckhow)

Open Space and Trails Commission

Keith Bryant (Carter, Hill, Howerton, Reckhow) Justin Johnson (Hill, Howerton, Reckhow)

Adjournment

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

The motion carried unanimously.

Respectfully Submitted,

Monica W. Toomer

Deputy Clerk to the Board