

**THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA**

Tuesday, January 2, 2018

9:00 A.M. Worksession

MINUTES

Place: Commissioners' Chambers, second floor, Durham County Government
Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chair Wendy Jacobs, Vice Chair James Hill and Commissioners Heidi Carter,
Brenda Howerton, and Ellen Reckhow

Presider: Chair Wendy Jacobs

Citizen Comments

The Board of County Commissioners provided a 30-minute comment period to allow Durham County citizens an opportunity to speak. Citizens were requested to refrain from addressing issues related to personnel matters.

Jim Svava was concerned with recent RFQ issued by the County to add an architect to the project referenced in agenda item 18-0563 Update #2 from the Development Finance Initiative on the Pre-development Process for the 300 and 500 Blocks of East Main Street. The language did not mention interaction with the public, key organizations that needed to be included in the planning, nor whether affordable housing was a requirement in the project. The timing of the project was also a concern.

Chair Jacobs stated that the Board was not aware of any RFQ. Commissioner Reckhow wanted to address this during the item discussion.

David Thourgh, member of Inside-Outside Alliance, spoke on the proposed changes to Durham County's Facility Use Policy—specifically the increased regulations for demonstrations and protests on County property. He was concerned that it was an attempt by the Sheriff to silence criticism against his department. He requested that the Board not go along with it.

Gregory Williams, member of Inside-Outside Alliance, was opposed to the proposed changes to Durham County's Facility Use Policy. He stated that the Sheriff had a conflict of interest in their attempt to regulate protests that were mainly against the Sheriff's Office.

Cynthia Fox, member of Inside-Outside Alliance, was a member of multiple organizations that focused on incarceration and felt that the proposed changes to the Facility Use policy regarding demonstrations and protests were unfair.

Minister Rafiq, spoke out against Durham County's Facility Use Policy changes. He felt that the changes equated to the County denying citizens the right to assemble.

Discussion Items:

18-0563 Update #2 from the Development Finance Initiative on the Pre-development Process for the 300 and 500 Blocks of East Main Street

The Board was requested to receive the second update from the UNC School of Government's Development Finance Initiative (DFI) on the Pre-development Process for the 300 and 500 Blocks of East Main Street. During the previous update in September 2017, DFI reviewed with the BOCC the pre-development process, guiding public interests, stakeholder engagement to date, parcel/site analysis, and next steps for the project. Various meetings were held with community stakeholders and others to gain input from a cross-section of community interest groups with respect to their desired interests and outcomes. DFI staff also utilized a variety of market information sources to develop preliminary data/analysis for potential market drivers/elements related to housing, retail, and office space(s), as well as related matters that could influence needed financial commitments from the County and work program elements as progress continued towards development of a BOCC desired program of development for these sites.

Commissioner Reckhow wondered when the DFI contract started and how much DFI was contracted for. Christy Raulli, Associate Director of DFI, stated that the contract was approved by the Board in February 2017, was signed in the end of May 2017 (due to some issues with the UNC School of Government), and began in June 2017. General Manager Jay Gibson added that staff would resend the schedule to the Board. The contract totaled around \$100,000-\$110,000. Commissioner Reckhow inquired as to how many payments were made as of the current day. Peri Manns, Deputy Director of Engineering and Environmental Services, clarified that one (1) payment for half of the amount had been made as of the current day.

Ms. Raulli went over the presentation which included the predevelopment process and project timeline.

Chair Jacobs asked why there was a RFQ issued, referencing the citizen comment made by Jim Svava. Mr. Gibson stated that they were legally required to retain an architect for the project. Ms. Raulli added that the purpose of working with the architect was to figure the different models or options. The end result of the architect's work was to have massing diagrams which were needed by DFI to provide the Board with a financial analysis. Chair Jacobs requested a copy of the RFQ.

Ms. Raulli stated that she preferred to hold public meetings once staff had an idea of what options were available for a project rather than letting the public discuss desirable ideas that were not feasible for the site. This allowed the public to provide feedback about options that they knew were possible. Chair Jacobs stated that there were different stages to the public process and it would ideally begin with hearing what the community considered priorities. That would feed into what would become models and the public would be brought back in at different stages afterwards. Mr. Gibson stated that staff had met with various stakeholders and held listening sessions. Feedback was taken and funneled down into options—they were currently working

towards applying fiscal constraints to the concepts. He stated that staff was following the model Chair Jacobs described.

Commissioner Reckhow felt that the County Commissioners should be apprised of every step in the process. She stated that it was not good that the Board learned about the RFQ through emails from the public. Commissioner Carter concurred, she did not like to learn of County happenings from an email, a public speaker, or the newspaper.

Commissioner Reckhow pointed out that the wording in the second bullet the PowerPoint did not explicitly state that affordable housing would be on the site, but rather in “proximity of the site.” She wanted to be very clear in the language that was being put forward. Ms. Raulli clarified that the proximity referred to the site’s proximity to the Light Rail, not the proximity of affordable housing to the project site. The wording would be corrected to better reflect that.

Chair Jacobs wanted to revisit the guiding public interests throughout the process. Community priorities changed over time and the guiding public interests should not remain static. Ms. Raulli stated that, in accordance with DFI’s process, the statements were due to return to the Board for modifications at the next update.

Commissioner Howerton wondered when DFI would return with more information. Mr. Gibson stated that they were planning on returning in April 2018. Commissioner Howerton asked if there would still be time for input after April. Ms. Raulli stated confirmed that there would be, input from the Board and the public.

Commissioner Reckhow noted that the schedule was very aggressive and questioned whether it was feasible. Mr. Gibson explained that it would depend on whether the priorities remained the same, but the schedule was more of a projection.

Commissioner Reckhow suggested including more Light Rail stops in the map in the PowerPoint. There was one recently added at the intersection of Blackwell Street and W Pettigrew Street.

Considering the declining retail demand due to increased online shopping, Commissioner Reckhow wondered whether it was appropriate to use the average US retail square footage per household for planning for the future. Ms. Raulli stated that the numbers in the PowerPoint were from the Urban Land Institute (ULI) and historical, but were beginning to be affected by the trend Commissioner Reckhow mentioned. Commissioner Reckhow requested that DFI perform deeper analysis on this with future trends in mind. Chair Jacobs wanted to know what it would take for affordable retail to be incorporated into the project.

Commissioner Reckhow inquired whether staff had reached out to downtown residents and asked what they wanted in terms of retail. She suggested working with Downtown Durham Inc. to administer a survey to downtown residents.

Commissioner Carter felt that it would be helpful for the Board to decide what the ideal downtown consisted of to help staff hone in on determining retail purchasing patterns. Mr. Gibson wanted to be mindful of the scope of the study.

Commissioner Howerton and Ms. Raulli discussed what would happen to the older homes already in Durham during the development of new units in the city proper.

Commissioner Reckhow brought up the idea of reusing the Durham County Social Services building located on 220 E Main Street. Mr. Gibson believed that staff had proposed that it would be used for Durham County Departments, it was not just sitting there. Chair Jacobs stated that this could be added to an upcoming Worksession for further discussion.

Chair Jacobs asked about the public process and what it entailed. Ms. Raulli went over DFI's public process. Chair Jacobs was concerned about the process and was not happy with the way that public engagement was happening. The City's process was very robust and she encouraged DFI to look into it and use it as a guide.

Commissioner Reckhow requested a compilation of the listening sessions DFI had held. She requested that in the future, when staff was delivering periodic updates, information regarding key happenings of a contract be provided—a "steps that have happened" type of document would help. Commissioner Howerton concurred.

Chair Jacobs requested a detailed plan for public outreach.

Vice Chair Hill wanted information about long-time retailers that were currently struggling to pay rent for their downtown location and what would happen to them. Chair Jacobs stated that this was something that DDI could help with.

Commissioner Carter requested a data point for the demand for affordable housing and office space in the downtown area as well as the gap between the demand and availability. Sarah Odio, DFI Project Manager, stated that it was trickier to provide that information for affordable housing due to the pressure that was on the market.

Vice Chair Hill was concerned with how students and young professionals would skew the data. Ms. Odio stated that the data for students was not statistically significant, it would not skew the data.

Commissioner Reckhow wondered if the County was legally allowed to target public sector employees and teachers for affordable housing. Attorney Siler stated that it required special legislation. Commissioner Reckhow felt it would be beneficial to help said population if at all possible.

Chair Jacobs stated that all the information requested by the Board could be provided via email.

Directives:

- Staff to provide the Board with a copy of the RFQ that was put out for an architect for the Pre-development Process for the 300 and 500 Blocks of East Main Street item.
- DFI to perform deeper analysis on whether it was appropriate to use the average US retail square footage per household for planning for the future considering the declining retail demand due to increased online shopping while keeping future trends in mind.
- DFI to determine what it would take for affordable retail to be incorporated into the project.
- Staff and DFI to work with Downtown Durham Inc. to administer a survey to downtown residents to determine what they wanted in terms of retail.
- DFI to provide the Board with a compilation of the listening sessions they had held.
- Staff to provide the Board with information regarding key happenings of a contract (a "steps that have happened" type of document) when delivering periodic updates.
- DFI to provide the Board with a detailed plan for public outreach.
- DFI to work with Downtown Durham Inc. to provide the Board with information about long-time retailers that were currently struggling to pay rent for their downtown location and what would happen to them.
- DFI to provide the Board with a data point for the demand for office space in the downtown area as well as the gap between the demand and availability. Affordable housing was requested too, but DFI stated that it was trickier due to the pressure that was on the market.

18-0567 Request from Durham Public Schools (DPS) for Durham County to Accept DPS Property at Lowes Grove for Use for Affordable Housing

The Board was requested to receive a presentation from Durham Public Schools (DPS) requesting that Durham County partner with DPS on an affordable housing initiative for teachers. DPS was interested in using a 5.5 acre property adjacent to the South Durham Library to construct rental apartments for teachers. DPS attorneys indicated that DPS did not have the legal authority to undertake this project and wanted to convey the property to Durham County, and then have the County convey to the proposed non-profit housing provider, CASA. The County Attorney's Office believed DPS would need special local legislation.

Aaron Beaulieu, Chief Operating Officer for DPS, stated that an existing development agreement was signed in 2010 between DPS, Durham County and the State Employees Credit Union (SECU), when the library and credit union parcels were being developed. The agreement governed the cost for maintenance of the stormwater facilities, private roads and addressed other development related issues. The development agreement would need to be amended to permit rental housing, as well as restrictive covenants that were required under the agreement that did not permit rental housing. Mr. Beaulieu added that due to the recent law mandating smaller class sizes, DPS would need 90 more teachers and they would be competing with Wake County which needed 400 more.

Willie Darby, Senior Assistant County Attorney, stated that the project was doable with or without Durham County's assistance, but the project's number one issue was whether affordable housing could be provided for a specific group. He stated that it was allowed. There were at least four (4) other counties that tried to provide affordable housing to teachers, however each sought special legislation to do so. The UNC School of Government warned that there would be a high risk to do it without seeking the special legislation.

Chair Jacobs inquired about the process and how long it would take. She understood that CASA was planning on applying for a loan from the SECU in the spring. County Attorney Lowell Siler stated that the process would typically begin at the upcoming Legislative Breakfast. The County could push it forward in the General Assembly. Jess Brandes, Housing Developer at CASA, stated that to apply for a loan at the SECU, CASA would need the process identified and a MOU with the partners that were on board with the conveyance process. The conveyance did not need to happen before CASA could apply for the loan.

Vice Chair Hill wondered whether teaching assistants or support staff would be included in the affordable housing. Melissa Michaud, Attorney at Tharrington Smith, stated that the target population would be specified by the organization that applied for the special legislation. She stated that School Boards sought special legislation in three (3) counties for teachers. In Asheville, the City partnered with the City School System and affordable housing was offered to teachers, police officers, firemen, and even professional staff for the City.

Commissioner Howerton asked whether school custodians would be eligible for the affordable housing. Ms. Michaud stated that the Board of Education (BOE) would ultimately choose who would be eligible, but she understood this to be more of a retention and recruitment tool for teachers.

Commissioner Reckhow stated that there was a historical property on this site and she wondered whether any consideration was given to put the housing in the former school. Mr. Beaulieu confirmed that it was considered, but it was deemed very difficult. Commissioner Reckhow stated that school-to-affordable housing conversions had occurred in other communities and she hoped this would be further considered. She felt it was a shame that the former school building would be allowed to continue to deteriorate rather than be converted into housing.

Commissioner Reckhow recalled that a joint capital improvement process was started by the Commissioners, City Council, and the BOE in 2002-2003. It was meant to have all capital needs and projects looked at in order to find intersections and the potential for collaboration. She was concerned about the long distance from Lowes Grove to Northern HS. She stated that, in terms of meeting the needs of housing of teachers across the district, one could argue that it would be better to be centrally located. She advocated for looking at this and other community needs in a comprehensive manner to ensure that all needs were met while using resources wisely.

Commissioner Carter described the work that had been done by the BOE for this project and the benefits associated with the concept. She hoped that the Board of County Commissioners would help facilitate the work completed by the BOE and CASA rather than slow it down. She stated that Commissioner Reckhow's suggestion of using the old Lowes Grove could be used in addition to doing what the BOE already had planned. The BOE had already looked at land more centrally located, but the current location was deemed the most feasible. Commissioner Carter clarified that the BOE came to the County to attempt to skirt the need to seek special legislation, but it could pursue it if the County was hesitant to participate. Partnering with the County would be a faster process. Ms. Michaud added that all partners would need to be on board because the location's development agreement would need to be amended to permit rental housing, as well as restrictive covenants that were required under the agreement that did not permit rental housing.

Commissioner Reckhow stated that when the land was originally bought, the first approach by staff was to put a branch library in the middle of the site. Further scrutiny led to the more strategic approach of sharing the land and having various buildings on site—such as the SECU and South Regional Library.

Commissioner Reckhow stated that the Board of County Commissioners should have been made

aware of this sooner. Mr. Beaulieu stated that the Chairs of both Boards were included in the process in October. He believed that the BOE was looking at the immediacy of trying to recruit and retain teachers. Chair Jacobs added that this item was on the next joint meeting between the Boards and she felt it was important to bring it to the Commissioners before said meeting.

Commissioner Howerton concurred with Commissioner Reckhow's sentiment regarding the lack of communication between the Boards regarding this topic.

Chair Jacobs announced that this was an informational item and it was going to be presented at a Joint Board of County Commissioners and Board of Education meeting on January 16th.

Vice Chair Hill inquired as to who maintained the access road that connected NC-54 to S Alston Avenue—it was a private road between the SECU and South Regional Library. Mr. Darby believed that the development agreement made maintenance of the road a shared responsibility between the SECU, Durham County, and DPS. Vice Chair Hill stated that there were Southeastern Freight Lines transfer trucks that constantly used that road because they did not like the intersection at S Alston Ave and NC-54. They used the private road to bypass it. He stated that if they were going to use it, they needed to maintain it.

At Chair Jacobs's request, Ms. Brandes went over how this project came about and why CASA had preferred the site that was chosen. Chair Jacobs questioned what the cost to Durham County and DPS was. Ms. Brandes stated that there was no cost—no cost to renovate the property, just conveying the land. Chair Jacobs asked about who would administer the housing. Ms. Brandes stated that CASA would own and operate the property. Chair Jacobs wanted to know how many units CASA had in mind for the site. Ms. Brandes explained that phase one would be 24 units and, since the land was spacious, it would allow for phase development over time. The opportunity to expand would exist since the site was by-right zoned for 55 units.

Commissioner Howerton inquired whether the project was contingent upon the General Assembly. Ms. Brandes confirmed that CASA could not develop anything until they had site control of the property—the puzzle of the project was how CASA could obtain site control and seeking special legislation through the General Assembly was one option.

Commissioner Reckhow asked whether CASA would be willing to look at the old Lowes Grove school site. Ms. Brandes stated that they could explore it. Commissioner Reckhow stated that it would be very helpful if they could.

Directives:

- **Staff to look at this project and other community needs in a comprehensive manner to ensure that all needs were met while using resources wisely.**
- **Staff to consider asking Southeastern Freight Lines to help maintain the access road that connected NC-54 to S Alston Avenue (a private road between the SECU and South Regional Library). The development agreement made maintenance of the road a shared responsibility between the SECU, Durham County, and DPS. Southeastern Freight Lines transfer trucks constantly used that road because they did not like the intersection at S Alston Ave and NC-54, they used the private road to bypass it.**

18-0572 Proposed Amendments to Durham County’s Facility Use Policy

The proposed amendments to the County’s Facility Use Policy were provided to the Board of County Commissioners for review and feedback. Jodi Miller, General Manager, stated that the proposed amendments highlighted in red were drafted to address demonstrations on County grounds. Sheriff Michael Andrews requested that the County revise its current policy to address use of County property for demonstrations in a letter to the Board and the Durham City Council in August 2017. A copy of the Sheriff’s letter was provided.

The draft was developed in consultation with the Sheriff’s Office, General Services and Emergency Management. The County’s Facility Use Policy was an administrative policy which was approved by the County Manager. No action was required by the Board to amend the policy, it was presented for review and feedback.

Ms. Miller went over the research that staff performed of best practices that communities had in place to manage these types of uses of public property. The amendments to Durham County’s Facility Use Policy included a notification process modeled after the City of Charlotte’s process. The notification was required 48 business hours before an event occurred and would allow the Sheriff’s Office, General Services and Emergency Management adequate time to prepare for the demonstration.

Commissioner Howerton inquired whether a citizen had to obtain a permit from the City and the County. Ms. Miller clarified that if they were going to be on City property, they would need to get a permit from the City. If they were going to remain on County property, they would only need to go through the notification process. Attorney Siler reiterated that this was not a permit process, it was a notification process. Ms. Miller added that it was designed to be quick and easy and the application for the notification process would be online. It would go directly to General Services and they would be able to follow up with the organizers about County expectations as well as with any questions about the demonstration.

Commissioner Reckhow suggested changing the notification requirement from 48 business hours to 48 regular hours.

Vice Chair Hill wondered if a group could be denied. Ms. Miller stated that no one could be denied. Vice Chair Hill suggested changing Section 5.1.6 “use of weapons” to “possession of weapons.”

Commissioner Carter felt that the 48 business hour requirement would prohibit spontaneous or impromptu protests and gatherings. She was concerned that if the notification process did not take place, the County could consider protestors to be trespassing and have them removed. Decisions were made on a case-by-case basis, but the County already considered the protests on a case-by-case basis. This led her to wonder how the policy was helping staff. Commissioner Carter was also worried that putting the policy in place would be a recipe for escalating dissention—in comparison to the de-escalation and restraint demonstrated by the Sheriff’s Office when the monument was toppled. Commissioner Carter felt that this was more of a legislative policy, rather than an administrative one.

Chair Jacobs shared the reservations that Commissioner Carter had. She did not agree that this was an administrative policy, but a significant change to a policy that affected the community. This dealt with issues that the Board should directly weigh in on and receive thorough public input for. She pointed out that Cary and the City of Fayetteville had notification processes that did not have timelines. Chair Jacobs requested that a copy of the notification application be sent to the Board. She also wanted to know about the role of discretion in terms of the County Manager or his designee determining that protestors were trespassing/need to be removed due to not following the notification process. She wanted to allow public input and to have the Board consider it.

Commissioner Reckhow believed that a notification policy was needed. The County had many more areas that the public could congregate on and it would be remiss to not have the policy. She thought there could be maneuvering room in the amount of time required for the notification. She encouraged the Board to keep in mind the need to enable business to continue at buildings in which protests were occurring. Attorney Siler stated that staff just wanted to ensure that safety was the number one priority.

Commissioner Howerton was concerned with people from outside of the community joining a community protest and causing trouble. She felt that there needed to be a structure in place that would help prevent people from getting hurt during demonstrations.

Commissioner Carter and Ms. Miller discussed how this notification process would help staff know of upcoming events that they would otherwise be unaware of and how it would help staff plan, prepare, and manage the event. Ms. Miller noted that the revisions would pinpoint expectations for using County property in a deliberate way and establish better communication through points-of-contact between staff and organizers. Commissioner Carter agreed with the benefits, but was worried about situations in which no notification was sent and the County decided to be heavy handed in response because a policy was not followed.

Commissioner Reckhow thought that if the policy was administered, there would need to be plenty of community education. She wanted staff to review the 48 business hour deadline.

Vice Chair Hill commended the Sheriff's Office response to the protest that occurred in Durham on Friday, August 18, 2017.

Attorney Siler reiterated that the County just wanted to ensure that people who wanted to demonstrate could do so safely.

Commissioner Carter stated that she did not believe the policy was needed and worried that it would cause more problems than intended.

Chair Jacobs wanted staff to review section 5.2 and make the language clearer. She felt that there needed to be a timeline specified for when staff would review and provide a review receipt to the organizers. She was concerned with the discretion of the County Manager related to violations. She suggested that staff ponder how to best facilitate communication. She felt that it would be beneficial to reiterate to the community that no weapons were allowed on county property,

destruction of county property was not allowed, and impeding people's access to public facilities was not allowed.

Manager Davis announced that the current policy would remain "as-is" (the amendments would be excluded) until the Board reached a consenting point.

Vice Chair Hill felt that the parts addressing weapons, selling things, pop-up tents, and safety in the policy could be added, but the notification process should be further considered.

Commissioner Reckhow felt that it was important to protect the public safety.

Directives:

- **Staff to change Section 5.1.6 "use of weapons" to "possession of weapons."**
- **Staff to provide a copy of the notification application to the Board.**
- **Staff to review section 5.2 and make the language clearer.**
- **Staff to specify a timeline for when staff would review and provide a review receipt to the organizers.**

18-0589 Durham County Child Support and Alternatives to Incarceration for Offenders

The Board had been concerned about the incarceration of defendants on child support cases. Geri Ruzage, Senior Assistant County Attorney, gave the history, the process of establishing a child support order, factual and statistical information, and a proposed alternative to incarceration for child support inmates including addressing specific barriers to employment.

Ms. Ruzage stated everyone had an interest in establishing child support orders because it lessened the reliance on resources from the Department of Social Services. Child Support handled around 10,500 cases per year and the court handled around 5,000 cases per year. Court was the last remedy used to enforce child support after ample opportunity was given to individuals to pay their order.

Any person (an uncle, grandparent, cousin, sister, or either parent) with physical custody of a child could go to Social Services and apply for child support. Child Support located parents or the noncustodial parent and attempted to have them meet with the child support agent. Paternity had to be established or a parent had to sign for the case. If the parent refused to go to the office to meet with the agent, a court action for child support was started. North Carolina used a shared income model for child support. A child support worksheet was completed and that determined how much the child support order would be. Child support agents entered the provided information into a system and the system gave the final number—that final number was based on the combined income of both parents. A determined portion of that income was the amount of child support a child should receive to sustain their life. Roughly 18% of gross income would be used for the first child.

Once a child support order was established through the court system, all parties went to court and hearings were had if there were disagreements. It was the obligation of Child Support Attorneys to establish right-sized orders pursuant to the amount of a person's income considering all factors under the guidelines. They had a responsibility under the law to represent the Department of

Social Services (not the mother or father of the child) in getting an accurate, right-sized order on child support. Some factors that go into the Child Support worksheet were both incomes, other children in the households under 18, other child support orders, medical expenses, daycare, and any extraordinary expenses paid by either parent.

If a child was under three (3) years old, the parent was not obligated to have a job. For children over three (3) years old, they tried to determine how the family was living. The state had a statute that could put parents that were supposed to pay child support on work search. The minimum child support order in NC was \$50 per month—this would apply to a parent who did not have physical custody, did not have a job, but had a good reason for not having a job.

Most people paid child support via income withholding and most people fulfilled their child support obligations. Ms. Ruzage went over how a child support order would lead to getting arrested. She stated that 90 days was the maximum amount of time that someone could be kept in jail for a warrant issued for child support only. Inmates in jail for only child support could request work release to leave confinement to continue working at their current place of employment—they returned to jail when their shift was complete. Chair Jacobs calculated that, at \$100 per inmate per day, it costed the County around \$9,000 to keep someone in jail for child support. Ms. Ruzage pointed out that jail sentences acted as deterrents for people who would otherwise not pay their child support. The cost to the County via social services issued to families that did not receive child support would be much higher than the current cost to jail people for failure to pay.

From 2008 to 2011, Durham County had the New Life Court, an alternative-to-incarceration program. The Court was established to determine which specific child support defendants were inappropriate for jail, i.e. which defendants had a history of paying their child support order and suddenly stopped due to job loss. The funding for the program was used to help people overcome barriers to employment by focusing on underlying issues such as literacy, substance abuse, homelessness, job skills, lack of employment history, and mental health illnesses. Funds were also dedicated to build/improve parent-child relationships—addressing parenting issues was a unique feature of the New Life Court in Durham County. The program was very similar to drug treatment court because there was court accountability and a sanction and reward process.

Commissioner Reckhow stated that child support social workers could address parenting issues as well. Ms. Ruzage did not believe that child support social workers had the time for this due to the volume of their current caseloads. Angela Bellamy, Acting Program Manager for Child Support, stated that each child support case worker had around 650 cases total at the time. Commissioner Reckhow wondered if each case worker could pick ten cases and work towards having the parties meet to talk. Ms. Ruzage stated that there was a skill set associated with putting parents together. Child support Agents were not equipped to handle the fights, combativeness, or unwillingness to get along between parents. Vice Chair Hill recalled his time as a caseworker and the amount of time that could be dedicated to each case did not allow caseworkers to help with family counseling.

Commissioner Reckhow wondered how many people participated during the 2.5 years that the Court was in place. Ms. Ruzage stated that at any given time there were 20 people in the

program, each at different stages. If five (5) graduated, another five (5) were initiated into the program.

Ms. Ruzage stated that New Life Court ceased when it lost federal funding. She hoped that the County would consider approving a permanent position of Program Manager to reestablish New Life Court and oversee the program. Attorney Siler noted that, similarly, Criminal Justice Resource Center clients had already interfaced with the criminal justice system, but New Life Court also attempted to keep people out of the system.

Commissioner Reckhow hoped that staff would follow-up to see whether there were any resources available for the reestablishment of the New Life Court. The program was worth looking into.

Commissioner Carter inquired about the total cost of the program. Ms. Ruzage stated that the budget was \$143,000 and it included salary and operational budget. The Program Manager's salary was around \$50,000.

Vice Chair Hill thanked Ms. Bellamy and Ms. Ruzage for all their work. He knew how exhaustive it was. He asked that they let the rest of the child support agents know that they were appreciated.

Chair Jacobs thanked them for coming. She requested a memo that included the data that Ms. Ruzage referenced in her discussion as well as performance measures that would be used to determine the impact of the program. Commissioner Reckhow concurred and requested a report on the accomplishments of the New Life Court before it ended.

Directives:

- **Staff to provide a memo with the data that Ms. Ruzage referenced in her discussion as well as performance measures that would be used to determine the impact of the program.**
- **Staff to provide a report on the accomplishments of the New Life Court before it ended.**

18-0569 Board Directives Follow-Up

The Board was requested to review December directives, unfinished directives, and the new follow-up template. County staff managed directives and follow-up items from Board meetings in a variety of ways in attempts to maintain accountability. Drew Cummings, Chief of Staff, stated that for a variety of reasons, the County's recent experiment with an online system did not end up working well. Staff chose to return to something more akin to the earlier methods. For Board meetings, follow-up tasks would be finalized, in most cases, by the day after a given Board meeting, with time frames for follow-up established appropriate to each task. Follow-up items would be tracked by meeting, month, and year and would be saved on the cloud to give editing and viewing abilities to all appropriate staff.

Commissioner Reckhow asked about the public art item that was presented at the Worksession on December 4, 2017. She asked about the form and structure changes that were requested as

well as further public input. Mr. Gibson stated that the public art would now be around 23 feet, rather than 30 feet as originally planned. He reminded the Board that the public art needed to be in place in order for the building to receive a certificate of occupancy.

Commissioner Reckhow wondered why a public art policy could not be discussed at an April or May Worksession rather than during a Budget Worksession. Manager Davis believed that the timing she suggested could work.

Chair Jacobs wondered about the Clerk's process regarding directives and how it would factor into what Mr. Cummings would be doing. Michelle Parker-Evans, Clerk to the Board, stated that she would continue her running list of directives and circle back with Mr. Cummings to ensure all directives were captured.

Commissioner Carter wondered if this list of directives would include citizen requests submitted to Commissioners that needed to go to staff. Mr. Cummings stated that staff could consider logging those requests into the list as well.

18-0571 Commissioners' Comments

The Board was requested to allow each Commissioner three minutes to report on conferences or make comments regarding issues that may be of interest or concern to the Board.

Commissioner Carter thanked Bull City United and General Manager Gayle Harris for the successful Week of Peace.

Vice Chair Hill announced the passing of LeRoy Frasier and Dr. John Griffin. Mr. Frasier was an integration pioneer who was among first black undergraduates at UNC-Chapel Hill. Dr. Griffin was the first African-American Superintendent of Cumberland County Schools.

Chair Jacobs spoke about her experiences during her trip to India and passed out newspaper articles she collected while there. The articles addressed local government issues.

Commissioner Reckhow spoke about an article that examined the substantial increase in school suspensions even after policy changes that were supposed to reduce them. The Herald-Sun featured a Letter to the Editor by Peggy Nicholson, Youth Justice Project Co-Director, addressing the article which Commissioner Reckhow felt made good points. As such, she invited Ms. Nicholson to the Crime Cabinet meeting on January 12, 2018 to have a constructive discussion about best practices around the issue. Commissioner Reckhow announced that the Early Childhood Community Forum was taking place on Saturday, January 20th from 9 a.m. to 12 p.m. at the Health and Human Services Building located at 414 E Main Street.

Commissioner Howerton described an episode she watched on TV that scrutinized the trauma children were experiencing in Chicago, IL due to gun violence. She stated that trauma would be a topic discussed at the NACo Legislative Conference in March 2018. She requested an excused absence from the January 8, 2018 Regular Session.

Commissioner Reckhow moved, seconded by Commissioner Carter, to suspend the rules.

The motion carried unanimously.

Commissioner Reckhow moved, seconded by Vice Chair Hill, to excuse Commissioner Howerton from the Regular Session meeting to be held on Monday, January 8, 2018.

The motion carried unanimously.

Consent Agenda (15 min)

The Board was requested to review Consent Agenda items for the November Regular Session meetings. Staff was present to address questions the Board had regarding the items. The following consent agenda items were reviewed:

18-0562 Budget Ordinance Amendment No. 18BCC000019 to Recognize an Increase of \$14,539 from the NC Division of Public Health Epidemiology/Communicable Disease Branch for Safe Spaces

No comments were made regarding this item.

18-0566 Execution of the Consulting Services Agreement with CBRE/Heery for the Moving Consulting Services for the Administrative Building II Renovation (former Judicial Building) Project No.: DC073

No comments were made regarding this item.

18-0578 Award of the Easement Maintenance Services for Durham County Triangle Wastewater Treatment Plant (RFP 18-006) contract to Electrical Controls & Maintenance, Inc.

Commissioner Reckhow noted that there was not much difference in quality between the companies. She was curious as to whether any of the firms were minority owned as the County could use this contract to help a local minority firm. Commissioner Carter wondered the same and felt that Hillard's Lawn Maintenance, Inc. was a good contender due to their competitive price. Mr. Gibson stated that Legal advised that selection be based on quality. The County had previously used Hillard's and it was found that they damaged County manholes without reporting it. The County had to request that Hillard's return to redo work multiple times. The recommended firm was chosen based on staff's comprehensive evaluation and the companies' prior track records.

Chair Jacobs recalled news about the Triangle Wastewater Plant and chemicals found in the water. She requested that staff provide information about this. Manager Davis that staff would do a follow-up.

Directive:

- **Staff to provide the Board with information regarding the news about the Triangle Wastewater Plant and chemicals found in the water.**

18-0591 Approval of the Purchase of Goods contract with Alfred Williams and Company for the Purchase of the Workstations from the U.S. Communities Buying Program for the Administrative II Building Renovation (former Judicial Building) Project No.: DC073

No comments were made regarding this item.

Adjournment

Commissioner Carter moved, seconded by Commissioner Reckhow, that the meeting be adjourned.

The motion carried unanimously.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tania De Los Santos", is written over a light gray rectangular background.

Tania De Los Santos
Administrative Assistant