

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

Monday, August 6, 2018

9:00 A.M. Work Session

MINUTES

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

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.

John Tarantino performed a cover of "The Night They Drove Old Dixie Down" for the Board. He requested a copy of the final report from the City-County Committee on Confederate Monuments and Memorials. Chair Jacobs stated that the report would not be available until sometime in December 2018.

Consent Agenda (Discussion - No Action)

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:

18-0952 Acceptance of Federal Aviation Administration (FAA) Grant Offer to Raleigh-Durham Airport Authority

Chair Jacobs questioned what the grant money was specifically being used for. Commissioner Reckhow stated that it would be used for the runways.

18-0935 Approval of Resolution for Limited Obligation Bonds and Certain Related Documents Pursuant to G.S. 160A-20

Susan Tezai, Chief Financial Officer, clarified what "financing for the Detention Center POD" meant upon Commissioner Reckhow's inquiry. Commissioner Reckhow requested that, in the future, the projects be described in the documents attached to the agenda.

Chair Jacobs and Ms. Tezai discussed why, in the attached documents, the listed projects were described differently. Ms. Tezai also addressed why the Durham Capital Financing Corporation and Robinson, Bradshaw & Hinson, P.A. were used in the documents.

Chair Jacobs pointed out a typo in Appendix A on page A-14, “Terry Quarry” should read “Teer Quarry.” She felt that the information in Appendix A would be useful to the public and suggested adding it the County’s economic development website.

Commissioner Howerton requested to know what “Companies that Boycott Israel Act Certification” meant. Ms. Tezai stated that it was standard language that needed to be included in the documents, but she would provide an explanation to the Board.

Directives:

- **Staff to ensure that projects were described in the documents attached to the agenda.**
- **Staff to add the information from Appendix A to the County’s economic development website.**
- **Susan Tezai to provide an explanation of the meaning of “Companies that Boycott Israel Act Certification” to the Board.**

18-0924 Award of Chemical Purchase Contracts for the Triangle Wastewater Treatment Plant, Invitation for Bid (IFB) 18-042

Commissioner Carter requested that the locations of the bidders be included on the Bid Tab document in future items. General Manager Claudia Hager stated that staff was in the process of revisiting what summary information was included.

Directive:

- **Staff to include the locations of the bidders on the Bid Tab document.**

18-0925 Award of Services Contract for Sewer Line Cleaning, Video, and Pump and Haul Services for the Durham County Triangle Wastewater Treatment Plant, Request for Proposal (RFP) 18-035

Chair Jacobs and staff discussed why this was a yearlong contract with the opportunity to renew for up to four additional years. Staff explained that the contract renewal was not automatic; it was subject to approval which depended on pricing, service quality, etc.

18-0870 Budget Ordinance Amendment No. 19BCC000001 - Recognize Durham County Library Grant Revenue: “Library Services and Technology Act (LSTA) Practicing Inclusivity”

In reference to the attachment titled LSTA Practicing Inclusivity - Final Application, which stated that the library would reach out to the community in September 2019, Chair Jacobs encouraged staff not to wait that long and to include local nonprofits in the process sooner. Library staff discussed their current collaboration with local nonprofits and the creation of events and programs focused on individuals with special needs.

18-0908 Budget Ordinance Amendment No. 19BCC000004 - Recognize Durham County Library Grant Revenue: “National Institutes of Health (NIH) - All of Us Durham”

Staff described the item and stated that the library would increase health programming and serve as a resource point for the public to sign up for the All of Us Research Program.

18-0901 Capital Project Amendment No. 19CPA000001 - Fiscal Year 2018-19 Appropriation of Approved County Contribution Funds (\$6,545,957) for Multiple Capital Projects

Commissioner Reckhow requested to know by Monday, August 13 whether the project titled Duke West (New 2 Bay Station) was on new land that the County was purchasing or associated with an existing facility as well as if alternatives in the area were investigated. She raised concerns about the lack of time spent reviewing the Capital Improvement Project (CIP). Keith Lane, Director of Budget and Management, addressed why the past year's CIP review was postponed. He stated that the CIP update process would begin in the Fall of 2018 and staff would provide a refreshed CIP to the Board sometime after January 2019 before the budget process.

Commissioner Reckhow requested the utilization numbers for Bragtown Library. Ms. Hager suggested having a discussion at the Work Session on Tuesday, September 4, 2018, about the projects that needed to move forward. If any projects needed to move forward in August, staff would submit them to the Board for approval with additional information and explanations.

Commissioner Carter and Ms. Hager discussed how often technology life span upgrades were looked at. Ms. Hager stated that staff would provide the Board with a list of standard technology upgrades within the next week.

Chair Jacobs and Mr. Lane discussed ongoing building and technology maintenance and improvement projects. Ms. Hager stated that staff would provide the Board with the detailed list of projects that IS&T and General services planned on dealing with during any given fiscal year that were included in the CIP.

Directives:

- **Staff to notify the Board (by Monday, August 13) whether the project titled Duke West (New 2 Bay Station) was on new land that the County was purchasing or associated with an existing facility as well as if alternatives in the area were investigated.**
- **Staff to provide the Board with the utilization numbers for Bragtown Library. The Board wanted to understand whether it was a good investment and have further discussion. Ms. Hager suggested having a discussion at the Work Session on Tuesday, September 4, 2018, about the projects that needed to move forward.**
- **Staff to provide the Board with a list of standard technology upgrades within the next week.**
- **Staff to provide the Board with the detailed list of projects that IS&T and General services planned on dealing with during any given fiscal year that were included in the CIP.**

18-0932 Discussion of Proposal for Community Development Block Grant (CDBG) Neighborhood Revitalization Grant

Durham County planned to apply for up to \$750,000 from the North Carolina Department of Commerce (NCDC) as part of the Community Development Block Grant (CDBG)

Neighborhood Revitalization Program. The grant could only be used for homes located outside of the City limits.

As Durham County did not have in-house expertise in affordable housing, staff consulted with members of the housing repair collaborative as well as with Triangle J Council of Governments (TJCOG). TJCOG was prepared to collaborate to complete the application with the County for its submittal. If Durham County received the grant, TJCOG would administer it. Drew Cummings, Chief of Staff, stated that applications required a draft proposal as well as two public hearings to receive public input on the draft proposal. Staff tentatively set those public hearings to be held during the Regular Sessions on August 13 and September 11 with the final application due by September 28.

Chair Jacobs and Aspen Romeyn, Principal Planner in Regional Planning for TJCOG, discussed why the proposal requested only \$450,000 out of the \$750,000 that was available. TJCOG opted to apply for \$450,000 because that was the capacity available at the time for the Home Repair Collaborative partners to do home repair work over the 30-month period. TJCOG was exploring acquisition and/or development opportunities that could use the other \$300,000 if any were found, they would apply for the additional amount to reach the full \$750,000. Mr. Cummings explained that the grant did not provide funds to hire more positions to oversee the administrative part of the work and this affected the program's work capacity as seen in the proposal.

Discussion was had about ensuring that the City was aware of the work that the County was doing in terms of housing. Ms. Romeyn confirmed that the Home Repair Collaborative coordination would include the City. Staff reached out to Jane Korest, Open Space/Real Estate Manager, to discuss disposition of County property, but found that there were no viable sites to work with.

Since the grant could also be used for recreation facilities, parks, playgrounds and greenways, Chair Jacobs and Commissioner Reckhow encouraged staff to consider alternatives if all affordable housing options were exhausted. It was noted that the Little River Community Complex had critical needs that could be addressed with the grant. The Board confirmed that the preference was to use the \$750,000 towards housing if possible, but to explore other possibilities if necessary. If staff decided to apply for the other \$300,000 and needed additional County funds to increase the capacity of work possible, Commissioner Carter hoped that staff would return to request it from the Board.

The Board agreed to allow the County Manager to begin the process to have Durham's Fair Housing Plan and Analysis of Impediments to Fair Housing Choice Study updated. It was required of all applicants with 10,000 persons or more and Durham needed to have a contract in place with a consultant to complete the update before submitting the grant application. The documents needed to be updated within four months of application submission and the estimated cost to prepare the update was \$7,000-8,000.

Chair Jacobs acknowledged Charita McCollers, Vice-Chair of the Homeless Services Advisory and Social Worker for Lincoln Community Health Center's Health Care for the Homeless Clinic,

for initially providing information regarding the Community Development Block Grant (CDBG) Neighborhood Revitalization Grant.

18-0906 Security Services Contract Amendment 3

Chair Jacobs and Ed Miller, Security Manager, discussed the planned six-month assessment of the new security screening process in the Health and Human Services Building.

Mr. Miller described the changes that staff made to remain within the contractual amount of what had been approved in the budget with regards to security contracts the changes totaled up to a decrease of almost \$247,000 in costs. The “savings” would be applied to the costs for security services in the Administration II building.

Motiryo Keambiroiro, Director of General Services, stated that she would consult with Nighthawk Security and Consulting, LLC to ensure that one officer was meant to remain at the desk in Admin I building while the other roved.

After some discussion, the Board decided that the contract would remain on the consent agenda because positions could be adjusted or removed after its approval; removing it from the upcoming consent agenda would impede staff’s ability to put the contract into place.

18-0940 Service Contract with Durham Literacy Center

Lizzie Ellis-Furlong, Executive Director of the Durham Literacy Center, reviewed the status of the recommendations as listed in page 14 of the attached document titled “Durham Literacy Center Combined Service Contract FY19.”

Commissioner Reckhow requested for the Durham Literacy Center to work with the County’s Public Information Office to put out a press release regarding the services offered and the positive outcomes in the Detention Center once this contract was approved.

Chair Jacobs and Mr. Cummings discussed how the needs mentioned in the final two recommendations could be addressed. Mr. Cummings suggested getting the Durham Literacy Center in touch with Triangle Recycling for their technology needs.

Ms. Ellis-Furlong and Andrew Deibert, GED Instructor, went over the classes taught, the number of staff in the program and how detainees could enroll in the program.

Chair Jacobs requested data related to how many people were in the Detention Center and how long they had been in there. Staff was encouraged to inform the Board of how they could help support and/or expand the program.

Mr. Lane stated that this literacy program was fully funded by the Inmate Commissary Funds and that the Sheriff’s jail budget paid for the contract. He stated that the Board only needed to approve the contract. The Board discussed the issues surrounding the inmate commissary and acknowledged that the complaints raised were regarding the prices of commissary items.

Commissioner Howerton felt that the Board should take some accountability for providing training and education in the Detention Center rather than rely solely on commissary funds. Ms. Hager stated that staff would work with the Sheriff's Office and return to the Board for a discussion about the cost of canteen items and whether there were other approaches that could be used. Chair Jacobs recalled that they had had discussions about whether there were other ways to operate the commissary in terms of who operated it, the selection of items available, the healthiness of the food and the price of the items.

Sheriff's Office Director of Planning and Development David LaBarre was requested to let the Board know whether there were other programs that were needed to support the people in the Detention Center.

Directives:

- **Commissioner Reckhow stated that there needed to be an assessment as to whether commissary prices were reasonable.**
- **Public Information Office to work with the Durham Literacy Center to put out a press release regarding Detention Center services and its positive outcomes.**
- **Staff to provide the Board with data related to how many people were in the Detention Center and how long they had been there.**
- **Staff to work with the Sheriff's Office and return to the Board for a discussion about the cost of canteen items and whether there were other approaches that could be used regarding commissary.**

18-0942 Service Contract with Animal Protection Society of Durham, Inc.

Tim Deck, Animal Services Lieutenant at the Durham County Sheriff's Office, discussed the request for repairs and improvements to the County-owned shelter structure. The requested repairs and improvements were for the kennel floors and the phone system. Ms. Keambiroiro updated the Board on the status of the bid process for the resealing of the floors. It would cost about \$50,000 to reseal all the floors in the animal cages.

Directive:

- **Chair Jacobs requested information regarding the update of the phone system at the Animal Protection Society of Durham, Inc.**

18-0939 Request Approval of a Service Agreement with Hagerty Consulting, Inc. for \$229,033 to Develop a Complex Coordinated Terrorist Attack (CCTA) Regional Coordination Plan.

Jim Groves, Fire Marshal/Emergency Management Director, went over how the County's Complex Coordinated Terrorist Attack (CCTA) Federal Grant funds would be used over the three-year grant period. He stated that the types of entities that would be invited to sit on the workgroups to inform the development of the plan were: traditional government response entities, bus transportation, faith-based organizations and nonprofits.

No comments were made regarding the following items:

18-0941 Additional Funding for Repair and Maintenance of Fire Apparatus

18-0870 Budget Ordinance Amendment No. 19BCC000001 - Recognize Durham County Library Grant Revenue: “Library Services and Technology Act (LSTA) Practicing Inclusivity”

18-0917 Budget Ordinance Amendment No. 19BCC000002: Appropriate Unspent Funds Allocated in Fiscal Year 2017-18 into the Fiscal Year 2018-19 to Recognize Unspent UNC SOG and NC LGISA Award Funds that were Awarded to the Information Services and Technology Department for Demonstrating World-Class IT Effectiveness for the Court Reminder App with Criminal Justice Resource Center (CJRC)

18-0902 Budget Ordinance Amendment 19BCC000003 - Sheriff’s Office Acceptance of \$172,746 from the 2017 Edward J. Byrne Memorial Justice Grant (JAG) Program

18-0930 Budget Ordinance Amendment No. 19BCC000006 New Hope Fire Tax District Fund Balance Distribution Request of \$40,000

18-0931 Capital Project Amendment No. 19CPA000002 - Transfer the Remaining Balance of the Major Laserfiche Upgrade Capital Project to Create a new Audio-Visual/Systems Life Cycle Replacement Project and Close the Major Laserfiche Upgrade Project (4200DC102)

18-0927 Design Services Amendment for the Triangle Wastewater Treatment Plant Efficiency and Resiliency Improvements Project (RFQ 17-012)

18-0953 Removal of Citizen Board Member Due to Poor Attendance

Discussion Items:

18-0879 Presentation of Durham County Library and Durham Public Schools Library Card Initiative

Matthew Clobridge, Library Technology Management Administrator, went over the cultivation of the program, the program goals, the procedures that the pilot schools followed, changes made to the program in academic year 2018-2019 following the pilot program and what steps would be taken next.

The Board discussed how the program promoted racial and socioeconomic equity and data sharing between two different entities, concerns regarding how unpaid lunch fees would affect students’ ability to participate in the program as well as how parent engagement would affect students’ transportation to the libraries. Staff was encouraged to think of creative solutions to ensure that unpaid lunch fees did not become barriers for the students.

The Board held discussion regarding when the Board of Education was informed of the program and when they would be updated about the changes.

18-0946 Budget Ordinance Amendment No. 19BCC000007 to Appropriate \$4,000,000 of Capital Financing Plan Fund fund balance and transfer the funds to the Pay as You Go Fund and Capital Project Amendment No. 19CPA000004 to Amend the Durham Technical Community College (DTCC) Newton Building Capital Project

The Board was requested to authorize an additional \$4 million in Capital Financing Plan Fund fund balance to support Durham Technical Community College capital projects for a new Applied Technology building, renovation of the existing Newton Building and the construction

of a new Facilities Services building. The increase was needed to offset costs resulting from the overall construction market. Estimated actual construction costs increased after the original project development in 2015. The economic factors that resulted in rising construction costs impacted both residential and commercial construction projects.

Ms. Hager stated that the Durham Technical Community College requested an additional \$4 million in County funds to support the construction of the new Applied Technology building, renovation of the existing Newton Building and the construction of a new Facilities Services building. The original project cost totaled \$22,061,016 and was funded by a combination of local and state funds. Of this amount, \$18 million was funded from the 2016 bond referendum—project costs surpassed the original budget projections due to construction market factors.

Ms. Hager stated that, after conversations with the County Manager and Mr. Lane, it was proposed to have staff look at the use of Pay as You Go funds placeholder in 2021 for the \$4 million needed to cover shortfalls (staff might opt to use another route of financing before 2021). In order to move the project forward, the State Board of Community Colleges and the Office of State Construction needed to observe that the funding for the project had been authorized, she stated they did not need the money in hand, it would not be needed until 2020 and 2021.

The Durham Technical Community College Board of Trustees supported the request for additional funds. Although Pay as You Go funds would address the budget gap due to increased construction costs, the actual funds expenditures would not occur until fiscal years 2020 and 2021.

Staff gave an overview of how inflation was impacting the cost of construction and the Connect NC Bond and how the timing of the projects' progress affected the amount of funds available.

The Board voiced their support for the request of an additional \$4 million in county funds to support the construction of the new Applied Technology building, renovation of the existing Newton Building and the construction of a new Facilities Services building.

18-0943 Budget Ordinance Amendment No. 19BCC000005 to Appropriate \$1,471,403 of Capital Financing Fund fund Balance and Transfer the funds to the Pay As You Go Fund and Capital Project Amendment No. 19CPA000003 to Create the Durham Memorial Stadium Capital Improvement Project to Support USA Track and Field (\$1,471,403)

The Board was asked to appropriate \$1,471,403 in Capital Financing Plan Fund fund balance and transfer the funds to the Pay as You Go Fund in order to create the Durham County Memorial Stadium Capital Improvement Project to support maintenance issues and renovations at the Durham County Stadium, and the specified requirements of USA Track and Field (USATF) event.

The \$1,471,403 was requested for appropriation due to the time sensitive nature of project repairs and to address funding needs required to meet standards requirements for future competitions. The funds would also support construction and specification items needed to support the upcoming 2019 USA Track and Field event at the Durham County Memorial Stadium on June 24-30, 2019.

The Durham Sports Commission led the successful bid and would captain the local organizing committee that included participation from the North Carolina USATF Association, Durham County Memorial Stadium and Stadium Authority, Durham Convention and Visitors Bureau (DCVB), City of Durham and Durham County. As many as 4,500 athletes, aged seven to 18, were expected to travel to Durham and compete in the event this would generate a forecasted economic impact of over \$7 million. It was projected the USATF event would fill 18,000 hotel room nights over six days. The overall stadium renovations would expand opportunities for the Durham community to compete with other sites across the state and county to host regional and national track and field events, yielding additional sales and occupancy tax revenue. The \$717,320 supported maintenance issues including: home side bleacher wall replacement, lead paint and mold abatement, driveway entrances repaving and spectator seating replacements.

USATF specified stadium modifications of \$754,082 included: hammer cage installation, storage room construction for certified equipment check in and issuance, track repair and resurfacing, fencing the officials' locker room for drug screening, and equipment purchases for field events.

Discussion was had regarding the indirect educational component of the project and how sports could become a pathway to college through athletic scholarships. The Board spoke about the need to increase community access and utilization of the Stadium. Commissioner Howerton felt that it was important to be sensitive to the portion of the Durham community that faced financial barriers when attempting to participate in or attend events.

Vice-Chair Hill and Ms. Keambiroiro discussed the effects of the passing of House Bill 2 and the efforts of staff to have the Central Intercollegiate Association return to North Carolina.

Shelly Green, President and Chief Executive Officer of the DCVB, discussed why the funds from the Sports Commission could not be used to cover some of the needed upgrades or equipment. Ms. Green pointed out that although the three-year Interlocal Agreement did not allow for this option, it was entering its third year and staff was already discussing the possible changes that could be made.

Commissioner Reckhow announced that there was a study being conducted on the health impacts of crumb fields and artificial turfs. She wanted to make the Board aware that there might be a need to make changes to the Stadium's football field if the study findings were negative.

18-0887 Approval of Contract with Made in Durham

Made in Durham (MID) was a collaborative of public and private sector partners in Durham who wished to improve education-to-work pathways for Durham youth ages 14-24 its vision was for all of Durham's youth to have completed a post-secondary credential and secured living wage work by the age of 25. There were several years of foundational work before MID was spun off as a separate non-profit. Fiscal Year (FY) 2018-2019 was the fourth year that Durham County financially supported the MID effort.

MID was formed because the initial partners did not believe existing mechanisms and collaborations were sufficient, but MID faced the same institutional and societal barriers to

progress that existed before. The collaborative continued its work in identifying, highlighting, and working with institutional partners to try to fill knowledge gaps, service gap, and other kinds of pathway gaps and blockages which inhibited regular movement of Durham's youth towards an economically secure existence.

The MID work plan for FY18-19 included expanded business engagement and pathway creation, intensified work with Durham Futures organizations, further youth engagement, exploration of cradle-to-career continuum and ongoing efforts to acquire data and analysis that would give greater insights into areas of success in MID's work as well as efforts that required additional focus and perhaps changes in strategy. Those efforts had been largely stymied by the inability to have third party (Duke) researchers obtain access to Durham Public Schools data it appeared that this issue was already being addressed.

Commissioner Reckhow raised concerns about the County providing funds to organizations only to be left wondering whether an impact had been made. She wanted to see metrics that showed that the needle was moving forward. Related to the strive for success model, Casey Steinbacher, Interim Executive Director of Made in Durham, confirmed that even though communities executed the model uniquely, each had an entity that was responsible for ensuring data was collected and reported on as well as facilitating the conversation around remedies. Commissioner Reckhow reemphasized the value of a structure that was implemented and measured universally among the Durham community partners.

Ms. Steinbacher described the Durham Futures program, the business engagement team, the Durham YouthWork Internship Program, the MID Board of Directors and the possibility of having the Made in Durham Youth Network present to the Board at a future Work Session. Chair Jacobs and Ms. Steinbacher discussed the quality of the internship program and the steps taken to ensure that internships were meaningful to the interns.

Commissioner Howerton raised concerns about the lack of community engagement happening towards the group of youth that were in gangs or had a difficult time surviving in Durham specifically the youths that were very disconnected and did not know about the resources available to them or how to access them.

Ms. Steinbacher mentioned the "Strive Together" meeting she planned on having with the Board of County Commissioners and other relevant partners towards the end of August or end of September. Mr. Cummings announced that this item would be on the consent agenda for the Regular Session on August 13, 2018.

Directive:

- **MID to provide the Board with metrics that showed that the needle was moving forward.**

18-0957 Classification and Compensation Study Update for Public Safety Personnel

The Board has requested to receive an update on the Classification and Compensation Study for public safety personnel conducted by Management Advisory Group International (MAG), Inc. in Fiscal Year (FY) 2017-2018 as specified in RFP#18-015.

In FY17-18, MAG conducted a salary and compensation study to address recruitment and retention for the County. In addition to other findings, MAG concluded that the salaries of the County's public safety employees were substantially below the market and recommended a budget allocation of \$1,646,240 to align their salaries with the selected market. In the 2018-2019 budget, the Board approved \$1.7 million to address the salary concerns for the public safety employees. Upon the Board's request during a Budget Work Session on Thursday, May 31, 2018, all city municipalities from the compiled survey were removed from the selected market and the new selected market results were provided to the Board.

The update addressed the apportionment of the \$1.7 million approved in the FY18-19 budget for public safety personnel. The \$1.7 million would: provide a 2.5 percent across-the-board salary increase for all public safety staff, bring public safety employees to the new salary minimum for their respective classification and address compression issues. The affected departments included Emergency Medical Services, Fire Marshall, Sheriff and Youth Home.

Chair Jacobs pointed out that "Deputy Sheriff Lieutenant" was not listed in the Deputy Sheriff Series in the presentation, but it was listed in the binder given to the Board regarding the study. Kathy Everett-Perry, Human Resources Director, stated that it was not listed in the presentation due to an oversight. She stated that the plan was to address all public safety personnel that were below the market value as well as bring them up to the market value.

Ms. Everett-Perry noted that, under the firefighter management series, there were a number of positions transferred from the Durham County Fire and Rescue to the City of Durham's Fire Department and this would impact some of the monies that were allocated. Commissioner Reckhow inquired as to whether there was an estimate of the savings the County would experience from not covering the firefighters that were transferred. Ms. Everett-Perry stated that the transfer of the 54 employees was a savings of \$2,295,866.81 (this was how much the County would save in the salary line before any salary adjustments occurred). Staff had not yet calculated how the transfer would affect the study's salary adjustment calculations for the firefighter management series. Ms. Hager stated that staff would give an exact accounting of the savings as they finalized those transactions with the actual positions.

Ms. Everett-Perry stated that current payroll for all public safety was \$28,301,807. The adjustments totaled \$1,646,240 and the new proposed payroll was \$29,948,047 (this did not yet include the savings from the transfer of the 54 employees under the firefighter management series).

Chair Jacobs raised concerns regarding how the Board's allocation for the adjustments did not change when the selected market changed. Ms. Everett-Perry clarified that the Board budgeted the \$1.7 million amount recommended under the first market study (which included city salary data), but the fact that the money was budgeted did not mean it would have all been used. Chair Jacobs stated that the County funded the full amount and she was unsure of how what the County was doing would look any different if they included the city data in the selected market. Ms. Everett-Perry stated that the averages that were delegated by the first study were lower than the averages in the second study. She added that it was possible to run into the same issues with

having salaries below market value if the County chose to not use the market in its geographic area. She stated that staff could include the city salary data to stay competitive while staying within the allotted \$1.7 million. Chair Jacobs wanted the City of Durham's data to be included in the study due to the County losing employees in law enforcement positions to the City.

Commissioner Howerton wondered when the salary adjustments would occur for the rest of the County employees. Ms. Everett-Perry stated that staff recommended for the Board to consider implementing the Classification and Compensation Study recommendations for the remaining employee classifications, but it was ultimately the Board's decision.

Ms. Everett-Perry stated that a next step was to update market information requested by the Board to include revised peer data, but staff was not sure whether the Board wanted this revision completed. Commissioner Reckhow wanted the revision done for rest of the County employees, but not for public safety employees. Commissioner Howerton felt that both, the city and county salary data, should be included in the selected market for public safety and other County employees. Vice-Chair Hill was concerned about including data from cities because not all county positions translated over to city position such as social workers. Ms. Everett-Perry clarified that if cities were included in the market, they were included for similar positions; using only county data prevented using city data for positions that were transferable. She stated that using city and county data would allow Durham County to be competitive for the positions that could work in either jurisdiction.

Ms. Everett-Perry stated that the plan was to implement public safety salary recommendations by September 24, 2018 with the increase being retroactive to July 1, 2018. Ms. Everett-Perry requested that the Board clarify whether to include city and county data for the rest of the County employees. Chair Jacobs stated that Ms. Everett-Perry could include the data for the city or nearby jurisdictions if she felt it was important to do so.

Conversation was had about whether to include benefits in the compensation calculations for the rest of the County employees. Mr. Lane stated that the Budget office took notes from the Board's Budget Work Session, shared them with Human Resources and decided to focus on the \$1.7 million at this conversation and then return to the Board in the future for further discussion.

Ms. Everett-Perry stated that staff would provide the Board with updated data and information regarding the rest of the County employees at the Work Session scheduled for October 1, 2018.

Directive:

- **Staff to calculate how the positions transferred from the Durham County Fire and Rescue to the City of Durham's Fire Department would affect the study's salary adjustment calculations for the firefighter management series. Ms. Hager stated that staff would give an exact accounting of the savings as they finalized those transactions with the actual positions.**

18-0944 Board of County Commissioners Directive Updates

The Board was requested to review follow-up on directives issued to staff at previous meetings. County staff continued to draft the follow-up items during meetings and confirm them in the

days following the meeting. The time required to complete follow-up items varied, but staff noted the current status and expected time frame in all cases.

Chair Jacobs and Manager Davis discussed the directive regarding having a conversation about economic development and when the Board could expect to receive an update. Mr. Cummings clarified that the directive was specifically for a conversation during a fall Work Session concerning DCVB occupancy tax revenue variations and the reasons for them.

Chair Jacobs pointed out that the status of two directives needed to be updated. Ms. Hager stated that she would follow-up with GoTriangle about their Historically Underutilized Businesses (HUB) information that was requested in May 2018 by Commissioner Howerton. Mr. Cummings agreed to update the directive that had been completed (it was marked incomplete in the spreadsheet).

Directive:

- **Chair Jacobs requested that the March 2018 directive regarding the outdated RTP agreement be brought before the Board again.**

18-0945 Discussion of Durham County Ordinance to Regulate the Use of Firearms and Airguns; and Durham County Ordinance Chapter 17 - Offenses and Miscellaneous Provisions: Article II - Offenses Involving Firearms and Other Weapons

The Board was requested to discuss Durham County's Ordinance to Regulate the Use of Firearms and Airguns; and Durham County Ordinance Chapter 17 - Offenses and Miscellaneous Provisions: Article II - Offenses Involving Firearms and Other Weapons.

Attorney Siler stated that an issue with the current ordinances was the inclusion of subdivisions and the need to periodically update the ordinances due to periodically changing subdivisions (if the Board choose to keep the subdivisions in the ordinances). He added that the Sheriff's Office wanted to determine whether the required distance was to a property line or to a house and stated not clear in the ordinances. Some portions of the ordinances did not mention a required distance at all.

Commissioner Carter recommended taking subdivisions out of the ordinances to eliminate the need to update them every time a subdivision was created as well as to make enforcement easier for the Sheriff's Office. She felt that picking a required distance from physical structures (houses, schools, churches, etc.) was the best course of action. Commissioner Reckhow concurred and suggested that staff look at Mecklenburg County's ordinance as a replacement for Durham County's. If the Board did imitate Mecklenburg County's ordinance, it would need to discuss whether to increase Durham's required distance (currently 600 feet) to Mecklenburg's required distance (900 feet to a house).

Attorney Siler discussed why the distances varied between jurisdictions as there were no specific guidelines. He noted that possible factors included low population density, abundance of farmland or remoteness from urban areas.

The Board discussed whether the required distance should be to the property line. Because property lines were an invisible feature, Commissioner Reckhow advocated for setting the

required distance to a house and ensuring that the distance was long enough that it included a buffer that encased one's yard.

Captain Cote from the Sheriff's Office stated that it was easier to determine required distances from actual structures. He agreed with Commissioner Carter about excluding subdivisions from the ordinances as they were very cumbersome to enforce and educate the public about.

Chair Jacobs summarized that the Board consensus was to: remove subdivisions from the ordinances, revise the distance and reference the distance to the residence rather than the property line. Commissioner Reckhow advocated for setting the distance requirement at 900 feet because it was the midpoint between the other county's ordinances and that 300 feet was the lowest and 1,500 feet was the highest. Commissioner Carter concurred and wanted staff to return with a proposed new policy that modeled Mecklenburg County's and that used a more user-friendly format. Chair Jacobs did not want to outright replace Durham County's ordinance with Mecklenburg County's as there were details in Durham's that were not in Mecklenburg's. Durham County's addressed automatic weapons in section 17-71 in a detailed manner.

Additionally, Chair Jacobs stated that She wanted staff to look at the language to simplify it as necessary without doing away with any of the protections that were in Durham County's ordinances. She asked that staff create a draft that combined the best of all ordinances.

Directive:

- **Staff to return with a proposed new policy that**
 - **removed subdivisions from the ordinance;**
 - **set the distance requirement at 900ft;**
 - **referenced the distance to the residence rather than the property line;**
 - **modeled Mecklenburg County's;**
 - **combined the best of all ordinances;**
 - **used a more user-friendly format with clear, simple language as necessary; and**
 - **did not do away with any of the protections that were already in Durham County's ordinances**

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 Howerton reminded the Board of the Surviving to Thriving Forum taking place on Monday, September 17. She stated that she planned to speak to Chair Jacobs about allowing middle school students to present their research findings to the Board at a future Work Session. The students had researched kids being expelled from schools, the school to prison pipeline and other topics.

Commissioner Howerton requested to be excused from the Regular Session meeting scheduled for Monday, August 13.

Vice -Chair Hill moved, seconded by Commissioner Reckhow, to suspend rules.

The motion carried unanimously.

Commissioner Reckhow moved, seconded by Vice-Chair Hill, to excuse Commissioner Howerton from the Regular Session meeting scheduled for Monday, August 13.

The motion carried unanimously.

Commissioner Reckhow made no comments.

Chair Jacobs announced that she would be forwarding information from the affordable housing session she attended in Nashville, Tennessee. She stated that she attended the ribbon cutting for Elevate Salon. Elevate Salon was partnering with Step up and other organizations as well as giving discounts to Durham County employees.

Vice-Chair Hill made no comments.

Commissioner Carter gave kudos to the City's public transportation (bus) system.

Closed Session

Commissioner Reckhow moved, seconded by Commissioner Carter, to adjourn to Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session per G.S.143-318.11(a)(6).

The motion carried unanimously.

Reconvene from Closed Session

Chair Jacobs announced that the Board met in closed session and direction was given to staff.

Adjournment

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

The motion carried unanimously.

Respectfully submitted,



Tania De Los Santos
Administrative Assistant