

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

Tuesday, September 4, 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.

In celebration of the 150th anniversary of the incorporation of the City of Durham, Eddie Davis, City Council, proposed that houses of worship, civic and social organizations and other groups simultaneously ring/chime/play 11 musical chords at 11:00 a.m. on Sunday, November 11, 2018 to represent the armistice agreement that ended WWI at the 11th hour on November 11, 1918.

After some discussion, the Board requested the adoption of a resolution calling for people to participate in this occasion.

Attorney Siler raised the issue of Board members missing votes on Boards and Commissions ballots—votes that would not change the results of appointments—and what actions the Board could take to rectify this. He suggested that the Board discuss this towards the end of the meeting.

The Board discussed the structure of the Work Session agenda.

**Directive:**

- **In celebration of the 150th anniversary of the incorporation of the City of Durham, staff to create a resolution calling for houses of worship, civic and social organizations and other groups to simultaneously ring/chime/play 11 musical chords at 11:00 a.m. on Sunday, November 11, 2018 to represent the armistice agreement that ended WWI at the 11th hour on November 11, 1918.**

**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:

**18-0947 Lease Agreement with Coastal Horizons Inc. at the Criminal Justice Resource Center**

The Board commended the staff for the lease summary and hoped that this would be a model for future leases and/or rental agreements.

**18-0965 Approval of Service Contract for Psychiatric Services at the Durham County Detention Facility**

Commissioner Reckhow requested that staff change "plan" to "plans" in the Scope of Services, Section three on line three.

Commissioner Carter wanted a presentation or report presented to the Board at a Work Session regarding the psychiatric services offered in the Detention Center. Gudrun Parmer, Director of Criminal Justice Resource Center, stated that such a presentation would be given at the Crime Cabinet meeting scheduled to be held on Friday, September 14, 2018 at 12 noon.

Chair Jacobs requested a report that provided information regarding how many people were being seen per week, how much time was being spent with each person and whether more time was needed. Ms. Parmer agreed to provide a written report to the Board.

**Directives:**

- **Gudrun Parmer to provide the Board with a report that provided information regarding how many people were being seen per week for Psychiatric Services at the Durham County Detention Facility, how much time was being spent with each person and whether more time was needed.**

**18-0978 Budget Ordinance Amendment No. 19BCC000013 - Recognize Durham County Library Revenue from Durham Library Foundation**

Library staff discussed the homework tutoring program.

**18-0979 Budget Ordinance Amendment No. 19BCC000012 to Recognize Durham County Library Grant Revenue: "Library Services and Technology Act (LSTA) 2018-2019 YALSA Symposium Scholarship"**

Library staff explained that this grant revenue was a scholarship awarded to enable Desiree Peterson, Senior Librarian, to attend the YALSA Symposium for teen literacy.

**18-0999 Request for Service Agreement Approval with Innovative Emergency Management, Inc. to Develop a Disaster Recovery Plan**

Chair Jacobs suggested that Andy Miracle, Economic Development Officer, look at Appendix A as it may help with amending the County's Economic Development Policy.

The Board noted and appreciated the high level of detail that was included in the attached backup material.

The Board requested information regarding why the attached Minority and Women-Owned Business Enterprise (MWBE) Compliance Review Form did not list “Black Female” (in listed “Black American” and “White Female”). Leslie O’Connor, Division Chief of Emergency Management, stated that staff would check with the Purchasing Department as they were the ones that handled all MWBE paperwork and requirements.

**Directive:**

- **Staff to provide the Board with information regarding why the attached MWBE Compliance Review Form listed “Black American” and “White Female.” The Board thought that it normally only listed “Female.”**

No comments were made regarding the following items:

**18-0962 Request to Award Contract for sole Source Purchase of Library Self-Checkout Systems from EnvisionWare**

**18-0997 Approval of Durham County Alcoholic Beverage Control (ABC) Board Chair**

**18-1001 Agricultural Lands Easement (ALE) Grant Award and 2018 Cooperative Agreement for the Scottie McFarland Farm Addition**

**Discussion Items:**

**18-0901 Capital Project Amendment No. 19CPA000001 - Fiscal Year 2018-19 Appropriation of Approved County Contribution Funds (\$6,245,957) for Multiple Capital Projects**

The Board was requested to approve Capital Project Amendment No. 19CPA000001 appropriating County Contribution funds of \$6,545,957 to 11 capital projects—seven existing and four new projects. The budget amendment was a standard annual procedure that occurred at the beginning of each fiscal year. The funds were approved in the Fiscal Year 2018-19 budget and the Fiscal Year 2017-26 Capital Improvement Plan.

Commissioner Reckhow wanted to revisit whether the County could sell the Rainbow building located at 706 Rigsbee Road before upgrading it in 2026. The Board confirmed with Jane Korest,

Open Space/Real Estate Manager, that County properties and the housing policy would be reviewed during the Work Session scheduled on October 1, 2018. The Rainbow building would be included in that review.

Manager Davis stated that staff would provide the Board with a memo with descriptions of each project listed in the attachments. Commissioner Reckhow requested information regarding the “laundry services” with respect to what the County planned to do with the building.

Commissioner Reckhow requested information regarding the current utilization of the Bragtown Library in terms of programming, attendance and number of books checked out in relation to other library branches. Chair Jacobs felt that the Board needed to hear directly from the Bragtown Library librarian to better understand the public's access to the library.

Staff was requested to research the methods used in Scotland County to address how Raise the Age would affect the Durham County Youth Home and whether the repairs or an entirely different facility would be necessary.

The Board red-flagged Bragtown Library, the Youth Home, the Rainbow building, the EMS Duke West Station and "Laundry Services" as the projects that they needed more information on.

General Manager Jodi Miller discussed the need to complete certain repairs at the Youth Home whether the County opted to construct a new facility in the future due to it currently being occupied. The Youth Home was collocated with three other County departments that also used the parking lot. Manager Davis suggested having this item return to staff to fully vet through the entire list before returning to have it approved in October. He stated that this would not be on the consent agenda for the Regular Session scheduled on Monday, September 10, 2018.

**Directives:**

- **Staff to provide the Board with a memo with descriptions of each project listed in the attachments.**
- **Staff to provide the Board information as to the current utilization of the Bragtown Library in terms of programming, attendance and number of books checked out in relation to other library branches. It was possible that the Board needed to hear directly from the Bragtown Library librarian to better understand the public's access to the library.**
- **Staff was requested to research the methods used in Scotland County to address how Raise the Age would affect the Durham County Youth Home and whether it was necessary to perform the repairs or use/construct an entirely different facility.**
- **The Board red-flagged Bragtown Library, the Youth Home, the Rainbow building, the EMS Duke West Station and "Laundry Services" as the projects that they needed more information on.**

**18-0964 Presentation of Pre-K Supply and Demand Study**

In the Fall of 2016, the City Council, Board of Education, and Board of County Commissioners jointly created the Durham Pre-K Task Force to bring them recommendations on how to proceed with expanding access to high quality Pre-K in Durham. In the Spring of 2017, the Durham Pre-K Task Force issued its report to the community, and one of their five recommendations was to "assess demand for expanding high-quality preschool in Durham in specific locations," with efforts to be made to poll parents regarding their preferences and to identify barriers to utilization of expanded services.

In the late Fall of 2017, the County Commissioners approved a contract with Child Care Services Association, Inc. (CCSA) to complete this study, which was completed in the Summer of 2018. Since CCSA was also under contract to manage Pre-K expansion for Durham County and since those activities were currently under way, the information provided by the supply and demand study was already being put to good use.

Chair Jacobs requested that Drew Cummings, Chief of Staff, send the contract, the scope of work and the Preschool Supply and Demand Study to Dr. Mubenga, Durham Public Schools (DPS) Superintendent.

Mary Martin, CCSA Vice President for System Research and Development, went over the methodology used in the survey. Linda Chappel, CCSA Senior Vice President, presented on the parent/family survey.

Commissioner Reckhow did not want to dismiss that 22 percent of respondents wanted a part-day care option and that the support for a part-day care option was the highest among Latino families. She hoped that this would be considered and provided as an option.

Commissioner Reckhow requested information regarding taking the scale for free from 200 percent of poverty to 300 percent and what the impact would be.

Regarding the space for expansion, Commissioner Carter wanted the County to hone in on this during the Capital Improvement Plan (CIP) work.

Chair Jacobs requested that Ms. Chappel present and provide copies of the study to the DPS Board of Education and the Superintendent during the next Joint Board of County Commissioners and Board of Education meeting (scheduled to be held on Tuesday, November 20, 2018). She also requested information regarding the timeline for the creation of the citizens advisory council—this council was a governing body that would help implement Durham Pre-K.

Discussion was had regarding teacher turnover and the methods that would be used to encourage high retention rates. Staff was encouraged to be mindful about students' readiness to transition to kindergarten as well as track the number of slots that were conversions as opposed to new.

**Directives:**

- **Drew Cummings, Chief of Staff, to send the contract, the scope of work and the Preschool Supply and Demand Study to Dr. Mubenga, Durham Public Schools (DPS) Superintendent.**
- **Staff to provide the Board with information regarding taking the scale for free from 200 percent of poverty to 300 percent and what the impact would be.**
- **Ms. Chappel to present to and provide copies of the study to the DPS Board of Education and the Superintendent during the next Joint Board of County Commissioners and Board of Education meeting (scheduled to be held on Tuesday, November 20, 2018).**

- **Staff to provide the Board with information regarding the timeline for the creation of the citizens advisory council—this council was a governing body that would help implement Durham Pre-K.**
- **Staff was encouraged to be mindful about students’ readiness to transition to kindergarten as well as track the number of slots that were conversions as opposed to new.**

**18-0975 Update No. 5 from the Development Finance Initiative (DFI) on the Pre-development Process for the Redevelopment of the 300 and 500 Blocks of East Main St. (Presentation on Community Input Received on the site Concepts and Massing Scenarios and to Receive Board Endorsements of a Conceptual plan and Authorize DFI to Begin Drafting Solicitation(s) for the Redevelopment)**

The Board was requested to receive a report 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. The report detailed community input received on the site concepts/massing scenarios. Sarah Odio, DFI Project Manager, stated that they hoped to return in a month to allow the Board to select a development plan after staff performed the fiscal impact analysis.

The public engagement process included numerous meetings that took place with community stakeholders to gain input from a cross-section of community interest groups over the past several months. Most recently, three public forums were held at various locations in the community and included public web portals to allow for input from a diverse cross-section of the community on the two site concepts/massing scenarios previously endorsed by the Board—these site concepts/massing scenarios were referred to as Plan A and Plan B. The purpose of this update (Update No. 5) was to present the details of the community input received on the site concepts/massing scenarios from the recent public engagement sessions.

The presentation that Ms. Odio provided the Board touched on the project to date, gave a summary of the public’s input and the next steps in the project.

Commissioner Howerton requested that DFI provide the public with information regarding eligibility and income requirements via a newspaper article or their website.

The Board discussed the differences between Plan A and Plan B in terms of the 300 and 500 Blocks of East Main Street, parking and the possibility of a daycare or Pre-K being included. The public preferred Plan B.

Regarding parking, Commissioner Reckhow requested that staff look at what the County’s need was for accommodating employees in 2020 and 2025. Chair Jacobs requested that staff calculate how many parking spaces the County provided for staff and for residents seeking services and how this compared to staff and resident needs. She suggested that staff look at the City’s parking study and their findings that indicated a need to use technology to find parking.

**Directives:**

- **DFI provide the public with information regarding eligibility and income requirements via a newspaper article or their website.**
- **Staff to look at what the County's parking needs were for accommodating employees in 2020 and 2025.**
- **Staff to calculate how many parking spaces the County provided for staff and for residents seeking services and how this compared to staff and resident needs.**

**18-0976 Durham County 2018 Sustainability Report**

Durham was recognized for its National Excellence in Sustainability with a 4-STAR rating under the Star Communities Rating System. This rating considered over 550 measures in eight categories. The Durham County 2018 Sustainability Report highlighted many of these programs, policies, and strategies; it was meant to be an accessible, easy to read report for residents, visitors, business leaders, and others to understand what sustainability meant in Durham County.

This report was brought to the Board as part of a larger Sustainability Update on June 4, 2018 and the Board requested that it return at a later date so that they had more time to review the report.

Commissioner Reckhow wanted there to be signage in all the County's LEED buildings to let the public know it was an LEED building, but especially in the Main Library's new building. Ms. Freid asked Commissioner Reckhow to forward the pictures that she stated she took while in Canada to better understand the type of information that she wanted on the sign.

Discussion was had regarding the recommissioning of the Courthouse and the Southwest Regional Library as well as how charging stations affected parking availability at South Regional Library.

Commissioner Reckhow hoped that the temperature settings in County buildings would be revisited. She requested annual data (not broken down by month) on the number of employees using the GoPass provided through the Trip Reduction Program.

Vice-Chair Hill suggested including more information pertaining to senior services and inquired as to whether it was possible to meet LEED standards, but not pay to be LEED Certified. Ms. Freid discussed why being LEED Certified was beneficial and advantageous to the County.

Commissioner Carter and Ms. Freid discussed workplace challenges and what strategies the County could use make the use of fleet vehicles and gas more sustainable. Ms. Freid stated that she could work with the County's Fleet Manager.

Chair Jacobs requested data tracking for how the County was doing in the implementation of the Greenhouse Gas Plan, water and energy usage in LEED Certified buildings and how the County was encouraging departments to reduce energy usage and increase recycling. She also requested that Ms. Freid provide the Board with policy recommendations regarding fleet management, the

support of transit among County employees, how the County could further increase usage of Trip Reduction Programs, which key numbers the County could include in the Strategic Plan Dashboard and the usage of timers for lights in County buildings.

Commissioner Reckhow requested that the second word on page 12, under Financial Literacy, be changed to “financially.”

Chair Jacobs requested that General Manager Deborah Craig-Ray feature Ms. Freid and the Durham County 2018 Sustainability Report on *In Touch with Durham*.

**Directives:**

- **Staff to ensure that there was signage in the Main Library’s new building to let the public know it was an LEED building.**
- **Tobin Freid to provide the Board with data on the number of employees using the GoPass and RideShare programs. The GoPass data was to be annual data and not broken down by month.**
- **Tobin Freid to work with the County’s Fleet Manager to determine what strategies the County could use make the use of fleet vehicles and gas more sustainable.**
- **Tobin Freid to provide the Board with data tracking for:**
  - **How the County was doing in the implementation of the Greenhouse Gas Plan; and**
  - **water and energy usage in LEED Certified buildings; and**
  - **how the County was encouraging departments to reduce energy usage and increase recycling.**
- **Tobin Freid to provide the Board with policy recommendations regarding:**
  - **Fleet management; and**
  - **the support of transit among County employees; and**
  - **how the County could further increase usage of Trip Reduction Programs; and**
  - **which key numbers the County could include in the Strategic Plan Dashboard; and**
  - **the usage of timers for lights in County buildings.**
- **In the Durham County 2018 Sustainability Report, staff to change the second word on page 12, under Financial Literacy, to “financially.”**
- **Deborah Craig-Ray feature Tobin Freid and the Durham County 2018 Sustainability Report on *In Touch with Durham*.**

**18-0977 Expanding Housing Choices Presentation**

Michael Stock, City-County Planning Senior Planner, presented to the Board on the Expanding Housing Choices project. The informational memo and presentation were intended to provide



background, anticipated workflow, and scope of proposed concepts in support of the Expanding Housing Choices project, designed to explore a suite of potential changes to the Unified Development Ordinance (UDO) that could influence the supply and affordability of housing.

Discussion was had regarding the definition of Missing Middle Housing (MMH). A common misconception was that it had to do with homeowner income and/or home affordability, but MMH consisted of multi-unit housing types such as duplexes, fourplexes, bungalow courts, and mansion apartments that were not bigger than a large house.

Patrick Young, City-County Planning Director, described the "buying down the ladder" phenomenon.

Commissioner Reckhow requested that staff analyze who was moving to Durham and provide the Board with demographics. Commissioner Howerton was concerned about only focusing on providing housing options to the wealthy new residents. Chair Jacobs wanted staff to look at the entire housing ecosystem in terms of income, the obstacles to constructing new homes and other factors impacting supply. She also brought up street trees and how they should be included in the ordinance.

**Directive:**

- **Staff to analyze who was moving to Durham and provide the Board with demographics.**

**18-0984 North Carolina (NC) 98 Corridor Study Report**

Evan Tenenbaum, City-County Planning Planner, and Will Letchworth, WSP Assistant Vice President, presented the NC 98 Corridor Study Report to the Board.

The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) and Capital Area Metropolitan Planning Organization (CAMPO) conducted a study, in conjunction with WSP, starting in late 2016, regarding the NC 98 Corridor in Durham, Wake and Franklin Counties. The study involved evaluation of safety and mobility along 27 miles of the existing NC 98 and recommendations for short and long-term improvements to intersections, lane widening and pedestrian and bicycle infrastructure. In June, a full draft report was produced with recommendations for the NC 98 Corridor. In the 30-day comment period until the final plan was to be adopted by the DCHC MPO and CAMPO Boards, local government boards and commissions are also asked to provide their comments on the NC 98 Draft Report.

Commissioner Reckhow was glad that a multi-use path would possibly be included as an option and discussed the many benefits they provided the community. She requested that staff make a resolution in support of multi-use paths that would be added to the agenda for the Regular Session scheduled for Monday, September 24, 2018.

**Directive:**

- **Staff to draft a resolution in support of multi-use paths that would be added to the agenda for the Regular Session scheduled for Monday, September 24, 2018.**

### **18-0988 Update on the Design Development Phase of the Administration Building Renovations: Project No.: DC 137**

Peri Manns, Deputy Director of Engineering, and Robert Sotolongo, DTW Architects & Planners, Ltd., provided the Board with a second update on the design development phase on the Administration Building Renovations located at 200 E. Main Street. The purpose of this update was to brief the Board on the design development efforts to date following previous decisions on the space allocations and adjacencies of the various departments deemed to remain in the facility following the completion of the Administration II Renovation.

Chair Jacobs voiced her concerns regarding the Commissioner's Office. She suggested having a table and informal meeting furniture in the open area to better utilize the space. Additionally, Commissioner Reckhow suggested using the current Clerk's Office as flexible work-based learning or intern work space.

Chair Jacobs requested a hard copy of the proposed floor plans so that the Board could review them. The Board would email Mr. Manns any questions they had. She also requested that the County Manager arrange for Commissioners Howerton and Reckhow visit the City's Innovation Lab.

Commissioner Reckhow requested that the water pipes in the Administration Building be checked and, if necessary, replaced because the water tasted funny.

#### **Directives:**

- **Staff to have a table and informal meeting furniture in the open area of the new Commissioner's Office to better utilize the space and use the current Clerk's Office as flexible work-based learning or intern work space.**
- **Staff to provide the Board with a hard copy of the proposed floor plans.**
- **County Manager to arrange for Commissioners Howerton and Reckhow to visit the City's Innovation Lab.**
- **Staff to check and, if necessary, replace the water pipes in the Administration Building.**

### **18-1000 Discussion of Items for 2019 Legislative Goals Process**

The Board was requested to discuss legislative proposals suggested for consideration to move forward as part of the 2019 North Carolina Association of County Commissioners (NCACC) Legislative Goals process. The North Carolina Association of County Commissioners initiated its process for approving statewide legislative goals for the 2019 General Assembly Session. All proposals had to be submitted to the NCACC by September 21, 2018 and be accompanied by a letter from the Chairman, an adopted resolution of the Board or a letter from an affiliate organization.

Proposed goals would be referred to the appropriate steering committee for review and consideration. The complete process would culminate in early 2019 with the membership adopting final goals at the Annual Legislative Conference. Staff requested that the Board review

the attached proposals, discuss and direct staff. Final proposals would be placed on the Monday, September 10, 2018 Regular Session agenda for approval.

The Board discussed the combining of several goals as well as including wording regarding which other organizations (e.g. the North Carolina Association of County Directors of Social Services) supported which goals.

**Directive:**

- **Staff to provide the Board with additional context and possible specific State-level actions associated with Legislative Goal 14: Seek Legislation to address daily shortages of critical medications used in the prehospital setting (FOR INFORMATION ONLY).**

**18-1002 Update on Youth Home Facility Planning Efforts and Detention Center Youth Pod Review**

Staff provided the Board with a memorandum with relevant study materials on the current planning efforts for a new youth home detention facility. Youth Home Director Angela Nunn and Colonel Anthony Prignano, Director of Detention Services, were present to answer questions from the Board during the Work Session.

Staff discussed their next steps, the effects of the Juvenile Justice Reinvestment Act, comprehensive care for detained youth and the current condition of the Youth Home Facility.

Commissioner Reckhow requested that staff provide the Board with information about the options and possibilities for a new facility on the existing site as well as on the Guess Road facility. Chair Jacobs requested that staff to provide the Board with a transition plan that the County could follow should a new facility be constructed. She suggested providing the State with data that showed how many non-county resident children Durham County took care of over time.

Ms. Miller stated that staff would attempt to return this item to the Board in October.

Colonel Prignano and Curtis Massey, Detention Center Legal Advisor, discussed state and federal regulations for housing detainees.

Commissioner Howerton requested that Ms. Miller provide the Board with Guilford County's request to the State for funds to expand their Youth Home Facility by October 1, 2018.

**Directives:**

- **Staff to provide the Board with information about the options and possibilities for a new Youth Home Facility on the existing site as well as on the Guess Road facility.**
- **Staff to provide the Board with a transition plan that the County could follow should a new Youth Home Facility be constructed.**
- **Jodi Miller to provide the Board with Guilford County's request to the State for funds to expand their Youth Home Facility by October 1, 2018.**

**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", written over a light-colored rectangular background.

*Tania De Los Santos*  
*Administrative Assistant*