

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

Tuesday, May 28, 2019

7:00 P.M. Regular Session

MINUTES

Place: Commissioners' Chambers, Second Floor, Durham County Government Administrative Complex, 200 East 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

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Jacobs announced that there were no agenda adjustments.

Announcements

Chair Jacobs read the following announcements:

1. **Durham County Board of Elections to Conduct Educational Seminars on Voter Identification Requirement** – Educational Seminars about voter photo identification requirements will be held between May and August. All seminars are free, and the community is invited to attend the following dates:
 - North Regional Library – May 30th (6 – 8 p.m.)
 - South Regional Library – June 20th (6 – 8 p.m.)
 - East Regional Library – July 18th (6 – 8 p.m.)
 - Eno River Unitarian Universalist Fellowship – August 22nd (6 – 8 p.m.)

The following seminars will be presented in Spanish:

- Durham County Health and Human Service Building – July 23rd
(10 a.m. – 12 p.m. and 4 p.m. – 6 p.m.)

For additional questions, please contact the Durham County Board of Elections by phone at 919-560-0070 or by email elections@dconc.gov

2. **Elderly/Disabled Property Tax Relief Deadline is June 1st** – Homeowners who are age 65 or older (or totally and permanently disabled) may qualify for significant property tax savings if their 2018 household income was no more than \$30,200.

Disabled Veteran Property Tax Relief Deadline is June 1st – Veterans who are totally and permanently disabled during their service, or their surviving spouses, may qualify for a \$45,000 reduction in their property tax assessment.

For more information, search “tax relief” on www.dconc.gov or call the tax office at 919-560-0300.

3. **Your Input is Needed** – As the County prepares the FY19-20 budget, public comment is a vital component. Please let the Board of County Commissioners know the priorities you support by visiting the online Budget Comment Portal at www.dconc.gov/19-20budgetportal

Please note that citizens are welcome to speak on budget items during the budget public hearing scheduled on June 10, 2019 at 7pm located at 200 E. Main Street (2nd Floor/Commissioners’ Chambers).

4. **Alert Durham – Sign Up Today:** Durham County wants to keep its citizens informed and safe in the case of an emergency. Sign up for Alert Durham to receive notifications about severe weather, unexpected road closures, missing persons, and evacuations of buildings or neighborhoods. To sign up for Alert Durham, visit www.AlertDurham.com

Minutes

Commissioner Howerton moved, seconded by Commissioner Reckhow to approve the February 9, 2019 PAC-4 Meeting, April 8, 2019 PAC-2 Meeting, April 8, 2019 Regular Session and April 22, 2019 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

Proclamation – Older Americans Month

Vice-Chair Hill read the following proclamation:

OLDER AMERICANS MONTH | 2019

- WHEREAS,** Durham County includes a growing number of older Americans who enrich our community through their diverse life experiences; and
- WHEREAS,** Durham County will have almost 90,000 residents 60 and over by the year 2037; and
- WHEREAS,** 1 of every 5 persons will be 65 and over by 2025; and
- WHEREAS,** Durham County is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and
- WHEREAS,** Durham County and Durham County Social Services partners with numerous agencies to ensure the health, well-being, and safety of its seniors and provide critical needed supportive services that enable seniors to thrive within the community; and
- WHEREAS,** Durham County recognizes the importance of bringing together all generations and engaging in activities that promote physical, mental, and emotional well-being for the benefit of all; and

WHEREAS, Durham County can enhance the lives of older Americans in our community by:

- promoting home and community-based services that support independent living.
- involving older adults in community events and other activities.
- providing opportunities for older adults to work, volunteer, learn, lead, and mentor; and

WHEREAS, Durham County has been accepted into the WHO/AARP designation process to be an Age Friendly Community. An age-friendly or livable community has walkable streets, housing and transportation options, access to key services and opportunities for residents to participate in community activities; and

WHEREAS, Durham County is actively engaged with community partners and the community at large to create a Master Aging Plan that creates a roadmap and key strategies to ensure services are available for the aged population promoting wellness and independence for seniors and their caretakers

NOW, THEREFORE BE IT RESOLVED, I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim May 2019 as

“OLDER AMERICANS MONTH”

in Durham County, North Carolina. We urge every resident to take time during this month to recognize older adults and the people who serve them as essential and valuable members of our community.

This the 28th day of May 2019.

Wendy Jacobs, Chair
Durham Board of County Commissioners

Ben Rose, Department of Social Services Director, thanked the Board for the proclamation. He shared the future projected data for older Americans and explained the current challenges with limited funding and supportive services.

Chair Jacobs thanked Mr. Rose and stated seniors were working, engaged and valuable to the community. She added Durham County continued to support older Americans with the Aging Plan and becoming designated as an Age Friendly Community.

Proclamation – Recognizing A’Mela Mitchell

Chair Jacobs read the following proclamation:

RECOGNIZING A’MEIA MITCHELL | 2019

WHEREAS, A’Meia Mitchell, a 14-year-old freshman at Hillside High was born and raised in Durham, NC; and is the daughter of Devecia Hackney and a resident of McDougald Terrace; and

WHEREAS, A’Meia Mitchell and her cousin Zirea Hackney attended a “Stop the Bleed” training hosted by Durham’s Bull City United and conducted by Tricia Smar and Sean Gibson of Duke University Hospital and Captain Carol Reardon of the Durham County Fire and Rescue Department on March 20, 2019; and

WHEREAS, “Stop the Bleed” is a national awareness campaign and call-to-action intended to cultivate grassroots efforts that encourage bystanders to become trained, equipped, and empowered to help in a bleeding emergency before professional help arrives; and

WHEREAS, A'Meia Mitchell received a certificate of completion from her "Stop the Bleed" training; and

WHEREAS, A'Meia Mitchell's cousin (Zirea Hackney) was shot on March 29, 2019 and A'Meia Mitchell used skills and knowledge from her "Stop the Bleed" training by applying pressure to the gunshot wound, having her mother call 911, and refusing to release the pressure until reaching the hospital; and

WHEREAS, Zirea Hackney is alive and recovering from the gunshot wound because of A'Meia's quick response and use of "Stop the Bleed" training;

NOW, THEREFORE, I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby recognize A'Meia Mitchell for her life-saving actions.

This the 28th day of May 2019.

Wendy Jacobs, Chair
Durham Board of County Commissioners

Chair Jacobs congratulated A'Meia Mitchell for being a hero. She thanked Bull City United staff and Emergency First Responders and expressed the importance of the training programs in response to the violence in the Durham community.

Devecia Hackney, mother of Zirea Hackney thanked the Board for the "Stop the Bleed" training and for providing the community with more educational training and programs. Keisha Gray, Interim Supervisor Bull City United stated education played a major factor in combating gun violence in Durham. She thanked County Manager Davis, Gayle Harris, Tricia Smar and Captain Carol Reardon for all of their support. Ms. Gray also thanked Commissioner Howerton for visiting the family after the incident. Commissioner Howerton thanked A'Meia Mitchell for being courageous.

Other Business

Swearing in of the Durham County Clerk to the Board – Monica W. Toomer

The Board requested Monica W. Toomer be sworn in as the Durham County Clerk to the Board.

Chair Jacobs swore in Ms. Toomer.

Ms. Toomer thanked the Board for allowing her the opportunity to serve as the County Clerk to the Board. She thanked Michelle Parker-Evans, Durham County staff, Clerk to the Board staff, family and friends.

The Board thanked Ms. Toomer for all her hard work and serving as the Interim Clerk to the Board. The Board was pleased to promote from within and watched Ms. Toomer arise into the position.

Consent Agenda

Chair Jacobs asked the Board if they requested to pull or comment on any items on the Consent Agenda. Hearing none, Chair Jacobs entertained a motion for approval.

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

The motion carried unanimously.

*19-0239 Property Tax Releases and Refunds for April 2019

19-0249 Adoption of Resolution related to Authorization of a Not to Exceed \$70,000,000 General Obligation (GO) Bond, Series 2019.

19-0256 Administrative Interpretation of Falls/Jordon (F/J-A and F/J-B) Watershed Protection Overlay Districts.

19-0273 Appoint Voting Delegate – NACo Annual Conference and NCACC Annual Conference.

Consent Agenda Item #19-0239

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings and clerical errors, etc. The attached report details releases and refunds for the month of April 2019.

Releases and Refunds – April 2019

Personal Property	\$ 39,338.92
Real Property	\$ 0.00
Total	\$ 39,338.92

Releases & Refunds for Prior Years
2011 - 2018

Real Property	\$ 4,901.67
Personal Property	\$ 7,293.63
Motor Vehicle	\$ 0.00
Solid Waste	\$ 0.00
VTS Refunds	\$ <u>17,475.50</u>
Total	\$ 29,670.80
Grand Total	\$ 69,009.72

Public Hearings

Rougemont Commercial

Emily Struthers, Senior Planner stated all the Planning Department public hearing items were advertised and noticed in accordance with the local and state law. Ms. Struthers shared a presentation titled “*Rougemont Commercial Zoning Map Change Request*” which highlighted the following: Case Summary, Text Only Development Plan, Aerial Map, Site Photos, Area Photos, Zoning Control, Future Land Use Maps, CN District Dimensional Standards, Comprehensive Plan Polices, and Staff Determination.

Ms. Struthers stated the Board was requested to hold a public hearing to consider adopting a Consistency Statement as required by NCGS 153A-341; and adopting an ordinance amending the Unified Development Ordinance by taking property out of the Commercial Neighborhood (CN), Residential Suburban-10 (RS-10), and Lake Michie/Little River District B Watershed Protecting Overlay (M/LR-B) zoning districts and establishing the same as Commercial Neighborhood with a Text-Only Development Plan (CN(D)) and Lake Michie/Little River District B Watershed Protection Overlay (M/LR-B) zoning districts.

The Board asked if tobacco shops and convenient stores that sold malt beverages were included with the prohibited businesses excluded from the site. Ms. Struthers responded the applicant did not list any of those stores. The Board inquired about any other uses that staff or the community had problems with that could be added to the prohibited list. Ms. Struthers responded traffic was the only problem the Planning Department heard from the community.

The Board asked if there was any discussion with the applicant about providing sidewalks. Ms. Struthers responded the applicant applied for the text-only development plan and the commitment was limited to use only. The Board inquired if the applicant could commit to providing sidewalk with the text-only development plan. Mr. Struthers responded the current Unified Development Plan (UDO) did not allow any commitment beyond the use and the applicant would have to do a full development plan. Patrick Young, City-County Planning Department Director stated the sidewalks would have to be private because the UDO was changed in rural areas to not require sidewalks and the Department of transportation (DOT) did not accept sidewalks in the right of way.

The Board questioned the staff report reference to commercial connections to the Rougemont water system. Mr. Young responded the state permit associated with the Rougemont water system limited the number of commercial connections to the water system and the state approval would be required. He added staff was willing to work with the applicant to modify the permit for required usage. Drew Cummings, Chief of Staff stated an internal agreement was made to wait for at least a year to determine how the water system was operating before adding additional users. The Board inquired about the location of proposed transit for the area. Mr. Young responded staff were working with GoTriangle to determine the type and location of transit for the area.

Chair Jacobs opened the public hearing.

Brent Purdum, Project Manager, Triangle Site Design was speaking on behalf of George Venters, applicant with Glandon Forest Equity, LLC. He stated the tenants did not want sidewalks on their property due to liability claims. He added sidewalks were not part of the plan especially since the DOT were not responsible for the sidewalks. Mr. Purdum stated the project was designed for a small two (2) to four (4) mile radius of people to limit traffic in the area. The Board asked if tobacco or convenient stores that sold malt beverages were included in the project. Mr. Purdum said neither were included with the project.

Russell Markham spoke in opposition to the property being used as a Dollar General Store and recommended use for businesses such as restaurants and hotels that would have a more substantial tax base. Mr. Markham added a new community water well should be added for commercial use only.

The Board inquired about Mr. Markham's question regarding the water system. Mr. Cummings responded the water system was constantly monitored for quality and supply and the remaining questions would be best answered by the Engineering staff. The Board asked if the Village Plan hearing was upcoming. Mr. Young responded the Rougemont Village Plan was already completed. The Board recommended to close the public hearing and bring the item back to a June 2019 meeting to allow the Board to review the Rougemont Village Plan. Mr. Young recommended keeping the public hearing open

and bringing the item back on June 24, 2019.

Commissioner Reckhow moved, seconded by Commissioner Carter to continue the request to Monday, June 24, 2019 and the Public Hearing remain open.
The motion carried unanimously.

Board and Commission Appointments

Monica Toomer, Clerk to the Board, distributed ballots to the Board to make appointment to the boards and commissions.

The Board make the following appointments (incumbents are identified with an (i). Individuals who are recommended by a Board are underlined. Individuals listed in bold print were appointed.

Dangerous Dog Appeal Board

Michelle Digsby (Carter, Hill, Howerton, Jacobs, Reckhow)

Durham City-County Appearance Commission

Martha Scotford (Carter, Hill, Howerton, Jacobs, Reckhow)

Durham County Hospital Corporation Board of Trustees

Tara Blackley (Carter, Hill, Howerton, Jacobs, Reckhow)

Memorial Stadium Authority

(i)**Dan Moushon** (Carter, Hill, Howerton, Jacobs, Reckhow)

Nursing Home Community Advisory Board

(i)**Sylvia Alston** (Carter, Hill, Howerton, Jacobs, Reckhow)

(i)**Brenda Brown** (Carter, Hill, Howerton, Jacobs, Reckhow)

Jacquelyn Goeking (Carter, Hill, Howerton, Jacobs, Reckhow)

Public Health Board

Cynthia Bland

Erick Ireland (Carter, Hill, Howerton, Jacobs, Reckhow)

Brian Langloss

Kelli Raker

Craig Salvage

Women's Commission

Tanya Best

Cynthia Bland (Carter, Hill, Jacobs, Reckhow)

Montrelle Caldwell

Shauna Cooper

Toya Corbett

Donna Frederick

Carnetta Reid

Leah Selvy

Angelique Stallings (Howerton)

Keir Witherspoon

Workforce Development Board

Milton Gilder

Indranil Ghosh (Hill)
Anthony Nelson (Carter, Howerton, Jacobs, Reckhow)

Closed Session

Chair Jacobs stated the board was requested to adjourn to Closed Session to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to G.S. 143-318.11(a)(4).

Commissioner Reckhow moved, seconded by Vice-Chair Hill to adjourn into the Closed Session.

The motion carried unanimously.

Reconvene to Open Session

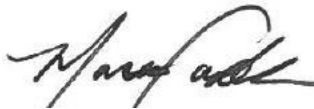
Chair Jacobs announced the Board met in Closed Session and provided direction to staff.

Adjournment

Vice-Chair Hill moved, seconded by Commissioner Carter to adjourn the Regular Session meeting at 8:55 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Senior Administrative Assistant