

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

Monday, May 13, 2013

7:00 P.M. Regular Session

MINUTES

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

Present: Chairman Fred Foster, Jr., Vice-Chair Brenda A. Howerton, and Commissioners, Wendy Jacobs, Michael D. Page, and Ellen Reckhow

Absent: None

Presider: Chairman Fred Foster, Jr.

Opening of Regular Session—Chairman Foster asked everyone to join in the Pledge of Allegiance.

Agenda Adjustments

Commissioner Jacobs requested a discussion of Durham Striders' proposal to host the Russell E. Blunt track meet. The Board will discuss the item at the end of the meeting.

Announcements

Chairman Foster made the following announcements:

- “In Touch with Durham County,” the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon on Mondays; and 8:30 a.m., 12 noon and 6:30 pm on Tuesday–Sundays. Our County Commissioners’ meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.
- Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a difference in our community. Contact the Clerk’s Office at 919-560-0025, visit the County’s website, or email Clerk@dconc.gov for more information. Please note that all City and County taxes must be current at the time of application.
- The Durham County Department of Social Services' office hours will be changing. Effective June 24, 2013 the agency’s operating hours to the public will be 7:30 am - 5:30 pm;
- The new Durham Diabetes Coalition television show, “Living Healthy” is currently airing nightly at 7:00 pm on Durham Government Television, Time Warner Cable

Channel 8. The 30-minute program features segments on topics such as nutrition, physical activity, local resources, diabetes information, and personal stories of Durham residents living with type 2 diabetes. The purpose of the show is to give residents tips and tools to live a healthy lifestyle and help people manage their diabetes successfully.

Commissioner Howerton announced that she attended the Regional Transportation Alliance Briefing and tour May 5-7, 2013 in the Washington D.C.-Maryland-Virginia Metro Area. Commissioner Howerton noted that the tour highlighted options that could positively impact transportation in Durham County and enhance economic competitiveness.

Minutes

Commissioner Jacobs moved, seconded by Commissioner Reckhow, to approve as submitted the April 22, 2013 Regular Session Minutes; the April 11, 2013 Special CIP Worksession Minutes; the April 13, 2013 PAC 4 Meeting Minutes and the April 1, 2013 Worksession Minutes of the Board.

The motion carried unanimously.

County Supported Appearance Program (Keep Durham Beautiful) Receives Award

Ms. Tania Dautlick, Executive Director of Keep Durham Beautiful, provided background information on the Keep Durham Beautiful program and the Keep America Beautiful President's Circle Award that was awarded to Durham County.

Commissioners Jacobs and Reckhow thanked Ms. Dautlick, staff and volunteers for their work and congratulated them on receiving the award.

Proclamation - National Foster Care Month 2013

Commissioner Jacobs read the following proclamation into record:

FOSTER CARE MONTH

May 2013

WHEREAS, the family, serving as the primary source of love, identity, self-esteem and support, is the foundation of our communities and our State; and

WHEREAS, over 400,000 American children are in foster care because their own families are in crisis and unable to provide for their essential well being; and

WHEREAS, in Durham County, there were 148 children and youth in foster care on April 01, 2013 being provided with a safe, secure, and stable home along with the compassion and nurture of a foster family; and

WHEREAS, foster families, who open their homes and hearts and offer help to children whose families are in crisis, play a vital role in helping children and families to heal and reconnect and launching children into successful adulthood; and

WHEREAS, the needs of the foster care population results in a greater call for skilled foster families, community resources and partnerships; and

WHEREAS, the Department of Social Services recognizes the enduring and valuable contribution of its foster parents who work tirelessly to provide a loving and supportive home that serves to help meet the needs of children and youth in foster care; and

WHEREAS, the Durham County Department of Social Services acknowledges that the foster care “system” is only as good as those who choose to be part of it. We give thanks to those individuals who have opened up their hearts and their homes to a child and rededicate ourselves to ensuring continued support to them as they continue on their selfless journey to restore well-being and a sense of hope to our children:

NOW, THEREFORE, BE IT RESOLVED that I, Fred Foster, Jr., Chairman of the Durham County Board of Commissioners, do hereby proclaim May 2013, as

FOSTER CARE MONTH

in Durham County, North Carolina, and I commend this observance to our community and urge all citizens to do something positive that will help change a lifetime for children and youth in foster care.

This the 13th day of May, 2013.

/s/ Fred Foster, Jr.

Fred Foster, Jr., Chairman
Durham Board of County Commissioners

Mr. Michael Becketts, Director of Social Services (DSS); Mr. Victor Isler, Child Placement Program Manager and Ms. Jovetta Whitfield, Assistant Director of Family Safety and Permanency Services were present to accept the proclamation.

Mr. Becketts thanked the Board for the recognition and introduced staff. Mr. Becketts noted program partnerships.

Ms. Whitfield acknowledged foster parents present in the audience.

Mr. Isler gave brief remarks noting that the Durham County DSS has decreased the number of youth in foster care by 44 percent since 2006.

Ms. Whitfield announced the Walk for the Children event on May 18, 2013 at 10:00 a.m. to increase the awareness of the need for foster parents and care for the children of Durham County.

Vice-Chair Howerton thanked staff and foster parents for their hard work.

Recognition of Budget and Management Services for Receiving the GFOA Distinguished Budget Presentation Award for the FY 2012-13 Budget (5 min)

County Manager Michael Ruffin introduced the item and provided background information on the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award.

Ms. Pamela Meyer, Director of Budget and Management Services, commented that the formation of the budget is the most important activity the County is engaged in as an organization. She thanked the Board and staff for their efforts.

Vice-Chair Howerton and Commissioner Jacobs complimented Ms. Meyer and staff for the achievement attained.

Resolution Honoring Rev. Dr. Ednance Albert Roberts

Chairman Foster read the following resolution into record:

REV. DR. EDNANCE ALBERT ROBERTS

WHEREAS, Rev. Dr. Ednance Albert Roberts was born in Aiken County, SC and graduated from Aiken High School prior to serving 4 years in the United States Air Force; and

WHEREAS, he received his Master's degree from Southeastern Seminary in Wake Forest, NC and his Doctorate from Trinity Seminary in Evanston, Indiana; and

WHEREAS, during a highly productive 24 years in the ministry, he pastored three churches including Bethany Missionary Baptist Church in Kenly, NC; the Turner Memorial Baptist Church in Garner, NC; and the Hocutt Memorial Baptist Church in Burlington, NC; and

WHEREAS, he was a member of Duke Memorial United Methodist Church, and was a Stephen Minister and was associated with H.E.R.O.E.S. Care; and

WHEREAS, Dr. Roberts was a revered author, publishing "A Disparity in Doctrine and Theology" and was preparing a second book; and

WHEREAS, he served as Chairman of the Board of Trustees for the Durham County Library and during his tenure, the library experienced growth and renewal with the renovation of Stanford L. Warren (2006,) the building of East Regional (2006), North Regional (2007), South Regional (2010), and the renovation of Southwest Regional (2010). His wisdom, equilibrium and sense of humor made him a wonderful resource during these changes.

WHEREAS, he will forever be remembered for his love of people, for his encouragement of persons going through difficulty and for being a man of his word:

NOW, THEREFORE BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby resolve to pay tribute to

REV. DR. EDNANCE ALBERT ROBERTS

for devoting his life to the gospel ministry and community service. We call upon all citizens of Durham County, North Carolina to remember this phenomenal man who labored unselfishly to improve the quality of life for others in all the communities in which he served.

This the 13th day of May, 2013.

/s/ Five Commissioners
Durham County Commissioners

Dr. Roberts' family thanked the Board for issuing the resolution and gave brief remarks.

County Manager Ruffin gave personal reflections of Dr. Roberts' work with the Library Board of Trustees.

Commissioner Reckhow commented on Dr. Roberts' steadiness and patience as the Durham County library experienced changes in leadership and periods of growth.

Commissioner Page noted Dr. Roberts' sensitivity and professionalism. He stated that Dr. Roberts often acted as the voice of reason during difficult situations.

Recognition for Emergency Management Coordinator Mark Schell

Chairman Foster announced that the agenda item would be deferred.

Consent Agenda

Chairman Foster asked the Commissioners if they desired to pull any items from the Consent agenda.

Commissioner Reckhow stated that she wished to pull item "m."

Commissioner Jacobs stated that she had a question for staff regarding the sale of Durham County real property. Commissioner Jacobs asked if there was a minimum bid required given the County's investment and/or taxes that were in arrears. Ms. Jane Korest, Open Space and Real Estate Manager, replied that potential bidders are advised to submit a minimum bid that is reflective of the County's investment. Ms. Korest added that "upset bids" are brought before the Board for approval, and that such bids often generate interest in a particular property causing increased bids to be submitted.

Commissioner Reckhow asked if organizations that provide affordable housing were made aware of the "upset bid" process. Ms. Korest responded that those types of organizations were made

aware of property sales prior to “upset bids” being received. She mentioned that adjoining landowners and other citizens were also made aware through various communication methods.

Chairman Foster stated that he wished to pull items “b” and “k.”

Commissioner Reckhow moved, seconded by Commissioner Page, to approve the following consent agenda items (10a, c, d, e, g, h, i, j and l):

- a. Approve the FY 2014-2023 Durham County Capital Improvement Plan (CIP);
- c. Pursue the upset bid process for 401 Clay Street, 2114 Ashe Street and 613 Panama Terrace. A resolution to offer the properties in an “upset bid” sale is attached. The Board has the authority to accept or reject any offer at the conclusion of the upset bid process;
- d. Enter into a contract with Bio-Nomic Services, Inc. for up to \$300,000 for the 2012-2013 fiscal year and authorize the County Manager to execute a one year extension for up to \$400,000 of this contract as funding becomes available;
- e. *Approve Budget Ordinance No. 13BCC000074 to recognize additional revenues in the amount of \$12,000 for the Special Children Adoption Fund;
- g. Approve the sale of 430 South Driver Street to the City of Durham for \$3,237.84;
- h. Approve the contract amendment with Eberhart Construction, Inc. for the Stirrup Iron Creek Lift Station Improvements contract in the amount of \$11,076.50, and authorize the County Manager to execute the contract amendment;
- i. Authorize the County Manager to execute the proposed License Agreement with North Carolina Railroad Company, Inc. and Norfolk Southern Railway Company, Inc for the relocation of the Stirrup Iron Creek Force Main;
- j. Receive and approve the Juvenile Crime Prevention Council’s Local Funding Plan for FY 2013-2014 for the allocation of \$536,666 in State funding;
- l. *Approve Budget Ordinance Amendment No. 13BCC000076 amending the County contribution transfers to the Benefits Plan for the funding of the health and dental self-insured benefits and amending the County’s Fund Balance Policy to properly reflect the unspent reserves as committed fund balance;

The motion carried unanimously.

*Document(s) related to this item follow:

Consent Agenda Item No. e.

FY 2012-13 Budget Ordinance
Amendment No. 13BCC000074

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2012-13 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$53,618,926	\$12,000	\$53,630,926

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$86,036,361	\$12,000	\$87,048,361

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

This the 13th day of May, 2013.

Consent Agenda Item No. 1.

DURHAM COUNTY, NORTH CAROLINA
FY 2012-13 Budget Ordinance
Amendment No. 13BCC000076

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2012-13 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$22,930,837	\$207,428	\$23,138,265

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$86,594,444	\$207,428	\$86,801,872

Revenue:

<u>Category</u>			
<u>RISK MANAGEMENT FUND</u>			
Other Financing Sources	\$299,735	\$16,338	\$316,073

Expenditures:

<u>Function</u>			
<u>RISK MANAGEMENT FUND</u>			

General Government	\$2,790,340	\$16,338	\$2,806,678
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Revenue:

<u>Category</u>			
<u>BETHESDA FIRE DISTRICT FUND</u>			
Other Financing Sources	\$125,000	\$8,011	\$133,011

Expenditures:

<u>Function</u>			
<u>BETHESDA FIRE DISTRICT FUND</u>			
General Government	\$1,111,435	\$8,011	\$1,119,446

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

This the 13th day of May, 2013.

Presentation on Youth Opportunity Proposal

Ms. Ann Oshel, Alliance Behavioral Health Care, provided a brief introduction of the agenda item. Ms. Oshel stated that the proposal was submitted to develop a System of Care approach for disconnected, transition age youth. The proposal was in response to the IBM Smarter Cities Challenge recommendations regarding this population to address youth who have become disconnected from school or employment pathways, and position them to become positively contributing members of the community by the age of 25.

Chairman Foster recognized citizens who signed up to speak.

Mr. DeWarren Langley, expressed concern regarding the approval of the proposal. He commented that the proposal is a good response to the report from IBM, but that it is not reflective of future community needs. Mr. Langley also noted that similar initiatives were launched in the past decade and terminated by the Board. He suggested that a stakeholder approach be used to incorporate diverse ideas.

Vice-Chair Howerton thanked Mr. Langley for his comments. She stated that there were questions related to the sustainability of the proposal and the defunding of the previous initiative(s). County Manager Ruffin responded stating that the defunding was at the request of the Youth Coordinating Board due to ineffectiveness. Vice-Chair Howerton cited concern with participating youth being stereotyped as having mental health issues. Mr. Ruffin discussed funding and how the program would serve youth.

Commissioner Page cited agreement with County Manager Ruffin's comments. He stated that the perception is that the proposal is a mental health program, which should be addressed. Commissioner Page commented that Durham County should provide solid programming to the community. He asked Ms. Oshel who the youth services steering committee would consist of. Ms. Oshel replied by identifying some of the stakeholders who have been involved in the

proposal planning process. She stated that it was the intent to make the steering committee inclusive to obtain different points of view.

Referencing Vice-Chair Howerton's comments on sustainability, Commissioner Reckhow questioned how the program would be maintained once the Substance Abuse and Mental Health Services Administration (SAMHSA) grant funds were exhausted. Ms. Oshel stated that the sustainability would be dependent on the strategic planning process. She discussed the components of the planning process that would be used to maintain the program and provide services. Commissioner Reckhow cited the need to establish clear and measureable goals to aid with the strategic planning process.

Citing Mr. Langley's concerns, Commissioner Jacobs asked if staff met with other special interest groups, the Durham County Juvenile Crime Prevention Council in particular. Ms. Oshel replied that staff met regularly met with stakeholder groups and in "other arenas." Commissioner Jacobs asked if staff planned to meet with other City and County stakeholder groups that have interest in youth affairs. Ms. Oshel replied in the affirmative.

Vice-Chair Howerton stated her willingness to support the proposal, but cited ambiguity with how the system of care will work in unison. Ms. Oshel discussed how the strategic planning process would address the vagueness referenced by the Board.

Chairman Foster inquired if the Youth Director and Youth Coordinator would be hired in advance to complete the strategic plan within the 4-6 month timeline. Ms. Oshel answered in the affirmative. Chairman Foster stated that he had concerns with the sustainability aspects of the proposal given Mr. Langley's comments.

Vice-Chair Howerton requested that the County Manager direct staff to research the cost to Durham County for county youth to participate in the City of Durham youth initiative.

The Board requested that action on the item be deferred to the June 3, 2013 Board of County Commissioners Worksession.

Items Pulled from Consent Agenda

Consent Agenda Item No. b and No. m

Mr. Drew Cummings, Assistant County Manager, provided background information on consent items "b" and "m." Mr. Cummings noted that item "b" is the final rehabilitation contract of the 2010 Round Single Family Rehabilitation (SFR) Grant. He also stated that there were three levels of housing rehabilitation being performed by Durham County: urgent, single family rehabilitation and scattered site.

Chairman Foster asked if the houses being rehabilitated were only in Durham County. Mr. Cummings replied that only houses outside of the city limits were being rehabilitated.

Commissioner Page asked if any Durham non-profit organizations were being employed as contractors or sub-contractors during the rehabilitation projects. Mr. Cummings replied that non-profit organizations were frequently used with the urgent rehabilitation repairs. Commissioner Page commented that the rehabilitation efforts should be supportive of Durham County agencies that endeavor in housing construction and repair services.

Commissioner Reckhow noted the importance of supporting the alternative point system to approve housing rehabilitation. She noted that there were numerous homes built in Northern Durham during the 1970s that were in need of these services.

Commissioner Jacobs agreed with Commissioner Reckhow. She commented that the condition of the individual house was most important. She thanked staff for obtaining this grant as funding that was in place only addressed housing rehabilitation within the city limits. Commissioner Jacobs suggested several methods of advertising the available funds that should be implemented.

Commissioner Reckhow moved, seconded by Vice-Chair Howerton, to approve the rehabilitation contract under the 2010 Round Single Family Rehabilitation (SFR) Grant and authorize the County Manager to execute it; and approve the attached assistance policy that will guide County staff as they rank applications for the 2013 round Single Family Rehabilitation (SFR) Grant from the North Carolina Housing Finance Agency (NCHFA), with the provision for a ranking system for homes built after 1978.

The motion carried unanimously.

Consent Agenda Item No. k

Chairman Foster requested that County Manager Ruffin direct staff to research why the Alliance Behavioral Healthcare Board of Trustees appointment was on the consent agenda instead of using the normal ballot process by the Board. Mr. Ruffin stated that he would review the concern and suggested that the appointment be deferred to the May 28, 2013 Board of County Commissioners Regular Session meeting.

Closed Session

Commissioner Reckhow moved, seconded by Vice-Chair Howerton, to adjourn into closed session pursuant to G.S. § 143-318.11(a)(6) 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.

The motion carried unanimously.

Reconvene to Open Session

Chairman Foster announced that the Board met in closed session. No action was taken.

The Board discussed the Durham Striders' proposal to host the Russell E. Blunt East Coast Invitational. County Manager Ruffin announced that partial funding was not secured from Duke University, City of Durham, or Duke Health System. He stated that that if the Board wished to provide the requested funding, that a budget amendment could be completed against the contingency fund.

Commissioner Reckhow suggested that funding for the initiative be provided this year from the contingency fund. She added that the Board should request that the Durham Striders actively work to raise funds to defray the cost of this event in the future.

Commissioner Reckhow moved, seconded by Commissioner Jacobs, to appropriate the requested funding from the Board of County Commissioners contingency fund for the Russell E. Blunt East Coast Invitational.

The motion carried unanimously.

Adjournment

Commissioner Page moved, seconded by Vice-Chair Howerton, to adjourn the regular session meeting.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink that reads "James N. Jackson". The signature is written in a cursive, flowing style.

James N. Jackson
Deputy Clerk to the Board