

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

Monday, June 2, 2014

9:00 A.M. Worksession

MINUTES

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

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

Presider: Chairman Michael D. Page

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

James Chavis expressed his concern about the detention center failing to offer educational opportunities for students. He stated that a committee was created in October 2013 and from that, the GED program would start in August 2014. Mr. Chavis requested \$50,000 for two part-time teachers and two part-time security officers at the Durham Community Enrichment Center.

Vice Chair Howerton explained the County was looking into the Bryan Grant which were federal funds used to provide education for incarcerated individuals.

Commissioner Jacobs asked the staff to follow-up on what was being done at the center and what options were available. Wendell Davis, County Manager suggested the Sheriff's Office present to the Board on the program.

John Tarantino shared a musical selection to congratulate Sheriff Michael Andrews and County Manager Wendell Davis.

DeDreana Freeman provided a follow-up to the concerns of Mr. James Chavis and stressed the importance of keeping the youth engaged in education.

Victoria Peterson requested two reports: (1) The number of people that were jailed over six months and (2) How many courtrooms were being used after 3:30 pm. Ms. Peterson also expressed her concern about taxpayer money being used for inmate care.

Commissioner Reckhow requested a report on the issues raised by Ms. Peterson. She also requested a report from the District Attorney's Office with regard to the length of time to process different cases. County Manager Davis asked to add a directive regarding the request for an Assistant District Attorney position to the August 2014 Worksession.

Barbara Jones shared a personal experience regarding her son who was a prisoner in the judicial system.

Chairman Page asked Ms. Jones to speak with Dionne Hines, County Intern to gather additional information for follow-up.

Discussion of Proposed Revisions of Durham County Living Wage Policy

Drew Cummings, Assistant County Manager discussed the revisions to the Living Wage Policy. Mr. Cummings mentioned it was converted to an hourly wage however, with concern for firefighters wage; the revisions to the Living Wage Policy were converted to an annual rate with firefighters being paid more based on their hours worked.

Commissioner Reckhow asked what the calculated living wage rate would be for the upcoming year based on the cost of living. Mr. Cummings stated it was increased from \$12.17 to \$12.31. He stated the increase would not apply to external contracts; it only applied internally to the County. Commissioner Reckhow asked were the surveys conducted by the University of North Carolina-Chapel Hill students and professors reaching the current contractors to determine whether wages were retained or rolled back. Mr. Cummings concurred that the survey did answer those questions. Mr. Cummings also mentioned the Living Wage legislation passed did not apply to cities, only counties.

Vice Chair Howerton inquired about the number of firefighters the County had. Mr. Cummings responded he was unsure; however the Living Wage revision would not change their wage. He stated it specified annual vs. hourly wages designated towards their line of work.

Commissioner Foster asked would the Living Wage Policy apply to Emergency Medical Services or other emergency workers. Mr. Cummings responded it applied to firefighters and law enforcement. Commissioner Foster clarified that the amendment was being made to ensure no confusion would take place. Cora Wilson, Human Resources Director concurred, adding there would be no change in salaries.

Mr. Cummings stated this item would be on the consent agenda at the June 9, 2014 Regular Session Meeting.

Results of Roll Cart Recycling Pilot Program

Brian Haynesworth, Solid Waste Program Manager shared a presentation on the “*Roll Out Recycling Pilot Program*” which provided an update on the route participation, amount of increased recyclables and feedback from citizens involved in the pilot program. Mr. Haynesworth requested an additional \$91,717.00 for the full implementation of the Roll Cart Recycling Program. Motiryo Keambiroiro, Director of General Services added the requested increase would cover the cost of the leased carts and maintenance.

Chairman Page asked if a charge was added to each resident, what it would be. Mr. Haynesworth responded the fee last year was increased to \$122.00 annually per household and the department was hoping to maintain that rate without an additional increase this year.

Commissioner Reckhow stated the fees were not fully covered in the budget request. Ms. Keambiroiro responded General Services was working with a company titled HDR to establish how Solid Waste could create their own enterprise fund. Commissioner Reckhow suggested a moderate increase of \$3.00-5.00 to fill in the gap.

Commissioner Jacobs asked would the County get revenue from this program. Ms. Keambiroiro responded the County had contracted with the City of Durham to pull the containers; a collection company however did the recycling. Commissioner Jacobs inquired about the revenue received for the items in carts. Mr. Haynesworth responded a check was cut each month to help offset the expenses. Commissioner Jacobs requested the cost and the revenue of this program. Mr. Haynesworth stated the revenue was based on the market, adding the markets were flat or going down. Commissioner Jacobs asked if the \$122.00 per household fee was being paid by citizens being serviced in the County. Mr. Haynesworth concurred.

Commissioner Reckhow asked was there an offset in revenue; if so was it seen in the Solid Waste budget projections. Ms. Keambiroiro responded it was identified in the budget; however because Solid Waste did not have an enterprise fund, the revenue was going into the general fund. Commissioner Reckhow recommended the department estimate how much money would be generated.

Commissioner Foster inquired about establishing a relationship with the cart vendor to create a lease to own option. Mr. Haynesworth responded that Solid Waste held a very small staff. He continued to say if additional FTEs were added in the upcoming years, it would be possible, but due to space and staff the department could not handle it at this time.

Amend the County's Fund Balance Policy to include Adopted Policies Regarding Special Revenue Fund Tax Districts effective July 1, 2015 and Financial Ratios

George Quick, Chief Financial Officer proposed changes to the County's Fund Balance Policy. Susan Tezai, Deputy Chief Financial Officer reviewed those additions and provided a summary to the Board.

Commissioner Reckhow asked would the policy apply to the sewer fund. Ms. Tezai responded no, it would not apply to the sewer fund. Mr. Quick interjected that this was a covenant requirement for the coverage of revenue bonds (1.1 and 1.2) that was monitored on a monthly basis to ensure ratios were met.

Ms. Tezai read and addressed questions pertaining to amendments to the "*Special Revenue Tax Funds' Fund Balance.*"

Commissioner Foster asked if the County was attempting to get in line with other rated agencies. Mr. Quick stated this was more from an operational standpoint to try and manage the funds. He added all funds belonged to the County and they were used for the budget they were submitted in. Commissioner Foster asked if the fire districts were in line with each other to help eliminate the revenue versus expenditures going up and down. Ms. Tezai responded that a certain level of funding should be maintained in a particular fund in the event that additional funds are needed. Mr. Quick added they were trying to establish an even flow of funds, by doing so they could better appropriate funds for the appropriate district.

Commissioner Reckhow asked if the proposed budget had been reviewed for FY 2014-15. Ms. Tezai responded the proposed budget had not yet been reviewed. Commissioner Reckhow asked what was the time goal set for the budget and if this item would be added to the Consent Agenda at the June 9, 2014 meeting. Ms. Tezai stated if approved, she would analyze the budget to ensure they were in line with the policy. County Manager Davis responded that the item would not be on the Consent Agenda for June 9, 2014.

Commissioner Jacobs asked if any communication took place with the fire district and the special tax districts about the policy. She would like to hear from Lee Worsley, Deputy County Manager with regards to the communication on the new policy being implemented. County Manager Davis stated he would get with Mr. Worsley and the Finance staff to ensure the Board understood what was being done.

Commissioner Reckhow inquired about the policy being reviewed regularly to ensure updates were made. Mr. Quick concurred, adding they were in compliance. Commissioner Reckhow also inquired about the debt balance percentage. Mr. Quick referenced *Policy V: Debt Management 5.05(f)* which stated “Total annual debt service funded by general fund proceeds shall not exceed 15% of total general fund current expenditures excluding direct costs” stating they were over the 15% with the new definition.

Mr. Quick asked that this item be placed on the Consent Agenda for the June 9, 2014 meeting. Commissioner Jacobs requested the communication process take place prior to the June 9, 2014 meeting.

Review of BOCC Directives

Ms. Dionne Hines, County Intern presented the Board Directives for the months of February, March, and April of 2014.

Vice Chair Howerton inquired about a report requested May 2014 from Lee County regarding the youth. Deborah Craig-Ray, Assistant County Manager stated she received the report from Ms. Hines and was in the process of reviewing it prior to sending it to the Board.

Commissioner Jacobs inquired about the status of the Lincoln Community Health Center (LCHC) item. She asked how much money was left in the Community Health Trust fund and if Duke University Health System (DUHS) contributed the remaining portion needed to acquire the electronic medical record system. County Manager Davis stated staff planned to meet with the Board to discuss the Community Health Trust Fund.

Commissioner Reckhow requested more verbiage on the Swap Fund. County Manager Davis asked Ms. Hines to notify the Finance Director to provide clarification on the Swap Fund and discuss future plans of the proceeds.

Commissioner Foster inquired about the implementation of the electronic health records for LCHC, specifically if DUHS picked up the balance not paid by the County. Marqueta Welton, Deputy County Manager answered DUHS did pick up a considerable amount of the funds and the County contribution would not be paid out until Fiscal Year 2014-15.

Vice Chair Howerton asked Ms. Welton if she could address the Medicaid issue and what it could mean for the County. Ms. Welton stated she would have to consult with Michael Becketts, Director of Social Services regarding the potential impact of the Medicaid changes for Durham County.

Commissioner Jacobs mentioned some of the directives were shown as completed; however, she would like to know how the increased fire tax would increase homeowners' taxes. She also inquired about the status on the Youth Opportunity Initiative (BECOMING) that was funded and the Economic Development Initiative with the City of Durham.

Commissioner Reckhow inquired about the funds appropriated for two positions with BECOMING. She questioned if the funds were already provided to the organization or if the funds were still within the County. Ms. Welton stated she would follow-up with the Budget department.

County Manager Davis stated many items discussed were budget related and would be directed to the appropriate staff. He added the staff would be working on a new portal to provide better follow-up on the all directives.

Closed Session

The Board was requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege.

Vice Chair Howerton moved, seconded by Commissioner Jacobs that the Board move into Closed Session pursuant the aforementioned Statute.

The motion carried unanimously.

Reconvene from Closed Session

Chairman Page reconvened the meeting. He announced that the Board met in Closed Session and directions were given to staff.

Adjournment

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

The motion carried unanimously.

Respectfully Submitted,

Monica W. Toomer
Administrative Assistant II