

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

Monday, April 2, 2018

9:00 A.M. Worksession

MINUTES

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

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.

Tara Romano, Executive Director of NARAL Pro-Choice North Carolina (a state-wide organization that advocated for the access to full-range of reproductive healthcare and rights for all) stated that they had recently submitted a request for the Board to issue a resolution calling on the Federal Government to repeal the Hyde Amendment.

Discussion Items:

18-0737 Updates from Alliance Behavioral Healthcare

Alliance Behavioral Healthcare provided the Board with updates on various housing initiatives, System of Care, Medicaid reform and opioid and community program updates.

Ann Oshel, Senior VP, Community Relations Officer, spoke on Alliance's housing initiatives which included the following:

- Durham Access to Social Housing (DASH)
- Health and Housing – Duke Health System
- Resources for Human Development (RHD)
- Opioid Housing Plus Pilot
- Master leasing
- Capital investments
- Landlord Leasing Incentive Program
- Ready to Rent training
- Subsidy administration for Transitions to Community Living Initiative (TCLI) vouchers
- Technology Assisted Housing
- Independent Living Initiative (ILI)

Vice Chair Hill arrived at the meeting at 9:17 a.m.

Ms. Oshel stated that Alliance made capital investments on two projects in Durham owned by CASA and Vermilion Homestead, LLC. Through CASA, 13 units were reserved for 15 years for clients of Alliance Behavioral Health Care. Through Vermilion Homestead, LLC, 12 units were reserved for 20 years for Alliance clients.

Commissioner Reckhow asked how much money Alliance received from the State to support housing in total. Ms. Oshel clarified that none of the money they received was earmarked from the State to support housing outside of the TCLI. Commissioner Reckhow felt that this was a problem because the State promised that there would be funding for housing when they deinstitutionalized. She wanted to discuss the possibility of the North Carolina Association of County Commissioners (NCACC) joining in the federal lawsuit against the State due to the State not following through with their promise.

Commissioner Howerton asked whether people's misdemeanor charges were obstacles when finding housing. Ms. Oshel stated that, for Alliance, misdemeanor charges did not matter. The capital investments allowed Alliance to negotiate the tenant selection plans with developers and ensured that they would be able to house people with low credit scores, multiple evictions, etc. She noted that sex offenders and arsonists could not be housed in the units reserved through Alliance's capital investments.

Chair Jacobs spoke about someone she knew with mental health diagnoses and had stable, safe housing through a Duke University program. The person was abruptly told that they could no longer stay in the housing and was moved to a rooming house located in an unsafe neighborhood. Chair Jacobs felt as if there were many great programs mentioned on the PowerPoint, but none seemed to be available to help the person she was in contact with. Ms. Oshel explained that there were ten people in a subsidized program operated by RHD, but the program had to be terminated when the State rolled out significant budget cuts. Alliance attempted to find alternative living situations for all participants, but the placements were less than ideal. She also stated that very limited housing options were available due to low income levels.

Commissioner Reckhow suggested enhancing the presentation by including data. She specifically wanted to know how much money in total was being spent on housing (broken down by funds from Alliance, State, Federal, or other programs), how many units total did that yield for the population, the estimated need and therefore the estimated gap.

Commissioner Reckhow was on the Alliance Behavioral Healthcare Board when the State deinstitutionalized. The board traveled to Michigan to see how their system worked so well. Michigan's government committed funds previously used for mental health institutions to community level initiatives. Commissioner Reckhow wanted clarification to whether the state of North Carolina was dedicating any funds to housing. Ms. Oshel explained that all the money that the State had available was directed to the settlement, but that left other populations vulnerable without dedicated State support.

Commissioner Reckhow felt that it was important to have data to show the condition of the community before and after deinstitutionalization. Having data would allow the Board to address whether there was a lack of follow-up on promises made by the State. Rob Robinson, Alliance Behavioral Healthcare CEO, stated that the money that went through Alliance was for services. He also stated that housing was the responsibility of other organizations and Alliance found that clients struggling with mental health problems were not going to be successful in treatment unless they had housing. This led them to the pursuit of finding and creating housing opportunities for their clients.

Commissioner Reckhow recalled that when the adult system of care was created, it targeted adults with at least two (2) diagnoses and working with the homeless shelter. She wondered whether that system of care was used to overlay the wrap-around of services when clients went into housing. Ms. Oshel confirmed that they did.

Access to safe and affordable housing as well as the supports necessary to successfully maintain housing continued to be a challenge in Durham County. Ms. Oshel made the request for a supportive housing strategy and support to convene a Supportive Housing Committee that would identify opportunities for supportive housing pilots through a system mapping exercise conducted by the Corporation for Supportive Housing. Alliance was currently contracting with the Corporation for Supportive Housing to figure out the answer to certain questions regarding the creation of a strategy, an example would be determining the return on investment. She stated that it could not just be Alliance spearheading the work, they needed the County and other community partners to join and create a group for this purpose. Ms. Oshel mentioned that Alliance spoke with the City about a supportive housing pilot using existing properties.

Chair Jacobs added that the City and the County had recently begun discussions about how to move forward with a supportive housing collaborative strategy. Commissioner Reckhow wanted the data she mentioned earlier so that a request could be made to the State as they had failed to follow through with their promises. She also suggested involving the Duke University Health System.

Commissioner Howerton was on board with the request, but hoped to learn more. She discussed the implications for men should Senate Bill 422 pass as law.

Commissioner Carter thanked them for all their work. She wondered why people who needed these forms of assistance were not receiving any aid. Ms. Oshel stated that it could be due to ineligibility, refusal to access assistance, as well as facing other barriers that prevent them from accessing housing (lack of employment, transportation, etc.). Commissioner Carter added that the master leasing program sounded great and hoped this would be expanded.

Vice Chair Hill and Ms. Oshel discussed the inefficiency and lack of sustainability that existed in asking landlords to partner with Alliance and how creating a supportive housing strategy would lead to better options.

Chair Jacobs stated that she looked forward to working further on this with the City and summarized the beginning work that had occurred. There was a discussion about creating a

supportive housing collaborative at the Joint City-County Committee meeting and the County and City Managers were expected to return with the suggested “next steps” and an overall strategy. She advocated for collaboration and strategic use of resources. Chair Jacobs inquired as to whether the study that Alliance was conducting was already funded. Ms. Oshel confirmed that it was.

Chair Jacobs noted that Wake County was also moving forward with a supportive housing strategy. She asked whether Durham’s supportive housing strategy partners would look at Wake County’s as a model. Ms. Oshel confirmed that they would.

Chair Jacobs announced that the Joint City-County Committee would meet on May 8, 2018 and she asked that Ms. Oshel attend.

Kelly Goodfellow, Alliance Behavioral Healthcare CFO, updated the Board on the Crisis Center and the Durham Recovery Response Center renovation.

Mr. Robinson updated the Board on the current plan for Medicaid Reform as well as the Johnston County merger. He hoped that the Board would help ask legislators to eliminate single stream cuts to Alliance’s budget.

Ms. Goodfellow went over Alliance’s FY18 funding. Commissioner Reckhow noticed that counties were contributing uneven amounts per capita and she wondered if Alliance provided services at the local level commensurate with the uneven dollars being received from the different counties. Ms. Goodfellow stated that each county’s local funds were spent locally within the county.

Ms. Goodfellow discussed Alliance’s fund balance and how only a small portion of the balance total (12 percent) could be flexibly spent on emergency issues or new things identified during the year. The second largest portion of the balance was the Risk Reserve which could not be touched without State approval. Out of the Medicaid capitation payment each month, Alliance was required by the State to hold two percent of that payment in the Risk Reserve. The net position of the balance as of February 28, 2018 was \$119,301,801, but the balance was made up of the following:

Fund	Amount	Percent of Total
Committed	\$46,802,085	39%
Risk Reserve	\$40,170,731	34%
Restricted	\$13,292,118	11%
Capital Assets	\$4,500,745	4%
Unrestricted	\$14,536,122	12%

Commissioner Reckhow noted that Alliance’s high fund balance was the rationale behind budget reductions. She felt that all LMEs needed to get together and strategize on how to effectively educate legislators about the Risk Reserve. The State required Alliance to have it, but held it against them when legislators made decisions based on the entire fund balance while ignoring that a large percentage of the balance was restricted and unable to be used without State approval.

Ms. Goodfellow went over the Alliance’s single-stream reductions. Chair Jacobs stated that she made a point to the staff at North Carolina Association of County Commissioners (NCACC) that what was in the listing for the legislative goals from the prior year misrepresented the situation with mental health funding. Chair Jacobs asked whether there were any meetings scheduled with Kevin Leonard, NCACC Executive Director. Commissioner Howerton stated that the NCACC set their legislative goals every two (2) years and they could not change them when Chair Jacobs noticed the error. The goals would be adjusted the coming year.

Mr. Robinson spoke on how the reductions affected Alliance’s ability to generate savings or profit that could be used for other services. Commissioner Howerton felt that this conversation needed to happen with other counties and it would be added into the agenda for her meeting with Mr. Leonard. Ms. Goodfellow added that the legislative reduction received would be larger than the savings they achieved from the Medicaid perspective on a yearly basis leading to a decreasing fund balance.

Commissioner Reckhow inquired as to what was available to support expansion of healthcare for very young children. Mr. Robinson stated that children aged 0-3 years old were not covered at all—services could be received once they turned four (4) years old—except in special circumstances in which they would need to reach a threshold via an assessment performed by specific providers. Commissioner Reckhow requested the list of the providers that completed assessments. Chair Jacobs asked whether very young children could be served at the urgent care walk-in clinic. Mr. Robinson confirmed that anyone seeking service through the crisis facilities would be seen and treated, regardless of age, demographic, or ability to pay.

Regarding the system of care for children, Commissioner Reckhow asked how many were being served. Ms. Oshel stated that internal staff used to manage all the moving parts of the system of care, but this was no longer the case. System of care looked different. There was still a state-funded System of Care Coordinator that operated the Community Collaborative. The rest of the system of care efforts were embedded in the partner system such as Department of Social Services, Juvenile Justice, and the Health Department. Commissioner Reckhow wondered how Alliance ensured that the providers they employed were adhering to system of care model. Ms. Oshel explained that it was in their contract to participate in child and family team training. Commissioner Reckhow was concerned in losing the progress that was observed under system of care without the data analysts that were measuring the impact of System of Care. She was disappointed that there was no way to measure the impact and that they had to just trust that something was happening.

Commissioner Carter felt that it could be the County's responsibility to build the infrastructure for this or fund the positions that would maintain the system. She wanted to discuss this during the budget deliberations.

Directives:

- **Alliance Behavioral Healthcare to send Board information regarding how much money in total was being spent on housing (broken down by funds from Alliance,**

State, Federal, or other programs), how many units total did that yield for the population, the estimated need, and therefore the estimated gap.

- **Alliance Behavioral Healthcare to send Board the list of the providers that completed assessments for special circumstances in which clients needed to reach a threshold to be eligible to receive services.**

18-0742 BOCC Overview of Watershed Overlay Boundary Interpretations

Laura D. Woods, Senior Planner, went over the watershed determination process. Applications could be submitted at any time and had a fee and technical surcharge. Applicants were required to accompany their application with a written request to the Planning Director and a signed and sealed survey prepared by a State-registered surveyor documenting that the watershed boundary was incorrect and establishing where the correct boundary should be. The applicant could also provide evidence supporting that the property in question was not within the drainage basin of the reservoir. If the Planning Director found that the request for change was valid, staff prepared a report for the appropriate elected body. Within the report, staff presented the submitted evidence and a request for the elected body to grant the Planning Director permission to forward the information to the North Carolina Environmental Management Commission (EMC). The EMC reviewed the evidence, made a judgement, and notified the Planning Director of the decision. If the EMC granted the local government permission to change the boundary, the Planning Department reported back to the elected body to request permission to change the boundary—once approved, the boundary was changed.

Scott Whiteman, AICP, Planning Supervisor, stated that the current watershed overlay boundaries were established in the late 1980s and early 1990s using paper maps and “old school” tools. Durham chose to take a conservative approach and included whole properties when the 5-mile arc touched any portion of a property.

Chair Jacobs added that the main change in the process was that the Planning Director would no longer be the sole decision maker regarding watershed changes, elected officials were now included.

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 announced that she was still receiving positive feedback for the NCACC Helping Our Children Thrive Summit held in Greensboro in March. She stated that the next NCACC Board of Directors meeting would be held at Hillside High School (3727 Fayetteville Street) on April 18th at 10:00 a.m. She warned that all attendees needed to arrive by 10:00 a.m. due to the school’s security rules. Commissioner Carter asked about an agenda. Commissioner Howerton stated that she would distribute the agenda once it was approved.

Commissioner Reckhow discussed the conference report she wrote about the National Association of Counties (NACo) Legislative Conference. She found the presentation on drones very interesting and wanted the County Attorney to consider the possibility of regulating drones during events at the Durham County Memorial Stadium. She added that the County could only

regulate where the drones took off and where they landed, not where they could fly.

Commissioner Reckhow also spoke on the workshop on Adverse Childhood Experiences (ACEs), Buncombe County's trauma informed care approach, the Mobilizing Action for Resilient Communities (MARC) project (Buncombe County was involved), the Open Justice Broker Consortium which was a dedicated software that improved the flow of information within the justice system, and cross-system data sharing. She also noted that an important takeaway from the Large Urban County Caucus meeting at NACo was that three communities—Washington, DC; Atlanta, GA and Los Angeles, CA, were investing local funds to what they were receiving from the federal government in workforce investment act funds to enhance economic development and workforce development.

Commissioner Reckhow discussed the Apprenticeship 2000 program that was being replicated by multiple counties across North Carolina. She hoped Durham County would participate as well.

Chair Jacobs was shocked to learn that at any given time, ten percent of the people in the Detention Center were incarcerated due to missed court dates. She was glad that the court reminder program existed in Durham because it was clearly important.

Chair Jacobs spoke about the Corning Plant Education meeting that the Board attended on Wednesday, March 28th. Corning's workforce was very diverse in terms of gender, age, and race. She proposed that the County start a pilot with the Corning plant for an apprenticeship program. The stakeholders would include: Durham Technical Community College, Durham Public Schools, the Office of Economic and Workforce Development, and NCWorks. She requested that the County Manager help arrange meetings with the stakeholders to begin discussing what was needed to start the pilot. She added that Corning managers did mention that transportation was a barrier to working there as there was no bus route to their location. Manager Davis stated that staff was set to meet with Corning representatives on Thursday, April 19th to discuss these concerns.

Regarding Tara Romano's request for a Board resolution calling for the repeal of the Hyde amendment, Chair Jacobs hoped that the Board would move forward with it. Commissioner Reckhow stated it seemed highly appropriate. Chair Jacobs asked that Commissioners forward feedback to herself once they read the resolution.

After some deliberation, the Board decided to meet to discuss the County Managers Workplan on May 14, 2018 at 5:00 p.m. This allowed the Board to meet for two (2) hours before the Regular Session scheduled to begin at 7:00 p.m.

Chair Jacobs and Commissioner Howerton discussed the Board appointment to the GoTriangle Transportation Advisory Committee and what the purpose of the Committee was. The Committee would make recommendations about transit related issues to the GoTriangle Board of Trustees—it was not a decision-making committee. Commissioner Howerton preferred to further discuss it with Chair Jacobs. Chair Jacobs reminded the Board that the appointment needed to be made within the next week.

Chair Jacobs announced that she would be attending a workgroup meeting the following day that would explore how to support employee-owned businesses in Durham—the meeting would focus on Employee Stock Ownership Plans (ESOPs). She felt that it was necessary to have staff attend the meetings as well. Commissioner Howerton stated that Ashley D. Bell, Regional Administrator at Small Business Administration, would be in Raleigh and he was very open to traveling to Durham to discuss businesses. She stated that she would contact him to see if he would be able to meet. Chair Jacobs stated that if he could, she would connect him with the two (2) individuals organizing the workgroup meeting.

On March 21st, Vice Chair Hill attended a briefing from James H. Trogdon III, Secretary of the NC Department of Transportation (NCDOT), regarding trends in transportation and growth in the United States. Durham was currently a top spender in transportation systems, but would be in the bottom if current trends continued. To attract new industries/jobs and not suffer from permanent gridlock, North Carolina needed to increase its investment in transportation while also maintaining the current road system. Commissioner Reckhow added that NCDOT was projecting that 75 percent of all the state growth would occur in five (5) of the major metro areas. The Public Transportation Statewide Strategic Plan placed a strong emphasis on transit going forward because of this analysis. Chair Jacobs stated that this plan was important because it also attempted to strengthening connections between the rural and urban areas and connecting people from rural areas to job opportunities.

Commissioner Carter questioned the value of the time spent on Commissioner Comments due to the Board having spent over 40 minutes on the item when it was only supposed to last 15 minutes. She spoke about the Resetting the Table for a Model Food Community meeting held by the Durham Farm and Food Network she attended. A major announcement made at the meeting was that the Duke World Food Policy Center would provide resources for the development of a plan on how Durham could end food insecurity. Chair Jacobs asked that Commissioner Carter send the Board more information about this matter via email.

Directives:

- **County Attorney to consider the possibility of regulating drones during events at the Durham County Memorial Stadium.**
- **County Manager and staff to work with Corning to create a pipeline program with Durham Tech for the new manufacturing jobs being created at Corning. The Board proposed that the County start a pilot with the Corning plant for an apprenticeship program. The stakeholders would include: Durham Technical Community College, Durham Public Schools, the Office of Economic and Workforce Development, and NCWorks.**
- **County Manager and staff to work with Corning and other Treyburn manufacturing companies to develop solutions to address the transportation barriers related to Durham workers being able to get to Treyburn.**

Consent Agenda (15 min)

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:

18-0647 Budget Ordinance Amendment No. 18BCC000031 to Recognize UNC SoG and NC LGISA Award Funds to the Information Services and Technology Department for Demonstrating World-Class IT Effectiveness for the Court Reminder App with CJRC

No comments were made regarding this item.

18-0673 Contract Amendments for RND Architects and Progressive Contracting Co Inc.

No comments were made regarding this item.

18-0682 Social Services Budget Ordinance No. 18BCC000025 Recognizing Watts Street Baptist Church Contribution of \$750 and Wake Electric Membership Corp. Contribution of \$1,000 for a Total of \$1,750

Chair Jacobs requested that the County Attorney return to the Board with ideas about how they could create a nonprofit structure to accept donations from people in the community. Manager Davis felt that creating a structure would be creating a bureaucracy where it was not needed. Chair Jacobs stated that the problem was that the community did not know they could make contributions. Manager Davis stated that the ability to donate could be discussed on the County's In Touch show or included in newsletters. He did not believe it was necessary to create a bureaucracy to increase awareness. Chair Jacobs asked that staff return with ideas about how to promote this.

Commissioner Reckhow wondered whether the County sent thank-you letters to those who donated. Manager Davis confirmed that they did. Commissioner Reckhow suggested publishing a press release to thank the three (3) organizations who had donated for their support of different programs in Durham. Chair Jacobs asked Dawn Dudley, Senior Public Information Specialist, to add information about how others in the community could also contribute in the press release. Manager Davis added that they could invite people who donated to speak on the show as to why they did and to encourage others to donate.

Attorney Siler state that there was some discussion about corporations and businesses being able to donate to support parks and trails. Commissioner Reckhow offered that the City created the Durham Parks Foundation that accepted tax deductible donations to preserve, strengthen and expand parks, trails, open space and recreational opportunities in Durham.

Directive: Dawn Dudley to publish a press release to the three (3) organizations who donated to thank them for their support of different programs in Durham and add information about how others in the community could also contribute.

18-0691 Capital Project Amendment No. 18CPA000008- Reducing \$55,977.20 of 2007 General Obligation Bond Funds from the Durham Public School HVAC Controls Capital Project (SH234) and Transferring the Funds to the Eno Valley Elementary Capital Project (SH241)

Chair Jacobs felt that the County should be cognizant of Durham Public Schools (DPS) still spending money from 2007. She suggested asking that DPS spend the money in a timely manner before the issuing of another bond.

Commissioner Carter and Manager Davis discussed how the County faced arbitrage issues if the money was not spent in a timely fashion and the County could face penalty fines for delayed payments.

18-0697 Budget Ordinance Amendment No.18BCC000026 to Recognize Funds in the Amount of \$4,000 from the Aetna Foundation Healthiest Cities and Counties Challenge Interim Award

Chair Jacobs requested that General Manager Gayle Harris provide information about what happened with the community health workers, what they had been doing, and what their impact was.

Directive: General Manager Gayle Harris to provide the Board with information about what happened with the community health workers, what they had been doing, and what their impact was.

18-0698 Budget Ordinance Amendment No. 18BCC000027 to Recognize \$7,550 from Duke Corporate Accounts Payable to support the Partnership for a Healthy Durham

No comments were made regarding this item.

18-0699 Budget Ordinance Amendment No. 18BCC000028 to Recognize Funds in the Amount of \$15,161 From the University of North Carolina-Chapel Hill to support the Formerly Incarcerated Transitions Program

No comments were made regarding this item.

18-0700 Budget Amendment Ordinance Amendment No. 18BCC000032 to Recognize an Anonymous Donation to the Local Reentry Council

No comments were made regarding this item.

18-0704 Budget Ordinance Amendment No. 18BCC000029 to Recognize \$2,000 from SHIFT-NC to support Project BUILD

No comments were made regarding this item.

18-0705 Administrative Interpretation of Falls/Jordan Watershed Protection Overlay District

Chair Jacobs requested that the context map showing topography be provided to the Board.

Directive: Staff to provide the Board with the context map showing topography.

18-0711 Execution of the Amendment to the Architectural Design Service Contract with O'Brien/Atkins Associates, P.A. for the Detention Center Security Modifications Project No.: DC088

No comments were made regarding this item.

18-0715 Department of Social Services Budget Ordinance Number 18BCC000030 Recognizing \$83,203 for Housing Opportunities for Persons With Aids (HOPWA) Funds

No comments were made regarding this item.

18-0721 Declaration of Public Nuisance

Commissioner Reckhow requested the following edits be made:

“WHEREAS, the Durham County Board of Commissioners ~~have~~ has received information that indicates that the manufacturers and wholesale distributors of controlled substances ~~has~~ distributed in Durham County, North Carolina, and surrounding areas, and may have violated Federal and/or State laws and regulations that were enacted to prevent the diversion of legally produced controlled substances into the illicit market.

NOW, THEREFORE, BE IT RESOLVED based on information and documentation received by County Officials and Staff and data on opioid use and abuse in Durham County, including but not limited to Exhibits A-E attached hereto, the Durham County Board of Commissioners hereby ~~declare~~ declares the opioid crisis a public nuisance which must be abated for the benefit of Durham County and its residents and citizens.”

Commissioner Reckhow noted that the exhibits were not attached to the agenda. She requested that the numbering of the attachments be fixed.

Commissioner Carter and Chair Jacobs pointed out that the rate of overdose in Durham County was lower than in neighboring counties and discussed the possible reasons with Ms. Harris.

18-0724 Durham Center for Senior Life HCCBG Budget Realignment

Commissioner Carter felt that \$45.71 was high for a transit rate. Judy Kinney, Executive Director for the Durham Center for Senior Life, concurred that it did seem high. She discussed this with Mary Warren, Director of Area Agency on Aging at Triangle J Council of Governments, and she confirmed that it was consistent with regional local transit systems.

Chair Jacobs asked Morris White, County Extension Director, whether there were any ways to work with the Center for Senior Life to try to help with transportation issues. Mr. White stated that they had had a few discussions and invited the Durham Center for Senior Life to the upcoming Transportation Advisory Board meeting.

18-0730 Budget Ordinance Amendment No. 18BCC000033 to Reduce Debt Service Fund Revenue by \$187,926 and Decrease Expenditures by the Same Amount.

No comments were made regarding this item.

18-0733 Durham County Access Budget Ordinance Amendment No. 18BCC000034 Recognizing \$247,000 in grant revenue from Go Triangle

No comments were made regarding this item.

18-0734 Design Services for Aeration System Enhancements for the Triangle Wastewater Treatment Plant Amendment

No comments were made regarding this item.

18-0745 Interlocal Cooperation Agreement for the Division of Sales Tax Between the County of Durham and the City of Durham July 1, 2018- June 30, 2023

Commissioner Reckhow was amazed at the numbers related to the projected sales tax for the upcoming year on page two (2), the City's downtown growth was having a large impact. She stated that, at inception, the Interlocal formula was a comfortable compromise between what the County could receive with ad valorem taxes and what they were receiving with per capita taxes. In present-day, the County was receiving a higher amount than the ad valorem value. The City would currently receive a lower amount than their ad valorem value, but not as low as they would have in previous years.

Keith Lane, Director of Budget and Management, stated that it was still to the City's advantage to approve the Interlocal, but once the next year's reevaluation occurred they might opt out of it. He stated that although the Interlocal was a five (5) year agreement, the City could withdraw themselves if they gave the County a six (6) month notice. The valuation growth of properties in the City was much faster than in the County. The County would face complicated challenges should the City opt out of the Interlocal.

Commissioner Reckhow stated that the County could negotiate a new formula change rather than eliminate the Interlocal. She added that the County's main argument for having the Interlocal was that none of the County-provided services changed when the City annexed—the County's costs remained the same.

Chair Jacobs asked Commissioner Carter to give the Board an update about the Pre-K workgroup. Commissioner Carter stated that the group met twice and there was no shift in direction. Chair Jacobs wondered when the workgroup would present at a Worksession. Commissioner Carter stated that it depended on staff.

The Board discussed meeting availability with Ms. Dudley and asked that a poll be sent as no consensus was found.

Commissioner Reckhow suggested that Commissioner Comments take place at the end of the meeting, after the review of the consent agenda.

Directives:

- **Dawn Dudley to poll the Board for meeting availability.**
- **Clerk to position Commissioner Comments at the end of the meeting, after the review of the consent agenda.**

18-0719 Closed Session

The Board was requested to adjourn to Closed Session pursuant to:

- 1) G.S. 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes;
- 2) G.S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; and

- 3) 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; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Commissioner Reckhow moved, seconded by Commissioner Carter to adjourn into Closed Session.

The motion carried unanimously.

Reconvene from Closed Session

The Chair announced that the Board met in Closed Session and direction was given to staff.

Adjournment

Commissioner Carter moved, seconded by Vice Chair Hill, that the meeting be adjourned.

The motion carried unanimously.

Respectfully submitted,



Tania De Los Santos
Administrative Assistant