

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

Monday, May 7, 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 and Commissioners Heidi Carter, Brenda Howerton and
Ellen Reckhow

Absent: Vice Chair James Hill

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.

Jim Svava, member of the Coalition for Affordable Housing and Transit, commented on agenda items 18-0760 and 18-0796. He was pleased to see the new activity of the expansion of housing choices in the proposed Fiscal Year 2019 Planning Department Work Program. He expected that accessory dwelling units and small houses would be included among those new options for housing. He stated that several members of the Coalition examined the revision to the Durham County Policy for Conveying County Owned Surplus Real Property and suggested the following:

- Development of affordable housing should not be limited to owner occupied units, they should include rental units as well.
- The \$10 fee that would be charged to nonprofits to acquire a property should be applied to properties transferred to the City for use as affordable housing.
- Reexamine the given definitions of "suitable properties" and "affordable housing."

George Roberson felt that the base on which the toppled confederate monument once stood should be removed from County property.

Chair Jacobs invited Mr. Roberson to the City-County Committee on Confederate Monuments and Memorials meeting scheduled on Thursday, May 10th. Adam Lovelady, Attorney at the University of North Carolina School of Government, at Chapel Hill, would be presenting information on the state statute that governed what the County could do regarding the statue.

Discussion Items:

18-0803 Swearing in of the Durham County Clerk to the Board - Terri Hugie

The Board requested Terri Lea Hugie be sworn in as the County Clerk to the Board.

Monica Toomer, Deputy County Clerk, swore in Ms. Hugie.

Ms. Hugie thanked the Board for allowing her to serve Durham County. She stated that she was looking forward to working with everyone and elevating the Clerk to the Board's Office.

18-0760 Proposed City-County Planning Department Fiscal Year (FY) 2019 Work Program

The Board was requested to approve the proposed FY19 Planning Department Work Program.

The Interlocal Cooperation Agreement between the City and County for merged planning functions charged the Planning Director with preparing and submitting to the Joint City-County Planning Committee, the Planning Commission and both Managers a work program and annual budget that had to be forwarded to both governing bodies for approval. The proposed work program was structured on the Department receiving sufficient resources for 46 full-time employees and operational overhead. Staff resources had been fully allocated for the tasks reflected in the proposed work program with no capacity to take on additional tasks without either revising the work program to modify tasks by deleting existing tasks or changing expected outcomes and/or timelines.

Patrick O. Young, AICP, City-County Planning Department Director, stated that the work program identified the activities that staff would undertake during the following fiscal year. It was divided into three (3) components: Programs (activities), Program Descriptions and Future Projects. The first key change to the work program was, as Dr. Svara referenced during citizen comments, the expanding of housing choices in existing neighborhoods. The second key change was to the 13-year-old comprehensive plan in terms of aligning Durham's infrastructure capacity. The third key change was the industrial land city update.

Commissioner Reckhow stated that the Triangle J Council of Governments (TJCOG) completed a livability self-assessment for older adults and the association made the statement that accessory dwelling units (ADUs) were allowed by right, but difficult to get passed. She questioned why it was difficult to get passed if it was allowed by right. Mr. Young stated that it was due to size limitations and locational restrictions. He suspected that the statement was also due to ADUs being difficult to develop because they required higher capital security. Commissioner Reckhow encouraged staff to be flexible and creative when considering housing choice expansions—she did not want only houses to be bought, but also churches and old schools that could be converted into housing.

Commissioner Reckhow hoped that staff would provide periodic milestone updates to elected leadership to ensure that everything stayed on target with what the community wanted.

Commissioner Carter questioned whether the Board saw workplans for other departments. She felt that it was helpful to know what staff was working on and allowed the Board to know its

boundaries in terms of requesting things that would create tangents from the workplan. Mr. Young described how the annual work program was a point of agreement between the elected bodies during the Planning Department's inception.

Commissioner Howerton felt that it was useful to get updates such as this one due to planning laws constantly changing.

Small cell wireless facilities were allowed by state law to be installed and operated within the public right-of-way. Chair Jacobs asked how the community would be educated on the subject. Mr. Young stated that the General Assembly prevented local governments from regulating small cell wireless facilities in the public right-of-way (streets and roads). Local governments could administer a program with some parameters such as separation requirements and aesthetic controls on these devices. Durham County and the City of Durham had already passed said program and it was known as Small Cell Wireless Permits. Activities associated with the small cell wireless program included primary intake, permit review, field inspection, enforcement, as well as community outreach and education.

Chair Jacobs suggested that Small Cell Wireless Permits or the Patrol Program be featured on *In Touch with Durham County* to educate the community. She wanted staff to find ways to let residents know about these programs and how their neighborhoods would be affected. Mr. Young stated that they would work with General Manager Deborah Craig-Ray and Dawn Dudley, Senior Public Information Specialist, to enhance and improve communication on the types of items that affect the daily lives of residents. Mr. Young added that a new tracking software for inquiries allowed staff to gain business knowledge about the types of inquiries they receive most—staff planned on using this intelligence to tailor their outreach efforts.

Regarding the expansion of housing choices, Chair Jacobs questioned whether staff would look at parking requirements and other possible barriers. Mr. Young confirmed that they would.

Chair Jacobs asked for clarification on the location of the Ninth Street Compact Design District. Sara Young, AICP, City-County Planning Department Assistant Director, stated that it was in the northwest corner of Ninth Street, close to Hillsborough Street.

Chair Jacobs wanted to know about the update to the Durham Architectural and Historic Inventory, and whether it was in the Work Program. Ms. Young explained that staff explored the possibility of an update to the historical architectural inventory and attempted to partner with interested nonprofits (namely Preservation Durham) to produce the local match of funds that would be required for a Historic Preservation Fund grant. The project was put on hold after Preservation Durham underwent a change in leadership, and subsequently in priorities. Ms. Young stated that it would be easier for staff if they had an updated survey, but the update was removed from the Work Program due to competing priorities. Mr. Young stated that the update was included in Part C of the Work Program.

With respect to planning around the station areas, Chair Jacobs asked how staff was working with GoTriangle for bike and pedestrian connections. She also wanted to know how all the stations would be connected to neighborhoods in terms of land use. Mr. Young stated that

GoTriangle was developing the system, thus taking the lead on this. GoTriangle was working directly with stakeholders in each of the future station areas. Ms. Young added that this was included in the Work Program.

Commissioner Reckhow mentioned that Detroit was meshing other uses with their downtown parks that helped activate them. She stated that one major downtown park had a small restaurant on site. Other parks had food trucks and beer gardens. The parks felt lively and safer with more people present in the area. She shared it in the hopes of encouraging Planning staff to be as creative as possible.

Directives:

- **Planning staff to provide periodic milestone updates to elected leadership to ensure that everything stayed on target with what the community wanted.**
- **Staff to feature Small Cell Wireless Permits or the Patrol Program on *In Touch with Durham County* to educate the community. Staff was instructed to find ways to let residents know about these programs and how their neighborhoods would be affected.**

18-0796 Revision to the Durham County Policy for Conveying County Owned Surplus Real Property

The Board expressed its commitment to support the provision of affordable housing. As part of this effort, the Board asked staff to draft a policy to prioritize the conveyance of County surplus property to the City for affordable housing development. The City's Community Development Department had significant expertise in affordable housing and was best positioned to evaluate non-profit providers and place appropriate requirements on the subsequent conveyances to ensure the property's use for affordable housing.

Under the revised policy, properties that were not retained by the County for other public purposes were routed first to the City of Durham's Department of Community Development for affordable housing, then to other City Departments for other public purposes. Properties that were declined by the City were then made available to non-profit affordable housing providers. If no requests were made by qualified non-profit providers, the property was declared surplus and made available for public purchase via the upset bid process. The revised policy addressed this process and would replace the current County policy on conveyance of surplus property which had been in place for some time without major modification. It would also replace a 2007 Durham County Policy for Conveying Real Property for Affordable Housing.

The County currently had approximately ten properties that could be appropriate for conveyance under this revised policy. The revised policy would also establish this new procedure for future properties obtained by Durham County.

Jane Korest, Open Space and Real Estate Manager, discussed how the County dealt with surplus properties and the methods of conveyance allowed by the State.

Commissioner Carter wanted to discuss Mr. Svava's comments to the Board during Citizen Comments. She asked how conveyance for \$10 worked and whether the County sold the

property at the market rate to the City. Ms. Korest explained that the County did not typically convey properties at the market rate, it conveyed properties for the same amount that the County invested in it to ensure the investment was recovered. The investment was the sum of City taxes, County taxes and the foreclosure expenses—the sum was usually \$4,000 to \$10,000. Ms. Korest pointed out that conveying the property for \$10 to the City, rather than the investment amount, would make it possible for the City to use the property for purposes other than affordable housing. If this occurred, the County would not recover its investment nor achieve its affordable housing goals. Commissioner Carter inquired whether the County could build restrictions into the conveyance that would make conveying the property to the City for \$10 the County's investment towards affordable housing, but required the City to pay the County the full, original investment if the City failed to use the property for affordable housing. Ms. Korest stated that they could add that language into the policy. Commissioner Reckhow was concerned that conveying properties to the City for \$10 could lead to the City waiting too long to do something with the property. She and Commissioner Carter asked if they could include language that required that the City develop the property within five (5) years or revert the property back to the County. Ms. Korest suggested that, after five (5) years, the reversion not be automatic and that a report on the property be submitted to the Board to allow the County the option of turning down the reversion. Commissioner Reckhow added that she also wanted a required status report on the properties submitted to the County within two (2) to three (3) years of conveyance.

Commissioner Reckhow was in unison with Dr. Svava's recommendation to not limit the development of affordable housing to owner-occupied units. She also agreed with broadening the definition of "suitable properties."

In terms of affordability, Commissioner Reckhow wanted the agreement between the County and the City to reflect that properties would not be conveyed with the intention of the City making a profit on the land. Manager Davis discussed how, by including that language, the County could possibly tie the City's hands. Commissioner Reckhow stated that they could include an exception to allow the City to recover direct expenses associated with property improvements.

Chair Jacobs summarized that the Board was in consensus with the five (5) year development time period as well as allowing rent or owner-occupied units. On the issue about which level of area median income (AMI) to use, Chair Jacobs asked if staff consulted with the Durham Community Land Trustees (DCLT) and Habitat for Humanity. Ms. Korest stated that staff wanted to get the Board's feedback first. Staff did speak to the City and the City felt that the 80 percent AMI was important to them—there were concerns that a 60 percent AMI would tie their hands. Chair Jacobs felt that if they were going to stick to the 80 percent, then the County needed to include language about requiring at least 30 years of affordability. This line of thinking was similar to the model used by the DCLT; they retained ownership of the land, ensuring the future affordability of housing in perpetuity. Purchasers bought DCLT homes, and leased the land the houses sat on. DCLT's land was leased to homeowners for 99 years (renewable) at a low monthly fee. If a homeowner decided to sell, the DCLT retained the option to repurchase the home to sell or rent to a future low-income resident or to assist the homeowner to identify a new income-eligible purchaser. Homeowners shared the equity they earned on their homes with future buyers, thus, fostering long-term affordability even as surrounding neighborhood property values grew.

Chair Jacobs was not in favor of a model in which the property or home was affordable only to the first homeowner as it did not move the needle on affordable housing. Nancy Mitchell, Senior Real Estate Officer, stated that she did not want to create an issue of not allowing people to grow out of the income they were at or be hampered in their ability to gain wealth by limiting selling the home at the increasing market rates. Commissioner Reckhow suggested that the County could work with the City and the DCLT directly at the front end. She stated that the gentrification that the community was undergoing was a result of land value appreciation and the DCLT model evened that problem out by only selling homes rather than land. This would require slowing down the process in order to work with the DCLT and discuss the possibilities. Chair Jacobs requested that staff explore this issue. She wanted them to consider what options existed and find out what the land trust did, what their model was and how the County could incorporate it in their work with the City. Chair Jacobs wanted staff to speak with the City about the Board's desire to incorporate language that ensured long-term affordability while balancing that with people's ability to gain equity after selling their homes.

Manager Davis suggested asking the City to review the policy to ensure there were no concerning constraints before the Board approved it. Commissioner Reckhow recommended that staff revise the draft consistent with the Board's input at this meeting and share the revised draft with the Board and the City. If changes were still needed, the Board could bring the item back to a Worksession for discussion.

Ms. Korest was unsure about the Board's consensus on AMI. She stated that the City's Community Development Department staff had concerns about 60 percent and preferred 80 percent due to the land being the only subsidy provided in some instances. Chair Jacobs stated that the Board would heed their suggestion and have it at 80 percent.

Commissioner Carter advocated for the County developing a master plan to better coordinate affordable housing efforts. Chair Jacobs concurred. Commissioner Reckhow stated that the City already had a housing plan and the County just supported them as much as possible. She pointed out that the County's primary focus was education while the City's was affordable housing. Manager Davis concurred with Commissioner Reckhow and reiterated the purposeful division of labor that existed between the City and the County. He offered that there could be a greater opportunity for collaboration. Chair Jacobs stated that it would be beneficial for the County to explicitly say what contributions to affordable housing it made.

Commissioner Reckhow stated that the Board received a survey inventory of all County-owned real estate in November 2017. She hoped that the properties would be analyzed because there could be some that the County did not need to hold on to.

Directives:

- **Staff to include restrictions into the policy that would make conveying properties to the City for \$10 the County's investment towards affordable housing, but required the City to pay the County their full, original investment if the City failed to use the property for affordable housing.**
- **Staff to include language that required that the City develop a conveyed property within five (5) years of conveyance. If it failed to be developed, a report on the**

property must be submitted to the Board of County Commissioners to allow the County the option accepting or turning down a reversion of the property to the County. Staff must also add language that required a status report on the properties to be submitted to the County within two (2) to three (3) years of conveyance.

- Staff to not limit the development of affordable housing to owner-occupied units.
- Staff to broaden the definition of “suitable properties.”
- In terms of affordability, the agreement between the County and the City should reflect that properties would be conveyed not with the intention of the City making a profit on the land. Staff could include an exception to allow the City to recover direct expenses associated with property improvements.
- Staff to work with the DCLT, discuss the possibilities, consider what the options were and find out what the land trust did, what their model was and how the County could incorporate it somehow in their work with the City.
- Staff to speak with the City about the Board’s desire to incorporate language into the policy that ensured long-term affordability while balancing that with people’s ability to gain equity after selling their homes
- Staff to set the AMI at 80 percent.
- Staff to revise the draft policy consistent with the Board’s input at this meeting and share the revised draft with the Board and the City.

18-0788 Pre-K Expansion Update

The Board of County Commissioners made a commitment to an initial eight classrooms in the renovated Whitted School for Durham County Pre-K. These classrooms opened in the fall of 2017 with a County investment of \$1.5 million.

During Fiscal Year 2017-2018 budget deliberations, the County committed up to \$3.7 million in additional funding for the expansion of Durham County Pre-K in Fiscal Year 2018-2019. The Durham County Pre-School Task Force presented their report in the spring of 2017 and recommended a “supply and demand study” related to Pre-K in Durham. In the fall of 2017, Durham County went under contract with the Child Care Services Association (CCSA) to conduct the study. It was still underway—interim information was available during the spring—with the final report due before the end of the fiscal year.

Durham County issued an RFP for “Pre-K Expansion Management Services” in December 2017 and received a joint proposal from the CCSA and Durham’s Partnership for Children. The proposal was reviewed by internal and external partners over the course of February and early March 2018. Due to the County’s desires to work with a single organization, staff pursued a contract with the CCSA for Pre-K expansion management with the expectation that they would sub-contract as necessary for various portions of the work.

Commissioner Reckhow asked why the CCSA representative was not present, she had many questions about this item. Drew Cummings, Chief of Staff, stated that he had been unsure about needing the CCSA representative to be present, but would forward all questions to her. Commissioner Reckhow noted that contractors were normally present for large contracts such as this one.

Commissioner Howerton questioned who would oversee the funding and sustainability task for Pre-K Expansion. Mr. Cummings stated that staff would still participate in these tasks, but he felt that it would be beneficial to have a professional fundraising consultant for early education initiatives. Manager Davis added that the County would seek expert help in this space.

Commissioner Howerton and Manager Davis discussed the governance of Durham County Pre-K. Manager Davis envisioned that the program would become a part of the County's Strategic Plan and Managing for Results model.

Commissioner Reckhow concurred with Commissioner Howerton in that leadership was critical. She felt that it was necessary to have a strong leadership council as well as a community advisory steering committee. Commissioner Reckhow stated that the leadership council would need a representative from the County Manager's office—she thought that the County Manager should chair the council—as well as the CCSA, Durham's Partnership for Children, Durham Public Schools (DPS), and Durham Early Head Start. The Department of Social Services, the Durham Children's Data Center and the Cooperative Extension were suggested by Mr. Cummings and Chair Jacobs. The community advisory steering committee would include business representatives, university representatives, members of the faith community, child care providers and parents.

Commissioner Reckhow awaited the revised cost estimate that Mr. Cummings stated would be provided soon. She stated that school system engagement was critical. She questioned whether the CCSA would work directly with the district on quality enhancement as there needed to be solid constructive engagement. Commissioner Reckhow also wanted the Durham County Pre-K website to be refreshed and improved.

Commissioner Reckhow and Mr. Cummings discussed assessment approaches, effectiveness and how having all key players use the same approach was critical.

Commissioner Carter was pleased with the overall work performed.

Chair Jacobs pointed out that deliverables and measures were not listed for Durham's Partnership for Children in the joint proposal whereas the CCSA's were. She was concerned about the areas that Durham's Partnership for Children would be responsible for as related to community engagement, community outreach and communication.

Chair Jacobs advocated for having a waitlist. She recalled instances in which the federal government gave Durham County more funds when it noticed the long waitlist of people seeking childcare through the Department of Social Services.

Chair Jacobs recommended the development of memorandums of understanding (MOUs) for all the partners that would be providing data so that there was a formal process. Chair Jacobs wanted the CCSA to have an MOU with DPS as well as with all the providers who would be screening and collecting data. She pointed out that there was nothing in the RFQ response which specifically stated that the CCSA would work with DPS in terms of the curriculum or what DPS needed students to be ready for once they entered kindergarten. Discussion was had regarding

the benefits of providers collaborating and determining age-appropriate developmental milestones and how they affected academic readiness.

The Board discussed how only catering to children from low-income families would create classrooms with concentrations of poverty—studies showed that this negatively impacted educational outcomes. Allowing socioeconomic diversity via enrollment presented the opportunity for a sliding scale fee and additional funding for Durham County Pre-K.

Commissioner Reckhow wanted the curriculum and curriculum review to be part of the CCSA's workplan.

Directives:

- **The Durham County Pre-K's leadership council would need a representative from the County Manager's office—Commissioner Reckhow thought that the County Manager should chair the council—as well as representatives from the CCSA, Durham's Partnership for Children, Durham Public Schools (DPS), Durham Early Head Start, the Department of Social Services, the Durham Children's Data Center and the Cooperative Extension. The community advisory steering committee should include business representatives, university representatives, members of the faith community, child care providers and parents.**
- **Staff to refresh and improve the Durham County Pre-K website.**
- **Durham's Partnership for Children to provide the Board with deliverables and measures (theirs were not listed in the joint proposal whereas the CCSA's were).**
- **Staff to create and maintain a waitlist for Durham County Pre-K.**
- **Staff to ensure the development of memorandums of understanding (MOUs) for all the partners that would be providing data for Durham County Pre-K so that there was a formal process. Chair Jacobs wanted the CCSA to have an MOU with DPS as well as with all the providers who would be screening and collecting data.**
- **The CCSA to include the curriculum and curriculum review in their workplan.**

18-0775 Public Allies Contract for MBK Durham

The Board was requested to review the Public Allies Contract for My Brother's Keeper (MBK) Durham and suspend the rules to approve the contract between Durham County Government and Public Allies North Carolina for work with MBK Durham. The Public Allies contract term was ten months and the contract amount was \$93,136.50.

According to their website, Public Allies was a member of the AmeriCorps National Service Network and was selected as an official training and technical assistance provider to all programs funded by CNCS on how to better engage and strengthen communities through service. Many AmeriCorps, Senior Corps and the Social Innovation Fund programs worked to support the My Brother's Keeper Initiative by increasing entry level job, mentorship and apprenticeship options for all young people including boys and young men of color.

The Public Allies would support the implementation and administrative work of MBK Durham with the supervision of the MBK Durham Manager, Edmund Lewis. The Allies were interviewed and selected for six positions.

One component of the Public Allies mission was to build the local capacity of the community, and similarly, a component of the MBK Durham mission was to build the local capacity of those organizations that serve boys and young men of color. As MBK Durham and Public Allies moved forward in their partnership, strategic collaboration with existing external organizations continued to leverage program and funding support. Such collaboration occurred with the Fiscal Year 2017-18 Public Allies contract. The ten-month contract would work in collaboration with the YMCA of the Triangle and the East Durham Children to leverage community programming. The MBK Durham Public Allies were scheduled to begin their ten-month service period on Tuesday, May 8, 2018.

Commissioner Reckhow stated that it would be beneficial for the Allies to mesh with existing organizations so that no double-work was performed. She recommended keeping the Allies grounded by giving each a mentee that they met with once a week.

Commissioner Carter wanted to know the roles and responsibilities of the Allies. She questioned whether creating a workplan for each would help. Mr. Lewis stated that the Allies did have specific roles and responsibilities. He agreed to email them to the Board.

Commissioner Carter questioned whether the function of MBK Durham was to connect youth of color to resources and programs, create new programs, or as system building to help improve life outcomes. Mr. Lewis and Manager Davis explained that it was a combination of all of the above.

Commissioner Howerton described her participation in Bull City: Pitch. Bull City: Pitch was a competition hosted by My Brother's Keeper Durham that was open to high school students enrolled in Durham County Public Schools to explore idea generation, entrepreneurship and collaboration.

Commissioner Reckhow liked the idea of engaging the youth to help refine the MBK Durham website because it would tailor it for their use and give them work experience in programming and technology. She stated that the youth would be working towards solving problems in their own communities.

Chair Jacobs requested an email, report or memo within the next month from Mr. Lewis regarding what he had been doing in his role as the MBK Director. Manager Davis stated that this information would be included in the quarterly reports.

Chair Jacobs recalled that the previous group of Allies ran into problems—such as being unable to access data from DPS—that made their work very difficult. Chair Jacobs wanted Mr. Lewis to be aware of this and hoped that the new group would receive the support they needed and was able to accomplish the work they set out to do. Mr. Lewis understood and stated that, in addition to second quarter updates, he would be sending out a mid-year progress report to update the Board about their activities and work.

Commissioner Reckhow moved, seconded by Commissioner Howerton, to suspend rules.

The motion carried unanimously.

Commissioner Howerton moved, seconded by Commissioner Reckhow, to approve the ten-month Public Allies contract in the amount of \$93,136.50.

The motion carried unanimously.

Directives:

- **Edmond Lewis to send the Board an email, report or memo within the next month regarding what he had been doing in his role as the MBK Director.**
- **Edmond Lewis to provide the Board with information as to what each ally would be doing as well as what their specific roles and responsibilities were.**

Commissioner Reckhow moved, seconded by Commissioner Howerton, to adjourn into closed session pursuant to 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.

The motion carried unanimously.

18-0794 Removal of Citizen Board Members Due to Poor Attendance

The Board was requested to remove the following members in keeping with the Attendance Policy approved by the Board of County Commissioners in August, 2014. "If an appointee has absences (excused or unexcused) which constitute more than 50 percent of the meetings in any calendar year or three (3) consecutive unexcused absences or five (5) consecutive excused absences in any calendar year, he or she is obligated to resign."

- Citizen Advisory Committee - Humphrey Truitt
- City-County Appearance Commission - Stephanie Strickland
- Juvenile Crime Prevention Council - Ronald Thomas, Sr.

The Clerk's Office was notified by the Citizen Advisory Committee, City-County Appearance Commission and Juvenile Crime Prevention Council of the absences and attempted to contact the board members, but there was no response.

Commissioner Carter moved, seconded by Commissioner Reckhow, to suspend rules.

The motion carried unanimously.

Commissioner Carter moved, seconded by Commissioner Howerton, to remove Humphrey Truitt from the Citizen Advisory Committee, Stephanie Strickland from the City-County Appearance Commission and Ronald Thomas, Sr. from the Juvenile Crime Prevention Council due to poor attendance.

The motion carried unanimously.

18-0787 Review of Previous Board Directives

The Board was requested to review follow-up on directives issued to staff at previous board meetings. County staff continued to draft the follow-up items during meetings and confirm them in the days following the meeting. The time required to complete follow-up items varied, but staff noted the current status and expected time frame in all cases.

The Board could not access the directives via the link in the agenda. Chair Jacobs guided them to where they were located on OneDrive.

Mr. Cummings noted the difficulty in collecting directives due to the time it took for minutes to be completed by the Clerk's office and approved by the Board. He stated that it took a village to gather them. The village he referred to was the Clerk's Office, the General Managers and himself.

Commissioner Reckhow stated that, ideally, staff from the Clerk's office would note directives during the meeting separately from the minutes because the completion and approval of Worksession minutes took too long.

Commissioner Carter suggested that the Board review and summarize all new directives at the end of the meeting to help staff accurately capture and compile them.

18-0784 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 Carter praised Ms. Dawn Dudley on winning a Making a Difference award from System of Care for My Circle of Girls, a nonprofit she founded for girls living with autism. She advocated for further investing and strengthening System of Care. Chair Jacobs added that two (2) other Durham County employees (Peggy Kernodle, Cooperative Extension Program Assistant, and Kelly Andrews, Criminal Justice Resource Center Case Manager) won Making a Difference awards.

Chair Jacobs stated that she attended the pinning of the 17th Academy for Emergency Medical Services (EMS) and was inspired by the ceremony. She announced the City-County Committee on Confederate Monuments and Memorials was going to meet at 7:00 p.m. in the Commissioners' Chambers on Thursday, May 10, 2018. Commissioner Reckhow asked how the committee would be supplementing their meeting's reception. An email she received mentioned a website and livestreaming of the meeting and this prompted questions about staff support. Chair Jacobs stated that there was a small budget and the City and County Managers talked about helping fund the refreshments. Manager Davis added that there was some discussion, but nothing was officially decided. Chair Jacobs stated that the committee did not have staff, the committee members made their own Facebook page, and they were connected to Catherine Williamson-Hardy, Deputy Director of Social Services, and Donna Rewalt, Cooperative Extension Outreach

Coordinator, who volunteered their time to help. Commissioner Howerton asked whether the Clerk's staff was going to be present for the meeting or provide any support. Monica Toomer, Deputy Clerk, stated that she would attend the meeting. Chair Jacobs stated that Ms. Toomer had to administer oaths to the newly appointed members. Commissioner Howerton was concerned that the Board had not discussed this. Attorney Siler brought up the issue of security. Chair Jacobs stated that the Sheriff's Office had volunteered deputies to provide security. Arrangements were made through Major Deputy Sheriff Paul Martin.

Commissioner Reckhow spoke about a peer exchange meeting she attended in Charleston, SC at the invitation of National Association of Counties. The meeting's focus was on the Charleston County Criminal Justice Coordinating Council (CJCC) which she noted was similar to the Durham Crime Cabinet in makeup. The purpose of the CJCC was to assist in making sustainable, data-driven improvements to Charleston County's criminal justice system. The CJCC was awarded a MacArthur Foundation Grant to invest in strategies to reduce the average daily jail population. Commissioner Reckhow emphasized the need for data and data-driven justice in Durham County.

Commissioner Howerton had no comments.

Consent Agenda

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:

18-0689 Request to Award Contract for Sole Source Purchase of Firefighter Protective Clothing

No comments were made regarding this item.

18-0751 Budget Ordinance Amendment No. 18BCC000035 - Recognize Durham County Library Grant Revenue: "LSTA EZ Edge Technology Grant"

No comments were made regarding this item.

18-0752 Standard Non-Reimbursable Utility Contracts for the Extension of the County Sanitary Sewer System

Chair Jacobs inquired whether the non-reimbursable extensions were paid for by the developer. General Manager Gibson answered in the affirmative.

18-0765 Capital Project Amendment No. 18CPA000009 - Appropriate \$500,000 of Collection System Rehabilitation Fund fund balance to Project SE051

Chair Jacobs questioned whether this was covered by the enterprise fund and if it was anticipated. Manager Davis confirmed that it was covered by the enterprise fund and that they always had repair and routine maintenance.

18-0795 Repair and Maintenance of Fire Apparatus

No comments were made regarding this item.

18-0798 Budget Ordinance Amendment No. 18BCC000036 to Recognize \$485,633 in Medicaid Cost Settlement Funds for Increased Funding for Public Health SFY 2013 Medicaid Cost Settlement Payback

Commissioner Reckhow requested clarification on this item. General Manager Gayle Harris stated that the State of North Carolina was negotiating their service delivery plan with the Federal Government in 2013 and 2014. They took some time to agree on the cost settlement formula and once the formula was settled on, the Division of Medical Assistance (DMA) applied that formula to a time no one thought it would be applied to. Health directors tried to sue against this and lost. Recognizing how important cost settlement dollars were to small counties, the legislature set aside \$14 million, divvied it up among the counties, and asked that it be used to pay back whatever the difference in their cost settlement was. When Durham County received the cost settlement check, it was not earmarked and the money went into the fund balance. The County received another cost settlement check and staff wanted to allocate this to pay off what was owed rather than ask for the money in the fund balance.

Commissioner Reckhow did not understand why the state gave the County money for the County to give back. Ms. Harris stated that she did request that the State take the money the County owed out of the check before they sent it, but the State told her that it could not be done.

Directive: Commissioner Howerton requested a report from GoTriangle regarding how many minority vendors were lined up to receive contracts from GoTriangle. It needed to be disaggregated according to historically underutilized businesses.

Adjournment

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

The motion carried unanimously.

Respectfully submitted,



Tania De Los Santos
Administrative Assistant