



Durham County

200 E. Main Street

Durham, NC 27701

(919) 560-0025

Meeting Minutes

Board of County Commissioners

Monday, July 23, 2018

7:00 PM

Commissioners' Chambers

Closed Session (To be held at: 6:00 pm)

Chair Jacobs stated the Board was requested to adjourn into Closed Session for the following:

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. General personnel policy issues may not be considered in a closed session per G.S.143-318.11(a)(6).

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

The motion carried unanimously.

Reconvene to Open Session

Chair Jacobs stated the Board requested to reconvene into Open Session.

7:00 PM

Regular Session

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Jacobs stated that the Board would adjourn back to Closed Session at the end of the Regular Session meeting.

Announcements

Chair Jacobs read the following announcements:

1. Get Hooked on **Complete Streets** - Learn about **Complete Streets** from a panel of experts from 8:30 a.m. to 1:00 p.m., or drop in and provide input on the draft **Complete Streets** Policy from 11:00 a.m. - 1:00 p.m. on July 24, 2018, Durham Nativity School on 1004 N. Mangum St., Durham (GoDurham Routes 4 & 9). This workshop to local staff, elected officials and community representatives. Light refreshments will be served.

2. County Seeks Input on Proposed Redevelopment Plans for East Main Street

What: Community Input Sessions on Future Redevelopment Project

Who: Durham County Government

When/Where:

Session #2 - Saturday, July 28, 2018, 10 a.m. - noon

Criminal Justice Resource Center, 326 E. Main St.

Session #3 - Thursday, August 2, 2018, 5:30 - 7:30 p.m.

Nehemiah Christian Center, 514 N. Mangum St.

Residents are strongly encouraged to attend a face-to-face session. Those unable to attend can complete an online feedback form regarding the proposed development plans by visiting https://unc.az1.qualtrics.com/jfe/form/SV_3gxAMSbPJV6l6WV.

For project details, visit the County's 300 and 500 E. Main Redevelopment project webpage or email Deputy Director of Engineering and Environmental Services Peri Manns at pmanns@dconc.gov.

3. Durham Neighborhood College Makes a Come Back: Residents looking to play a more active role in their neighborhoods and the Durham community will get their chance to learn more about the strategic plans in the 2018 Durham Neighborhood College, a class designed specifically for residents to learn about the organization, operations and services of their local City and County governments. After a two-year hiatus, the award-winning Durham Neighborhood College program will return this fall with an emphasis on showing participants how the strategic plans guide government officials in the development of sound planning and operations.

City and County employees are invited to apply for the seven-week course. For more information or to apply online, visit the County's Neighborhood College [webpage](#). The application deadline is August 3rd.

4. Libraries ROCK: Summer Reading 2018 - Join Durham County Library for a spectacular summer reading kickoff at Northgate Mall (on the plaza), at 1058 W. Club Blvd. This program runs through August 11, 2018. For more information please visit <http://durhamcountylibrary.org>.
5. Durham Seeks Input on Zoning Changes to Expand Housing Choices. Fast-paced population growth, limited availability of developable tracts and a renewed preference for in-town living has led to a housing availability and affordability challenge for Durham. To address this issue, the Durham City-County Planning Department is now seeking input on changes that are needed to Durham's existing zoning rules to help eliminate regulatory barriers and expand housing options.

The deadline to complete the online survey is August 15, 2018. For more information about this project, contact Jacobson at (919) 560-4137, ext. 28247 or by email at Hannah.Jacobson@DurhamNC.gov.

This information can also be found on our Durham County Website: www.dconc.gov

These announcements along with additional details may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.

Minutes

Commissioner Reckhow moved, seconded by Commissioner Howerton to approve the March 8, 2018 Work Session meeting minutes, the June 11, 2018 and the June 23, 2018 Regular Session meeting minutes.

The motion carried unanimously.

Commissioner Reckhow mentioned a conversation held with Terri Lea Hugie, County Clerk regarding the minutes.

Directive: Commissioner Reckhow recommended the Clerk's Office develop a more effective way to track and complete minutes in a timely manner.

Directive: Chair Jacobs asked for a follow-up at the August Work Session meeting on the Park Center agreement.

Other Business

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.

Jackie Wagstaff, citizen asked for the Board's support for her reappointment to the Alcoholic Beverage Control (ABC) Board. She stated she was next in line to be the first African American female to sit on the State ABC Board of Directors and would appreciate the reappointment.

Ceremonial Items

Resolution Honoring Mrs. Peggy Tapp

Chair Jacobs read the following resolution:

MRS. PEGGY JOHNSON TAPP

WHEREAS, Mrs. Peggy Johnson Tapp, a Durham native, made her transition on April 10, 2018;
and

WHEREAS, she was educated in Durham Public Schools, graduating from Hillside High School in the Class of 1958 where she was crowned “Miss Hillside” in her senior year; and

WHEREAS, Mrs. Tapp completed a year at North Carolina College, now NCCU, before leaving to work fulltime for the Chicken Box where she diligently worked to prepare and provide delicious traditional southern meals for the community; and

WHEREAS, following her marriage to Claiborne Tapp Jr., the two ran this beloved family business, eventually renamed the Chicken Hut, which gained a reputation for sharing home cooked foods to generations of families and college students in Durham; and

WHEREAS, for more than sixty years, Peggy Tapp was lauded for this successful culinary business which catered meals for a variety of church occasions, civic organizations, family gatherings, special events and activities that were the hallmark of African-American life in Durham and the surrounding areas; and

WHEREAS, Mrs. Tapp was indeed a wise and thoughtful woman whose personality would light up a room; and

WHEREAS, this gracious and phenomenal woman will long be remembered for her courage and strength, her generosity to others, and for her abiding love for her family and her community.

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

MRS. PEGGY JOHNSON TAPP

We call on this community to honor her memory by demonstrating love, kindness and compassion to others.

This 23rd day of July, 2018.

Wendy Jacobs, Chair

James Hill, Jr., Vice-Chair

Heidi Carter, Commissioner

Brenda A. Howerton, Commissioner

Ellen Reckhow, Commissioner

Claiborne Tapp III, son of Mrs. Tapp thanked the Board for the resolution and recognition on behalf of his family, his mother’s legacy and the family business. Jeff Johnson, brother of Mrs. Tapp also thanked the Board for the recognition.

Commissioner Howerton gave high remarks about Mrs. Tapp including her love for the community that she served.

Commissioner Reckhow stated there were certain restaurants where politicians met to discuss and compromise over a good meal and The Chicken Hut was one of those places.

Vice-Chair Hill stated The Chicken Hut has been a thriving restaurant in the Durham community and he thanked the family for sharing their legacy.

Commissioner Carter mentioned the numerous occasions when The Chicken Hut would cater meals the School Board would host for families every month. She spoke highly of the service and the famous fried chicken. Commissioner Carter thanked the family for sharing Mrs. Tapp with the Durham community.

Chair Jacobs stated Mrs. Tapp was a legend in the community and the business was an institution based off of hard-work. She hoped the business would continue their legacy in the Durham community.

Resolution Honoring the 100th Birthday of Mrs. Cora Jones ‘Boot’ McLeod

Vice-Chair Hill read the following resolution:

MRS. CORA JONES “BOOT” MCLEOD

- WHEREAS,** Cora ‘Boot’ Jones was born in 1918 in Wake County, North Carolina; and
- WHEREAS,** she moved to Durham with her family in 1932 where she attended school including DeShazor Beauty School where she graduated in 1943; and
- WHEREAS,** she married James ‘Buster’ McLeod, Sr. in 1936 and later became mother to a son named James, Jr. and a daughter named Denise Olivia; and
- WHEREAS,** Mrs. McLeod is the grandmother to three granddaughters and four great-grandchildren; and
- WHEREAS,** following graduation from DeShazor as a top beautician, she partnered with two local cosmetologists to open Tip Top Beauty Shop on Pettigrew Street in the heart of the Hayti Community; and
- WHEREAS,** she and her business partners provided on-the-job training and professional leadership to many new beauticians until urban renewal interrupted Hayti’s thriving businesses;
- WHEREAS,** following the construction of the Durham Freeway and closing of Tip Top Beauty Shop, Mr. and Mrs. McLeod built an in-home salon named McLeod’s Beauty Nook; and
- WHEREAS,** McLeod’s Beauty Nook successfully operated for more than 50 years; and
- WHEREAS,** Mrs. McLeod’s family and friends desire to mark the special occasion of her 100th birthday with a celebration of her life and history.

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

100th BIRTHDAY OF MRS. CORA JONES “BOOT” MCLEOD

and extend her heartfelt congratulations on her upcoming birthday, honor her exceptional longevity and wish her years of continued health and happiness.

This 23rd day of July, 2018.

Wendy Jacobs, Chair

James Hill, Jr., Vice-Chair

Heidi Carter, Commissioner

Brenda A. Howerton, Commissioner

Ellen Reckhow, Commissioner

Ms. McLeod thanked the Board for the recognition and acknowledged them for being great leaders for the County of Durham.

Chair Jacobs stated it was an honor to have Ms. McLeod present at the meeting to celebrate her 100th birthday.

Dr. Beverly Rogers, great niece allowed the great grand-children to speak kind words of their grandmother. She also mentioned an autobiography titled “*A Century of Living: The Autobiography of Mrs. Cora Jones “Boot” McLeod*” would be available for sale in November 2018.

Consent Agenda

Chair Jacobs announced the Board would pull item 18-0887 – Approval of Contract with Made in Durham and place it on the August 6, 2018 Work Session Agenda. She asked if the Board requested to pull or comment on any items on the Consent Agenda. Hearing none, Chair Jacobs entertained a motion for approval.

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

18-0897 Appoint Voting Delegate - North Carolina Association of County Commissioners (NCACC) Conference

*18-0903 Property Tax Releases and Refunds for June 2018

18-0916 Execution of Contract Amendment with O’Brien/Atkins Associates, P.A. for Additional Design Services for the 7th Floor Upfit to the Durham County Administration Building II Renovation (former Judicial Building) Project No.: DC073

The motion carried unanimously.

Consent Agenda Item #18-0903

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of June 2018.

Releases and Refunds for 2018 total \$21,143.74. Prior year’s (2015-2017) releases and refunds for June 2018 are in the amount of \$17,364.00. The current year and prior year’s releases and refunds amount to \$38,507.74.

Public Hearings

Public Hearing to Consider Allocating Economic Development Investment Funds to AveXis, Inc.

Andy Miracle, Economic Development Officer stated the Board was requested to hold a public hearing to consider allocating \$175,000 in Economic Development Investment funds to AveXis, Inc. utilizing funds provided as a donation to Durham County by Clarion Partners via the Chamber of Commerce. He added the company was expected to invest approximately \$55 million in the facility and create 200 new jobs.

Commissioner Reckhow inquired about the location of the firms. Mr. Miracle stated AveXis would be located in Research TriCenter, LabCorp would remain in Research Triangle Park and Sensus would be located in Keystone Park.

Commissioner Howerton asked about the qualifications needed for the positions offered by the three firms. Mr. Miracle responded that he would get the information back to the Board.

Chair Jacobs opened the public hearing.

Geoff Durham, President of Greater Durham Chamber of Commerce stated AveXis was a clinical stage bio-tech company focused on bringing gene therapy products into the market to help patients and families. He added the company would bring 200 jobs into the company to help broaden Durham's base of manufacturing companies. Mr. Durham added Durham Technical Community College (DTCC) would partner with the Durham Chamber to assist Durham residents with the proper training for these upcoming positions. He continued to say the Durham Chamber would also introduce the firms to the Work Center so they could actively recruit for employees.

Commissioner Carter questioned the career cluster and asked was there an appropriate time to ask companies to hire Durham based businesses and citizens. Mr. Durham responded AveXis and Labcorp would be referred to as bio-manufacturing and Sensus would be referred as clean-technology. He continued to say once the Chamber received a better understanding of the expansion plans, the Chamber would reach out to DTCC to ensure they were aware of the positions and all business partners were appropriately tied in the process.

Commissioner Howerton asked if DTCC already had training courses available for these future positions. Mr. Durham responded yes, those courses did exist.

Commissioner Reckhow asked if the County could require a company to interview County residents. Mr. Miracle responded that was correct. He added with regard to these awards and firms, the County had more flexibility to implement the idea of requiring a company to interview local residents.

Vice Chair Hill stated it was imperative that Durham residents knew when jobs were available and what training was required. He added the information needed to be spread far and wide.

Commissioner Reckhow thanked the chamber for taking the lead on this work and finding the private matches for these firms. She also thanked Ted Conner and congratulated him on his upcoming retirement.

Chair Jacobs echoed the Commissioner comments. She stated that the County was benefiting from the projects with state funding and doing so, this would create the combined number of 923 jobs and \$89

million worth of new investments.

Chair Jacobs closed the public hearing and entertained a motion from the Board.

Commissioner Howerton moved, seconded by Commissioner Reckhow to allocate a total of \$175,000 in Economic Development Investment funds to AveXis, Inc.

The motion carried unanimously.

Directive: Commissioner Carter stated as a follow-up to the initial discussion, the Board should include a statement in our revised economic development policy that requires a formal Durham-based Business Plan and a Durham-based Workforce Plan from any company that receives a public incentive from the County.

Public Hearing to Consider Allocating Economic Development Investment Funds to LabCorp

Andy Miracle, Economic Development Officer stated the Board was requested to hold a public hearing to consider allocating \$220,000 in Economic Development Investment funds to LabCorp utilizing funds provided as a donation to Durham County by Karlin Real Estate via the Chamber of Commerce. He added the company would open a new operations center in Durham County creating 422 jobs and would invest \$30 million in a facility on the Farmer RTP campus.

Chair Jacobs opened up the public hearing.

Geoff Durham, President of Greater Durham Chamber of Commerce stated LabCorp had been a member of the Durham business community for over two decades. He added the company planned to add 422 new jobs as a result to their recent expansion. Mr. Durham mentioned LabCorp currently provided complex testing to a wide range of companies and they employed over 60,000 people worldwide and could have easily taken their expansion elsewhere. He continued to say this was another great expansion for the Durham area.

Chair Jacobs closed the public hearing and entertained a motion from the Board.

Vice-Chair Hill moved, seconded by Commissioner Carter to allocate \$220,000 in Economic Development Investment funds to LabCorp.

The motion carried unanimously.

Public Hearing to Consider Allocating Economic Development Investment Funds to Sensus USA, Inc.

Andy Miracle, Economic Development Officer stated the Board was requested to hold a public hearing to consider allocating \$50,000 in Economic Development Investment funds to Sensus USA, Inc. utilizing funds provided as a donation to Durham County by Longfellow Real Estate Partners via the Chamber of Commerce. He added the company would expand its current operations in Durham County creating 301 jobs over five years and invest \$4 million in North Carolina by the end of 2019.

Chair Jacobs opened the public hearing.

Geoff Durham, President of Greater Durham Chamber of Commerce provided background information

on the company and stated Sensus USA Inc; plan to continue adding to Durham by creating an additional 301 jobs to the area. He added this company has experienced growth in the area Durham since 2002 which in Keystone Park.

Chair Jacobs closed the public hearing and entertained a motion from the Board.

Commissioner Reckhow moved, seconded by Commissioner Howerton to allocate \$50,000 in Economic Development Investment funds to Sensus USA, Inc.

The motion carried unanimously.

Public Hearing to Consider a Contract Amendment to the Agreement with Austin Lawrence Partners-East, LLC

Andy Miracle, Economic Development Officer stated the Board was requested to hold a public hearing to consider a contract amendment to the agreement with Auston Lawrence Partners-East, LLC (ALP-East or Company) to extend the completion date from July 1, 2018 due to mechanical contractor issues to January 1, 2019.

Chair Jacobs questioned the amended agreement with the Austin Lawrence Partners regarding the community benefit being determined by June 30, 2020. She asked who from the County would be monitoring this. Mr. Miracle responded the County would propose the best plans and the information would be shared with the Board for final approval. Chair Jacobs asked if the City would be on this project as well. Mr. Miracle stated the proposal would be provided to both the City and the County. He added the intent would be to have one (1) project and seek approval from the City and the County before moving forward.

Chair Jacobs opened the public hearing. Having no one signed up to speak, she closed the public hearing and entertained a motion from the Board.

Commissioner Reckhow moved, seconded by Commissioner Howerton to approve the contract amendment to the Austin Lawrence Partners-East, LLC. contract agreement.

The motion carried unanimously.

Board and Commission Appointments

Terri Hugie, Clerk to the Board, distributed ballots to the Board to make appointments to the boards and commissions.

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

Alcoholic Beverage Control Board

(i)**Beverly Thorpe** (Carter, Hill, Howerton, Jacobs, Reckhow)

Ryan Urquhart (Carter, Hill, Reckhow)

(i)Jacqueline Wagstaff (Howerton, Jacobs)

Convention Center Authority

(i)**Craig Spitzer** (Carter, Hill, Howerton, Jacobs, Reckhow)

Criminal Justice Advisory Committee

Tamario Howze (Carter, Hill, Howerton, Jacobs, Reckhow)

Dangerous Dog Appeal Board

Motiryo Keambiroiro (Carter, Hill, Howerton, Jacobs, Reckhow)

Durham-Wake Counties Research and Production Service District

Chris Buchholtz (Carter, Hill, Howerton, Jacobs, Reckhow)

William Bullock (Howerton)

Ginger Dosier (Carter, Hill, Howerton, Jacobs, Reckhow)

Karen Long (Carter, Hill, Jacobs, Reckhow)

Environmental Affairs Board

Laura Marie Davis (Carter, Hill, Howerton, Jacobs, Reckhow)

Library Board of Trustees

(i)**Hank Kinsley** (Carter, Hill, Howerton, Jacobs, Reckhow)

Sports Commission

Fredrick Davis (Hill, Howerton)

Bill Kalkhof (Carter, Jacobs, Reckhow)

Closed Session

Chair Jacobs stated the Board requested to adjourn to Closed Session for the following:

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. General personnel policy issues may not be considered in a closed session per G.S.143-318.11(a)(6).

Reconvene to Open Session

Chair Jacobs announced the Board met in Closed Session and asked to entertain a motion for the following:

Lowell Siler, County Attorney new salary would be \$204,811 effective on his anniversary date.

Commissioner Reckhow moved, seconded by Commissioner Carter to approve the above mentioned salary.

The motion carried as follows:

Yays: Carter, Hill, Jacobs, Reckhow

Noes: Howerton

Adjournment

Commissioner Reckhow moved, seconded by Commissioner Howerton to adjourn the Regular Session meeting.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Monica Toomer".

Monica W. Toomer
Deputy Clerk to the Board