

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

Monday, January 13, 2020

7:00 P.M. Regular Session

MINUTES

Place: Commissioners' Chambers, Second Floor, Durham County Government Administrative Complex, 200 East Main Street, Durham, North Carolina

Present: Chair Wendy Jacobs, Vice-Chair James Hill and Commissioners Heidi Carter, Brenda Howerton and Ellen Reckhow

Presider: Chair Wendy Jacobs

Closed Session – 6:00 PM

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

To discuss matters relating to the location or expansion of industries or other business in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations pursuant to G.S.143-318.11(a)(4).

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

The motion carried unanimously.

Reconvene to Open Session

Chair Jacobs stated direction was given to staff.

Regular Session – 7:00 PM

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Jacobs announced that there were no agenda adjustments.

Announcements

Chair Jacobs read the following announcements:

1. **Durham City-County Martin Luther King Jr. Employee Observance Program** – Join the City and County Staff on January 15, 2020 from 12:00 p.m. – 1:00p.m. as they celebrate the 15th

jointly hosted Life of Martin Luther King Jr. Celebration. The program will be held at First Presbyterian Church located at 305 N. Main Street.

Made in Durham Executive Director Casey Steinbacher is the keynote speaker and this event is **FREE** and open to the public.

2. **The Low-Income Energy Assistance Program (LIEAP) is now available to Durham Residents** – Durham residents in need of heating bill assistance can now apply for help through the Department of Social Services. Applications are being accepted Monday – Friday from 7:30 a.m. – 5:30 p.m. in Lobby #27 of the Health and Human Services Building located at 414 E. Main St.

Walk ins are welcome but appointments are preferred. Please call 919-560-8000 for additional information and assistance.

3. **Durham One Fund Supporting Displaced McDougald Terrace Residents** – The Durham One Fund is now accepting donations to support the McDougald Terrace residents impacted by the high carbon monoxide levels and mold conditions reported last week.

For those interested in donating, please visit: <https://unitedwaytriangle.org/durham-one-fund/> and for more information please visit <https://unitedwaytriangle.org/durham-one-fund-now-accepting/>

4. **City of Durham's E-Waste and Textile Recycling, Paper Shredding Event** – The City's Solid Waste Management Department is hosting a FREE event to collect old electronics, papers for shredding, live Christmas trees, old clothes and textiles on Saturday, January 18th from 8 a.m. – 2 p.m. at the Durham County Memorial Stadium on the Home Side Parking Lot.

For additional details about items eligible for this event, please visit www.durhamnc.gov/calendar

5. **The Durham Universal Pre-Kindergarten Applications are now open** – Applications for the 2020-2021 school year is now open. To be eligible, you must be a Durham County resident and your child must be four (4) years old by August 31, 2020.

Please call 1-833-PREK-EDU or visit www.durhamprek.org for more information.

6. **Important Voting Information for the March 3, 2020 Primary Election is as follows:**

- Absentee-by-mail Voting begins on January 13th
- Voter registration deadline for the March 3rd primary election is February 7th
- Early voting for the upcoming Primary Election will begin on Thursday, February 13th and ends on Saturday, February 29th

For full details on early voting and other important information, please visit www.dcovotes.com

Chair Jacobs stated Durham County and Alliance Health were supporting residents at McDougald Terrace and introduced Ashley Canady, Resident Council President, McDougald Terrace. Ms. Canady thanked Durham County for their support and asked for continued support from the community after residents returned home to McDougald Terrace.

Minutes

Vice-Chair Hill moved, seconded by Commissioner Reckhow to approve the November 25, 2019 and December 9, 2019 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

Proclamation – Durham Technical Community College 35th Anniversary Celebrating the Legacy of Dr. Martin Luther King, Jr.

Commissioner Reckhow read the following proclamation:

DURHAM TECHNICAL COMMUNITY COLLEGE 35TH ANNIVERSARY CELEBRATING THE LEGACY OF DR. MARTIN LUTHER KING, JR. | 2020

- WHEREAS,** in 1985 a few staff and faculty of Durham Technical Community College came together to celebrate the life and legacy of Dr. Martin Luther King, Jr. exactly one year before it became a national holiday and at that time no one knew the importance of that small event and how so many years later it would be a tool to measure how far we as a college have walked towards the dream that Dr. King shared in his 1963 “I Have a Dream” speech; and
- WHEREAS,** in 2001 Durham Tech’s president Dr. Phail Wynn, Jr., declared that the Friday prior to the National Holiday be Durham Tech’s official day of celebration in honor of Dr. King; and
- WHEREAS,** to honor the memory of Dr. Martin Luther King, Jr and commemorate his dedication to equality and justice through non-violent resistance, in 2017 Durham Tech established the I Have a Dream Award; a need-based scholarship offered annually to one degree seeking and one non-degree student from funds provided through private donors; and
- WHEREAS,** for the past 35 years members of Durham Tech staff and faculty have conducted an annual program that has included many prominent North Carolina citizens who share their memories, talents, knowledge, and experiences that uplifted, encouraged, empowered, and motivated the campus community to continue Dr. King’s mission: and
- WHEREAS,** Durham Tech continues to promote the values set by Dr. King through this annual event to provide a direction for the future, by creating and opening doors of equal educational opportunities and affording each individual inclusion, respect, and understanding; and
- WHEREAS,** we thank our former president Dr. Phail Wynn, Jr., and our current president Dr. William “Bill” Ingram for realizing the importance of this event and for the continued support and contributions to make it happen; and most of all, we thank Dr. King for his dream that we continue to cherish.

NOW, THEREFORE BE IT RESOLVED, I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim January 17, 2020 as

“DURHAM TECHNICAL COMMUNITY COLLEGE 35TH ANNIVERSARY CELEBRATING THE LEGACY OF DR. MARTIN LUTHER KING, JR.”

in Durham County, North Carolina and commend its observance to all citizens in recognition of the positive impact on our community.

This the 13th day of January 2020.

Wendy Jacobs, Chair
Durham Board of County Commissioners

Jacqueline Mitchell, Director of Business and Entrepreneurship Career Pathways at Durham Technical Community College (DTCC) thanked the Board for the proclamation. She announced on January 17, 2020 DTCC would hold the 35th Annual MLK Employee Luncheon with guest speaker Senator Valerie Foushee and speakers Mayor Pro Tempore Jillian Johnson and Sheriff Clarence Birkhead.

Proclamation – National Mentoring Month

Chair Jacobs read the following proclamation:

NATIONAL MENTORING MONTH | 2020

- WHEREAS,** in 2002, the Harvard School of Public Health and MENTOR: The National Mentoring Partnership created National Mentoring Month; and
- WHEREAS,** the goals of National Mentoring Month are to raise awareness of mentoring, recruit individuals to mentor, encourage organizations to engage and integrate quality mentoring into their efforts; and motivate youth to excel; and
- WHEREAS,** a mentor is a caring person that provides a consistent presence and devotes time to a young person to help that young person discover personal strength to persevere and achieve their potential through a structured and trusting relationship; and
- WHEREAS,** quality mentoring encourages and empowers young people to make positive choices, promote self-esteem and character development, support academic achievement and introduce young people to new ideas; and
- WHEREAS,** positive youth development theory understands adolescence as a distinct developmental phase where boundary testing and individual identity development are critical steps on the path to adulthood, steps that need to be supported, nurtured and cultivated by patient and caring adults in safe environments in order to reach their full potential; and
- WHEREAS,** mentoring programs have shown to be effective in combating school violence and discipline problems, substance abuse, incarceration, truancy and professional success; and
- WHEREAS,** research shows that young people who were at risk for not completing high school but who had a mentor were 52 percent less likely than their peers to skip a day of school, 55 percent more likely to be enrolled in college, 81 percent more likely to report participating regularly extracurricular activities, 46 percent less likely than their peers to start using drugs, 130 percent more than twice as likely to say they held a leadership position in a club or sports team, and 78 percent more likely to volunteer regularly in their communities; and
- WHEREAS,** mentors help young people set career goals and use their personal contacts to help young people meet industry professionals and find jobs to improve professional outcomes for young people; and

WHEREAS, mentors serve a critical role in helping youth successfully complete high school and gain admission to college, equipped with the skills and capacities they need to success in college and career; and

WHEREAS, National Mentoring Month is the time of year where engagement from community members interested in becoming a mentor is highest and an opportunity to celebrate, evaluate, and encourage mentoring in Durham.

NOW, THEREFORE, BE IT RESOLVED I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim the month of January 2020 as

“NATIONAL MENTORING MONTH”

in Durham County, and hereby call upon public officials, business and community leaders, educators, and citizens to observe this month with appropriate ceremonies, activities and programs in order to:

- recognize the men and women who serve as staff and volunteers at quality mentoring programs and help our young people find inner strength and reach their full potential;
- acknowledge that mentoring is beneficial because it facilitates healthy identity development, encourages educational achievement, reduces juvenile delinquency, expands career readiness, improves life outcomes, and strengthens communities;
- promote the creation, expansion, sustainability, and funding of quality mentoring programs across Durham to equip young people with the tools needed to lead healthy and productive lives; and
- support initiatives to close the "mentoring gap" and promote critical mentoring to support boys of color with mentors who perceive and understand social, political and economic oppression and to take action against oppressive elements of society.

This the 13th day of January 2020.

Wendy Jacobs, Chair
Durham Board of County Commissioners

DeWarren Langley, Executive Director, Charles Hamilton Houston Foundation, Inc. thanked the Board for the proclamation and for highlighting the importance and need for mentoring in Durham. He shared details about the mentoring programs being offered to youth in Durham and asked visiting organizations to provide information on their program offerings.

Jasmine Young, Founder and Executive Director RHODA Generation-Mentoring stated her program was created to help every young lady inspire, restore, and maintain a sense of belonging in self, family and in the community.

Ray Johnson, Research Triangle Professionals National Society of Black Engineers stated his mentoring program was focused on career planning for youth.

Larry Campbell, Chairman and Mentor, Thomas Mentor Leadership Academy explained the academy assisted organizations and groups in building their programs and provided mentor training and workshops to support mentors and mentoring programs.

Steve Chalmers, Men of Vision stated his mentoring program was focused on helping and supporting the

youth in McDougald Terrace. He added he was speaking on behalf of D.L. Forbes Youth Foundation and Russell Memorial Church mentoring programs since they could not attend the meeting.

Chair Jacobs asked if the mentoring programs were connected with Edmund Lewis, My Brother's Keeper Manager. Mr. Langley responded as a community Durham struggled with alignment and connection.

Commissioner Reckhow asked the mentoring programs to discuss their needs and gaps to get assistance with funding and grants. Mr. Campbell confirmed and stated he would coordinate a group meeting with mentoring programs in Durham about funding and grants.

The Board thanked the representatives present for their work with the youth in the Durham Community and for understanding the important need for mentoring programs.

Resolution – Celebrating and Honoring the Life and Service of Dr. Martin Luther King, Jr.

CELEBRATING AND HONORING THE LIFE AND SERVICE OF DR. MARTIN LUTHER KING, JR.

WHEREAS, a champion of nonviolence and justice, Dr. Martin Luther King, Jr. devoted his life to strengthening the content of American character and fought unrelentingly for the civil rights of all Americans and taught us that courage displaces fear, love transforms hate, acceptance dissipates prejudice and mutual regard cancels enmity; and

WHEREAS, in the face of hatred and violence, Dr. King preached a doctrine of nonviolence and civil disobedience to combat segregation, discrimination, and racial injustice, and believed that people have the moral capacity to care for other people;

WHEREAS, Dr. King was one of the leaders of the successful 381-day Montgomery bus boycott in 1955 to protest the arrest of Rosa Parks and the segregation of the bus system; and

WHEREAS, Dr. King helped found and served as the first president of the Southern Christian Leadership Conference in 1957 to coordinate and support nonviolent direct action as a method of desegregating bus systems across the South; and

WHEREAS, between 1960 and 1964, Dr. King made addresses in Durham at White Rock Baptist Church, the Durham Business & Professional Chain, Hillside High School, the Southern Political Science Association at the Jack Tar Hotel, North Carolina College (now North Carolina Central University) and Duke University urging civil disobedience and nonviolent protests to end racial segregation and discrimination; and

WHEREAS, Dr. King traveled more than 6,000,000 miles, spoke more than 2,500 times, and wrote 5 books and numerous articles supporting efforts around the country to end injustice and bring about social change and desegregation between 1957 and 1968;

WHEREAS, on August 28, 1963, Dr. King led the March on Washington for Jobs and Freedom, the largest rally of the civil rights movement, during which, from the steps of the Lincoln Memorial and before a crowd of more than 200,000 people, Dr. King delivered his famous "I Have a Dream" speech in which he called for an end to racism and advocated for the civil and economic rights of African Americans;

WHEREAS, the March on Washington was instrumental in the passage of the Civil Rights Act of 1964 which outlawed discrimination based on race, color, religious sex or national origin and prohibited

unequal application of voter registration requirements and racial segregation in schools, employment and public accommodations; and

WHEREAS, Dr. King helped to organize the monumentally inspiring Selma to Montgomery marches in 1965 to advocate for passage of the Voting Rights Act of 1965 to guarantee African American citizens the right to vote; and

WHEREAS, Dr. King was supporting the garbage workers in Memphis, Tennessee, and planning the Poor People's Campaign to promote economic justice, when he was assassinated in Memphis on April 4, 1968; and

NOW, THEREFORE, BE IT RESOLVED, we the Durham Board of County Commissioners do hereby resolve to recognize and honor the life and work of Dr. Martin Luther King, Jr. and his commitment to improve the human condition of all people through access to quality education, affordable housing, equal opportunity, living wage employment, safe and humane labor conditions for all employees and quality healthcare.

BE IT FURTHER RESOLVED THAT the Durham Board of County Commissioners call on the residents of Durham County to join us in reflecting on and advancing Dr. King's life and fulfilling his dream.

This the 13th day of January, 2020.

Wendy Jacobs, Chair

James Hill, Jr., Vice-Chair

Heidi Carter

Brenda A. Howerton

Ellen W. Reckhow

Pastor William Lucas, Chairman of the Durham Community Martin Luther King, Jr. Steering Committee, Inc. thanked the Board for the proclamation and supporting the community.

DeWarren Langley, Secretary Durham Community Martin Luther King, Jr. Steering Committee, Inc. announced the programs and events scheduled to celebrate MLK Day. He added the 40th Annual Triangle Interfaith Prayer Breakfast was at the Sheraton Imperial Hotel at 7:15 a.m., the Unity March and Rally would start at the North Carolina Mutual Life Insurance Company at 10:30 a.m. and the Day of Service was at the Jubilee Home at 1:00 p.m. on January 20, 2020.

Consent Agenda

Chair Jacobs asked the Board if they requested to pull or comment on any items on the Consent Agenda.

Chair Jacobs requested to comment on items 20-0012, 20-0014 and 20-0028.

- Item 20-0012 – Chair Jacobs asked County Manager Davis to comment on 300 and 500 Main Street Affordable Housing and Market Rate Projects. County Manager Davis stated the Memorandum of Understanding (MOU) would establish the developer and County milestones that must be reached before the execution of the Master Development Agreement.
- Item 20-0014 – Chair Jacobs asked David Reese, President and Chief Executive Officer of the

East Durham Children's Initiative to comment on the contract for creation of a Durham County Early Childhood Plan. Mr. Reese stated the plan was mirroring the State of North Carolina's plan to help coordinate Durham's future steps, align with the state and make the County's early childhood activities more attractive for private and philanthropic funding.

- Item 20-0028 – Chair Jacobs asked Tobin Freid, Sustainability Manager to speak about the Bottled Water Policy. Ms. Freid thanked the Board for their leadership in prohibiting the use of County Funds to purchase bottled water due to the health risk and environmental effects of single-use plastic bottles. Chair Jacobs also recognized Commissioner Carter for her leadership with the policy.

Hearing no additional comments, Chair Jacobs entertained a motion for approval.

Commissioner Reckhow moved, seconded by Commissioner Carter to approve all items on the Consent Agenda.

The motion carried unanimously.

19-0621 Construction Services to Durham County Memorial Stadium South Grandstand Renovations.

19-0625 Contract Amendment between the County of Durham and Diana Phillips Consulting.

*20-0002 Budget Ordinance Amendment No. 20BCC000041 – Appropriate General Fund fund balance for a Contract Amendment to add \$100,000 for Instructional Services to Durham Pre-K Contract with Child Care Services Association, Inc.

20-0005 Approval of Contract Amendment Adding \$58,000 to Annual Service Contract with Urban Ministries of Durham.

*20-0011 Budget Ordinance Amendment No. 20BCC000039– Recognize Funding from NC Department of Public Safety for the Local Reentry Council.

20-0012 Authorize the County Manager to execute the (1) Memorandum of Understanding for 300 East Main Street – Affordable Housing Project; (2) Memorandum of Understanding 500 East Main Street – Market Rate Project; and (3) Memorandum of Understanding for 500 East Main Street – Affordable Housing Project (collectively, the “MOUs” and the “Project”); and the (4) Option to Lease Real Estate for 300 East Main Street; and (5) Option to Lease Real Estate for 500 East Main Street (collectively, the “Options”).

20-0014 Approve the Contract for Creation of a Durham County Early Childhood Action Plan

20-0023 Budget Ordinance Amendment No. 20BCC000040 – Appropriate Funds from the Risk Management Fund Unassigned Fund Balance to Risk Management Insurance and Services Budget

20-0028 Prohibit the Use of County Funds to Purchase Bottled Water.

Consent Agenda Item #20-0002

Durham County, North Carolina

**2019-2020 Budget Ordinance
Amendment Number 20BCC000041**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2019-2020 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$31,389,313	\$100,000	\$31,489,313

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Education	\$159,420,461	\$100,000	\$189,520,461

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

Approved January 13, 2020

Consent Agenda Item #20-0011

**Durham County, North Carolina
2019-2020 Budget Ordinance
Amendment Number 20BCC000039**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2019-2020 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$45,118,452	\$53,400	\$45,171,852

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$67,406,747	\$53,400	\$67,460,147

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

Approved January 13, 2020

Public Hearings

19-0622 Public Hearing and Award of Franchise to Provide Non-Emergency Ambulance Service in Durham County.

Kevin Underhill, Interim EMS Director stated the Board was requested to hold a public hearing and if appropriate based on the comments received during the hearing, award an ambulance franchise to Jan Care of McDowell County, Inc.

Chair Jacobs opened the public hearing. No one was signed up to speak. Chair Jacobs asked the Board if they requested to make any additional comments on the item.

Commissioner Carter requested that sexual orientation and gender identity be included in the “*will not discriminate category*.” Jerry Long, Jan Care representative confirmed the items would be added to the list on the application.

Chair Jacobs closed the public hearing.

Commissioner Reckhow moved, seconded by Commissioner Carter to grant an ambulance franchise for Jan Care of McDowell County, Inc. to provide the following services within Durham County: non-emergency and inter-facility transportation at the basic and advanced life support level, back-up emergency ambulance service at the request of the County, and special events coverage at the request of the County.

The motion carried unanimously.

19-0623 Public Hearing and Award of Franchise to Provide Non-Emergency Ambulance Service in Durham County.

Kevin Underhill, Interim EMS Director stated the Board was requested to hold a public hearing and if appropriate based on the comments received during the hearing, award an ambulance franchise to LifeStar Emergency Services, LLC.

Chair Jacobs opened the public hearing. No one was signed up to speak. Chair Jacobs asked the Board if they requested to make any additional comments on the item.

Commissioner Carter requested that sexual orientation and gender identity be included in the “*will not discriminate category*.” Michael Hoots, LifeStar Emergency Services, LLC representative confirmed the items would be added to the list on the application.

Chair Jacobs closed the public hearing.

Commissioner Carter moved, seconded by Commissioner Howerton to grant an ambulance franchise for LifeStar Emergency Services, LLC to provide the following services within Durham County: non-emergency and inter-facility transportation at the basic and advanced life support level, back-up emergency ambulance service at the request of the County, and special events coverage at the request of the County.

The motion carried unanimously.

19-0624 Public Hearing and Award of Franchise to Provide Non-Emergency Ambulance Service in Durham County.

Kevin Underhill, Interim EMS Director stated the Board was requested to hold a public hearing and if appropriate based on the comments received during the hearing, award an ambulance franchise to North State Medical Transport.

Chair Jacobs opened the public hearing. No one was signed up to speak. Chair Jacobs asked the Board if they requested to make any additional comments on the item.

Commissioner Carter requested that sexual orientation and gender identity be included in the “*will not discriminate category.*” Alexander Strickler, North State Medical Transport representative confirmed the items would be added to the list on the application.

Chair Jacobs closed the public hearing.

Commissioner Reckhow moved, seconded by Commissioner Howerton to grant an ambulance franchise for North State Medical Transport to provide the following services within Durham County: non-emergency and inter-facility transportation at the basic and advanced life support level, back-up emergency ambulance service at the request of the County, and special events coverage at the request of the County.

The motion carried unanimously.

Other Business

20-0009 Presentation of the Fiscal Year (FY) 2019 Annual Financial Audit and Comprehensive Annual Financial Report (CAFR) ad the FY 2019 Annual Single Audit and Compliance Report

Susan Tezai, Chief Financial Officer, introduced Scott Duda, Managing Partner for Cherry Bekaert LLP. Mr. Duda shared a presentation entitled “*Audit Wrap Up and Presentation.*” The presentation discussed the following: Table of Contents, Overview, Audit Area of Focus, Results of Financial Statements, Results of Office of Management and Budget (OMB) Uniform Guidance Audit, Results on State Single Audit and Required Communications.

Commissioner Reckhow thanked staff for the clean audit report. She stated the Board had not received an interest rate swap report and asked if the County was earning or losing money. Ms. Tezai responded the County was earning money and she would provide the Board with the interest rate swap report. Commissioner Reckhow recommended providing the reports in the fall and spring.

Commissioner Howerton asked if the Annual Financial Audit and Comprehensive Financial Report were completed for 18 consecutive years. Ms. Tezai confirmed and stated Finance staff dedicated effort and time to the reports.

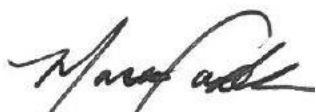
Directive: Commissioner Reckhow asked staff to provide interest rate swap reports to the Board in the Fall and Spring.

Adjournment

Commissioner Howerton moved, seconded by Commissioner Reckhow to adjourn the Regular Session meeting at 8:27 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Macio Carlton', written in a cursive style.

Macio Carlton
Deputy Clerk to the Board

DRAFT