

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

Monday, March 9, 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

### **Opening of Regular Session – Pledge of Allegiance**

### **Agenda Adjustments**

Chair Jacobs announced the Other Business item Presentation of a Durham County Master Aging Plan was moved to the March 23, 2020 Regular Session meeting.

### **Announcements**

1. **The Durham County Juvenile Crime Prevention Council (JCPC) is requesting proposals for fiscal year 2020-2021** – The JCPC anticipates funds from the NC Department of Public Safety (DPS) in the amount of \$701,101 to fund programs that will serve delinquent and at-risk youth. The application deadline is March 31, 2020. Additional information can be found on the Criminal Justice Resource Center's website: [www.dconc.gov/government/departments-a-e/criminal-justice-resource-center/youth-services/jcpc](http://www.dconc.gov/government/departments-a-e/criminal-justice-resource-center/youth-services/jcpc).

For interested organizations, informational meetings are scheduled for Tuesday, March 10, 2020 and Tuesday, March 17, 2020 from 1:00 p.m. to 2:30 p.m. at the Criminal Justice Resource Center located at 326 East Main Street.

2. **Grand Re-Opening of the Bragtown Branch Library** – Please join us on March 11, 2020 from 12:00 p.m. – 2:00 p.m. in celebrating the re-opening of the Bragtown Branch Library at 3200 Dearborn Drive. Events are scheduled throughout the day beginning at 10:00 a.m.

For re-opening details, please visit [www.dconc.gov](http://www.dconc.gov)

3. **2020 Golden Leaf Awards Nominations are Now Being Accepted** – Do you know of a Durham property that's outstanding for its design, preservation, curb appeal, or stewardship of the natural and built environment? Nominate it now for the 2020 Golden Leaf Awards.

Nominations can be submitted at <https://durhamappearance.com/entry-form> and are due by 5:00 p.m. on Tuesday, March 13<sup>th</sup>. For additional information please contact Senior Planner Kayla Seibal at 919-560-4731 ext. 28271 or by email at [kayla.seibel@durhamnc.gov](mailto:kayla.seibel@durhamnc.gov).

4. **Discussions on Stormwater Management for Unincorporated Durham County** – Do you know what happens to stormwater (rainwater) when it leaves your property? Join the Durham County Stormwater and Erosion Control Division at one of the five public outreach meetings to learn more.

- Monday, March 16, 4-6pm (South Regional Library)
- Wednesday, March 25, 6-8pm (North Regional Library)
- Saturday, March 28, 10am-12pm (Bahama Ruritan Club)
- Tuesday, March 31, 5-7pm (East Regional Library)
- Wednesday, April 1, 12-2pm (Fusion Room – 800 Park Offices Drive)

5. **Durham YouthWork Internship Program Now Seeking Applicants** – Durham youth ages 14-24 who want to explore a career, earn money and gain valuable work experience can now apply for the YouthWork Internship Program.

Hourly rates range from \$7.25 - \$12.00 per hour with job opportunities available within the City of Durham, Durham County Government, Durham Public Schools, Durham Technical Community College, North Carolina Central University, Duke Medical Center and other local businesses.

Youth interested must submit an application before Friday, March 27<sup>th</sup> at [www.durhamnc.gov](http://www.durhamnc.gov) and apply for positions listed under *Durham YouthWork Intern*. For additional information, please call Kelli McLean Slade, Senior Employment Program Coordinator at 919-560-4965, ext. 15221.

6. **Women's Health Awareness 2020: Transforming Communities by Enhancing Women's Health** – Save the Date for the Women's Wellness Conference on Saturday, April 4, 2020 from 8:00 a.m. – 5:00 p.m. at North Carolina Central University Mary Townes Science Center located on 1900 Concord Street.

There will be FREE health screenings, health education sessions, healthy living sessions and other health resources. Registration is FREE and lunch will be provided.

Please register by Monday, March 16<sup>th</sup> at [www.niehs.nih.gov/whad](http://www.niehs.nih.gov/whad) and for additional information please call 984-287-4414 or email [WHAD@niehs.nih.gov](mailto:WHAD@niehs.nih.gov)

## Minutes

Commissioner Reckhow moved, seconded by Vice-Chair Hill to approve the February 10, 2020 Regular Session minutes.

The motion carried unanimously.

## Ceremonial Items

### **Proclamation – Colorectal Cancer Awareness Month**

Chair Jacobs read the following resolution.

#### **COLORECTAL CANCER AWARENESS MONTH | 2020**

- WHEREAS,** March is Colorectal Cancer Awareness Month; and
- WHEREAS,** Colorectal Cancer is the second leading cause of cancer death among men and women collectively in the United States; and
- WHEREAS,** one in 23 people will be diagnosed in their lifetime; and
- WHEREAS,** the incidence of colorectal cancer for people younger than 50 years of age is increasing; and
- WHEREAS,** sixty percent of deaths caused by colorectal cancer can be prevented with screening; and
- WHEREAS,** routine screenings for colon cancer enables early detection and treatment; and
- WHEREAS,** the American Cancer Society recommends that regular screenings for colorectal cancer begin at 45 years of age; and
- WHEREAS,** people with one or more family members who have had colon or rectal cancer are at increased risk for diagnosis; and
- WHEREAS,** Colorectal Cancer Awareness Month is a good time to encourage people of all backgrounds and ages to be aware of the signs and symptoms of this type of cancer.

**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 March 2020 as

#### **“COLORECTAL CANCER AWARENESS MONTH”**

in Durham County. We pause in recognition of those who have completed their battle with the disease along with family members and advocates who continue to educate others about colorectal cancer and the research that will hopefully reveal a cure for this devastating condition in the future.

This the 9<sup>th</sup> day of March 2020.

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Wendy Jacobs, Chair  
Durham Board of County Commissioners

Chair Jacobs thanked Rodney Jenkins, Public Health Director and Joanne Pierce, General Manager.

Ms. Pierce thanked the Board and reminded the community to get an annual colorectal screening for early detection and treatment. Chair Jacobs asked where citizens could find additional information on Colorectal Cancer. Ms. Pierce responded the Durham County Public Health website, Center for Disease Control (CDC) website and North Carolina Health and Human Services website. Chair Jacobs inquired about how citizens could receive information on the Coronavirus. Ms. Pierce referenced the CDC website as well as the Durham County Public Health website for the latest information on the pandemic. She added everyone should wash their hands, use hand sanitizer and refrain from touching their faces and eyes.

## **Consent Agenda**

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

Commissioner Howerton requested to pull item 20-0080.

Citizens requested to pull items 20-0048, 20-0080, 20-0088, 20-0094, 20-0117 and 20-0118.

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

Commissioner Reckhow moved, seconded by Commissioner Carter to approve Consent Agenda items 20-0069, 20-0074, 20-0086, 20-0095, 20-0103 and 20-0125.

The motion carried unanimously.

20-0069 Utilities Division Polymer Contract Amendment with Polydyne, Inc.

\*20-0074 Capital Project Amendment No. 20CPA000023 – Appropriating \$3,640 in Fund Balance from the Pay-As-You-Go Capital Project Fund for The Detention Center Jail Bed and HVAC Grille Replacement Capital Project DC090 and Execution of a Change Order for the Detention Center Jail Bed and HVAC Grille Replacement Project.

\*20-0086 Approve the Final Budget for the Dry Creek Farm Conservation Easement and Approve Capital Project Amendment No.20CPA000024 Decreasing the Open Space and Farmland Preservation Capital Project (4730DC083) by \$66,824.80 and Budget Amendment No. 20BCC000047 transferring \$66,824.80 from the Pay-As-You-Go Capital Project Fund to the General Fund to Support the Purchase of the Dry Creek Farm Conservation Easement.

\*20-0095 Capital Project Amendment No. 20CPA000026 to Amend the Main Library Renovation Project No. 6110DC094 to Accept Funding from the Duke Energy Smart Saver Custom Incentive Program.

20-0103 Request to Appoint a Special Board of Equalization and Review for 2020.

20-0125 Durham County Utilities Development Review Fee Schedule.

Consent Agenda Item #20-0074

**DURHAM COUNTY, NORTH CAROLINA  
2019-20 Capital Project Ordinance  
Amendment Number 20CPA000023**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY2019-20 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

<b>Project</b>	<b>Current Budget</b>	<b>Increase/ Decrease</b>	<b>Revised Budget</b>
Detention Center Jail Bed and HVAC Grille Replacement Project (4310DC090)	\$946,486.00	\$3,460.00	\$949,946.00
<b>Total</b>	\$946,486.00	\$3,460.00	\$949,946.00

Adopted this the 9<sup>th</sup> day of March 2020.

Consent Agenda Item #20-0086

**DURHAM COUNTY, NORTH CAROLINA  
2019-20 Capital Project Ordinance  
Amendment Number 20CPA000024**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY2019-20 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

<b>Project</b>	<b>Current Budget</b>	<b>Increase/ Decrease</b>	<b>Revised Budget</b>
Open Space and Farmland Preservation Project (4730DC083)	\$13,653,334.50	(\$66,824.80)	\$13,586,509.70
<b>Total</b>	\$13,653,334.50	(\$66,824.80)	\$13,586,509.70

Adopted this the 9<sup>th</sup> day of March 2020.

**Durham County, North Carolina  
2019-2020 Budget Ordinance  
Amendment Number 20BCC000047**

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 Services	\$31,715,566	\$66,825	\$31,782,391

Expenditures

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Environmental Protection	\$5,818,116	\$66,825	\$5,884,941

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

Approved March 2, 2020

Consent Agenda Item #20-0095

**DURHAM COUNTY, NORTH CAROLINA  
2019-20 Capital Project Ordinance  
Amendment Number 20CPA000026**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY2019-20 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/Decrease	Revised Budget
Lincoln Community Health Center Project (4730DC139)	\$48,286,532.22	\$49,758.00	\$48,336,290.22
<b>Total</b>	\$48,286,532.22	\$49,758.00	\$48,336,290.22

Adopted this the 9<sup>th</sup> day of March 2020.

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**Items Pulled from the Consent Agenda**

**20-0048 Contract Approval with SafeTech Solutions for Emergency Services Consulting and Training.**

Antonio Jones, citizen stated he supported Emergency Medical Services (EMS), Fire Marshall and Emergency Management staff receiving training.

**20-0080 Contract Amendment to Dixie Electro-Mechanical Services, Inc. On-Call Machinery and Repair Services Contract.**

Commissioner Howerton questioned the total pumps that were failing. Stephanie Brixey, Deputy Director of Engineering and Environmental Services replied the Triangle Wastewater Treatment Plant had a total of 115 pumps and seven (7) of those pumps were in need of repair. Commissioner Howerton asked what the usage life of a pump was and if the repair cost was wear and tear. Ms. Brixey responded the usage life was approximately 15 years and majority of repair cost was due to wear and tear. Chair Jacobs stated the cost came from the enterprise fund which was funded by fees from users.

**\*20-0088 Budget Ordinance Amendment No. 20BCC000044 to Recognize \$75,098.00 in Program Integrity Incentive funds for Increased Funding for Continuing Education Classes and Equipment for e-learning.**

**Durham County, North Carolina  
2019-2020 Budget Ordinance  
Amendment Number 20BCC000048**

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 Services	\$31,782,391	\$75,098	\$31,857,489

**Expenditures**

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Human Services	\$85,347,442	\$75,098	\$85,422,540

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

Approved March 2, 2020

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E. Lavonia Allison, citizen recommended that the Board read the book “*The Color of Law: A Forgotten History of How Our Government Segregated America*” and hoped the funds would be used for growth and development of various programs.

**\*20-0094 Capital Project Amendment No. 20CPA000025 Appropriating \$55,400 in Funding from Lincoln Community Health Center and the Execution of a Design Contract with Surface 678 for the Lincoln Community Health Center Parking Lot Expansion.**

**DURHAM COUNTY, NORTH CAROLINA  
2019-20 Capital Project Ordinance  
Amendment Number 20CPA000025**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY2019-20 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

<b>Project</b>	<b>Current Budget</b>	<b>Increase/ Decrease</b>	<b>Revised Budget</b>
Lincoln Community Health Center Project (4730DC139)	\$2,191,520.00	\$55,400.00	\$2,246,920.00
<b>Total</b>	\$2,191,520.00	\$55,400.00	\$2,246,920.00

Adopted this the 9<sup>th</sup> day of March 2020.

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E. Lavonia Allison, citizen asked who was receiving the money, who was hired to expand the parking lot and what would be done for the community surrounding the Lincoln Center.

Victoria Peterson, citizen stated the Lincoln Center building needed to be expanded and the entire street needed to be repaved. She shared that Duke was not doing a good job managing the Lincoln Center and asked the Board to visit the Health Center to see the problems that the patients are experiencing.

Commissioner Howerton asked for an explanation on the item. Perri Manns, Interim General Manager stated the item was presented to Engineering about a month prior and the Lincoln Board wanted to approve the budget of \$55,400 for the architectural design to add 45-50 new parking spots. Commissioner Howerton asked for the makeup of the contractors. Mr. Manns stated no contractors had been hired. Chair Jacobs asked for clarification that the parking lot expansion was not extending into the community. Mr. Manns replied the expansion would use the same footprint and the existing parking lot. Commissioner Reckhow shared there was a small window to complete the project during the time period of the General Assembly stoppage of the Jordan Lake Rules.

**20-0117 Memorandum of Understanding in Support of Continued Development of the Greater Triangle Commuter Rail Project.**

Jacqueline Wagstaff, citizen expressed concerns about the Memorandum of Understanding (MOU) 18-month study in the amount of \$2.7 million. She added residents did not want affordable housing to be located at or near the Park-and-Ride locations.



Antonio Jones, citizen expressed concern with outstanding issues with the light rail project that had consumed \$160 million. He added the American Transportation recommendations for GoTriangle were not addressed and the Raleigh-Durham International Airport was not included as a stop on the first concept.

Minister Raziq Eaidi Muhammad, citizen expressed his concern with the lack of trust from the community over the \$160 million spent on the failed light rail project. He added the language with the rail project was the same as the light rail project and no feedback had been received from the community.

Mary Molina, citizen stated she was not informed about the MOU before the meeting; adding the public should be informed about who was going to use the rail, anticipated revenues, rail miles and a breakdown of cost and repairs.

Victoria Peterson, citizen expressed concern with proposed new projects that included plans to bulldoze African American communities. She did not agree with the project as proposed and added the existing train tracks should be used.

#### **20-0118 FY20 Durham Transit Tax Annual Work Plan Amendment – Next Phase of GTCR Study**

Victoria Peterson, citizen expressed a need to have meetings in the community to make sure all residents agreed to use tax dollars on the proposed projects. She invited the Board to walk in the McDougal Terrace community to see the need for affordable housing to help the community.

Waldo Fenner, citizen expressed his concerns with \$160 million tax dollars wasted on light rail and citizens not given accountability for the money. He added more studies and questions should be asked before spending taxpayers' money.

Commissioner Reckhow thanked the concerned citizens for attending the meeting and explained there was extensive discussion on the two items related to the community rail projects. She added most questions asked would be addressed and the community would be engaged and receive feedback during the process of the project.

Commissioner Howerton stated for the community to have trust again, GoTriangle should be accountable for the funds spent to provide assurance.

Commissioner Reckhow moved, seconded by Commissioner Carter to approve Consent Agenda items 20-0048, 20-0080, 20-0088, 20-0094, 20-0117 and 20-0118.

The motion carried unanimously.

#### **Closed Session**

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

- To consult with an attorney employed or retained by the public body in order to preserve the attorney and the public body, which privilege is hereby acknowledged pursuant to G.S. 143-318.1(a)(3).
- 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 Carter to adjourn into Closed Session.

The motion carried unanimously.

### **Reconvene to Open Session**

Chair Jacobs announced the Board met in Closed Session and provided direction to staff.

### **Adjournment**

Commissioner Carter moved, seconded by Commissioner Reckhow to adjourn the Regular Session meeting at 9:40 p.m.

The motion carried unanimously.

Respectfully Submitted,

Macio Carlton  
Deputy Clerk to the Board