



# Durham County

200 E. Main Street  
Durham, NC 27701  
(919) 560-0025

## Meeting Minutes

### Board of County Commissioners

*Wendy Jacobs, Chair*  
*James Hill, Vice Chair*  
*Heidi Carter, Commissioner*  
*Brenda A. Howerton, Commissioner*  
*Ellen W. Reckhow, Commissioner*

Monday, January 23, 2017

7:00 PM

Commissioners' Chambers

#### 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) January is National Radon Action Month. Durham County Cooperative Extension will give out free Radon test kits to Durham County residents throughout the month, from 8:30 am – 4:00 pm at their office, 721 Foster Street, on a first come, first served basis. Kits will also be available from 8:30 am – 5:00 pm at the Durham County Health Department, Environmental Health Office, 414 E. Main Street.
- 2) The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization is requesting input from residents on the draft Comprehensive Transportation Plan (CTP). The CTP lists proposed highway, bus transit, light rail transit, bicycle, pedestrian and other transportation improvements to be implemented over the next several decades. Comments will be accepted on the MPO's website: [www.dchempo.org](http://www.dchempo.org) thru February 24, 2017. You may contact Andrew Henry, 919-560-4366, ext., 36419 for details.
- 3) The 2017 Durham County Cares Applications are now open to all nonprofit organizations that service the Triangle Community. Durham County Cares is the annual Durham County Government Employee Giving Campaign, in which our employees donate funds to those nonprofit agencies chosen as our annual Recipient Organizations. Applications will be open from January 9th - 27th, 2017. For more information, or to apply to be a 2017 Recipient Organization, please visit [dcocares.org](http://dcocares.org).

- 4) Due to the recent winter weather event, Durham County Department of General Services' Solid Waste Division had to reschedule the safety upgrades planned for the Bahama and Redwood Convenience Sites. Each site will temporarily close for one and half days to allow for the installation of safety rails alongside the open top roll off containers. The upgrades will now take place on the following days: Tuesday, January 24, 2017, the Bahama Site will be closed and reopen on Wednesday, January 25, 2017 at 1 p.m. On Wednesday, January 25, 2017, the Redwood Site will be closed and reopen on Thursday, January 26, 2017 at 1 p.m. For more information, contact the Solid Waste Division at (919) 560-0433.
- 5) We invite you to tune in to Cable TV Channel 8 or 97-5 to see rebroadcasts of tonight's meeting as well as other Durham County programming that may be of interest to you. Please contact the Public Information Office at 919-560-0008 or our website [www.dconc.gov](http://www.dconc.gov) for more information.
- 6) These announcements 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 December 12, 2017 Regular Session minutes.

The motion carried unanimously.

## **Ceremonial Items**

### **Proclamation – National Mentoring Month**

Chair Jacobs read the following proclamation:

#### **NATIONAL MENTORING MONTH | 2017**

**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 persevere even in the toughest of times; and

**WHEREAS**, a mentor is a caring, consistent presence who devotes time to a young person to help that young person discover personal strength and achieve their potential through a structured and trusting relationship; and

**WHEREAS**, quality mentoring encourages positive choices, promotes self-esteem, supports academic achievement and introduces young people to new ideas; and

**WHEREAS**, mentoring programs have shown to be effective in combating school violence and discipline problems, substance abuse, incarceration and truancy; and

**WHEREAS**, youth development experts agree that mentoring is critical to the social, emotional and cognitive development of youth, helping them navigate the path to adulthood more successfully; and

**WHEREAS**, research shows that young people who were at risk for not completing high school but who had a mentor were 55 percent more likely to be enrolled in college, 81 percent more likely to report participating

regularly extracurricular activities, 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

**NOW, THEREFORE, 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 2017,**

**“NATIONAL MENTORING MONTH”**

in Durham, 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 who help our young people find inner strength and reach their full potential;
- acknowledge that mentoring is beneficial because it encourages educational achievement, reduces juvenile delinquency, improves life outcomes, and strengthens communities;
- promote the creation and expansion of quality mentoring programs across the Durham to equip young people with the tools needed to lead healthy and productive lives; and support initiatives to close the "mentoring gap."

This the 23<sup>rd</sup> day of January, 2017.

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Wendy Jacobs, Chair  
Durham Board of County Commissioners

DeWarren Langley, Executive Director of the Charles Hamilton Houston Foundation Inc. thanked the Board for the proclamation and asked that they continue to show support for the program in the community.

Commissioner Reckhow thanked Mr. Langley for bringing the proclamation forward. She urged the citizens to get more involved with the youth by providing mentoring and tutoring. Commissioner Reckhow also mentioned that Durham Public Schools (DPS) offered a seamless process for those interested in volunteering at local schools.

Commissioner Howerton also thanked Mr. Langley for his leadership and mentioned how important mentoring was for all education levels.

Chair Jacobs added that mentoring was a preventative measure that could be implemented through volunteer centers, non-profits, churches and neighborhoods.

**Recognize Board of Elections Board Members, Staff, Poll Workers and Volunteers for Efforts with the November 2016 General Election**

Chair Jacobs stated the Board requested to take a moment to recognize the staff for their efforts associated with early voting and the recent recount that was conducted. She introduced Bill Brian, Chair of the Board of Elections to speak.

Attorney Brian recognized staff in attendance and those who volunteered during the election and the recount. He thanked County staff and offices for their efforts as well.

Vice Chair Hill stated he saw Durham County at its finest during that time of need. He added how much he enjoyed seeing everyone come together in a non-partisan way to take care of democracy.

Commissioner Reckhow thanked those individuals for additional hours spent that were not planned. She reminded citizens that Mr. Brian and other Board members were not paid employees, yet they made sure the job was done.

Lowell Siler, County Attorney stated the efforts showcased teamwork at its finest. He shared his experience during the recent election and mentioned how everyone came together for the sake of the County.

### **Consent Agenda**

Chair Jacobs asked the Board if they desired to pull any items from the Consent Agenda. Commissioner Carter requested to pull item #17-0039. Commissioner Reckhow issued the following directive:

**Directive: Commissioner Reckhow asked Wendell Davis, County Manager to provide more back-up and justification information on the expenditures in the future.**

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

17-0005 Award Janitorial Contract to The A Plus Group & Amend Existing Contracts With B&R Janitorial, Frederick's House Keeping, and Kreative Koncepts

17-0009 Award of Utility Locating Services for Durham County, RFP 17-019

\*17-0013 Budget Ordinance Amendment No. 17BCC000041 to Recognize \$2,235 from the Department of Health and Human Services Division of Public Health for Family Planning Services

\*17-0014 Budget Ordinance Amendment No. 17BCC000042 to Recognize \$6,687 from NC DHHS, Division of Public Health to Support Public Health Preparedness Planning and Operational Readiness for Zika

17-0017 Extension of the 2017 Listing Period for Business Personal Property

\*17-0020 Budget Ordinance Amendment No. 17BCC000043 to Recognize \$6,401 from the NC DHHS Division of Public Health Women's and Children's Health/Women's Health Branch

17-0023 Request for Update to Resolution Creating a Special Board of Equalization and Review

\*17-0024 Property Tax Releases and Refunds for December 2016

17-0027 Execution of the Contract Amendment with Swanson & Stewart Architects for the Additional Design Services for the Lincoln Community Health Center Phase II Renovation Project. Project No. 4730DC139

\*17-0028 Capital Project Amendment No. 17CPA000012- Appropriation of \$1,191,520 of Lincoln Community Health Center Funding to the Capital Project, and Execution of the Construction Contract for the Lincoln Community Health Center Phase II Renovation - Project No.: 47302635DC139

17-0033 Execution of Consulting Services Agreement with Heery International, P.C. for the Moving Consulting Services for the Main Library Renovation Project. Project No.: 6110DC094

\*17-0034 Capital Project Amendment No. 17CPA000013 - Appropriating \$330,600 of 2017 Voter Approved General Obligation Funds to the Main Library Renovation Capital Project and Execution of the Moving Services Contract for the Main Library Renovation Project No.: 6110DC94

17-0035 Rules of Procedures - Board of County Commissioners

\*17-0037 Request Approval of the Purchase of 3 Year License, Setup and Training for Fiscal Technologies Software and Approval of Budget Ordinance Amendment No. 17BCC000044 Appropriating General Fund Fund Balance in the Amount of \$75,702

17-0038 Change Meeting Date - April 11, 2017 Regular Session

17-0040 Conservation Easement Option on the Amed Tilley Farm and 2017 Agricultural Lands Easement (ALE) Program Grant submission

17-0041 Consent to Approve Amendment of the County’s 5-Year SAP Cloud Services Contract to Add the Following New Software Licenses: SAP JAM Collaboration, Enterprise Edition and HCP Application Services

17-0048 Adoption of Initial Resolutions for (GO BAN) and Initial Resolution and call for Public Hearing for Limited Obligation Bonds

The motion carried unanimously.

Consent Agenda Item #17-0013

**Durham County, North Carolina  
2016-2017 Budget Ordinance  
Amendment Number 17BCC000041**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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>
<b><u>GENERAL FUND</u></b>			
Intergovernmental	\$59,802,640	\$2,235	\$59,804,875

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<b><u>GENERAL FUND</u></b>			
Human Services	\$96,063,107	\$2,235	\$96,065,342

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

This the 23<sup>rd</sup> day of January 2017.

Consent Agenda Item 17-0014

**Durham County, North Carolina  
2016-2017 Budget Ordinance  
Amendment Number 17BCC000042**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$59,804,875	\$6,687	\$59,811,562

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$96,065,342	\$6,687	\$95,072,029

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

This the 23<sup>rd</sup> day of January 2017.

Consent Agenda Item #17-0020

**Durham County, North Carolina  
2016-2017 Budget Ordinance  
Amendment Number 17BCC000043**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$59,811,562	\$6,401	\$59,817,963

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Human Services	\$96,072,029	\$6,401	\$96,078,430

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

This the 23<sup>rd</sup> day of January 2017.

Consent Agenda Item #17-0024

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 December, 2016.

Releases & Refunds for January 2016

Real Property	\$ 75,407.52
Personal Property	\$ 22,057.47
VTS Refunds	\$ <u>15,326.26</u>
Total	\$ 112,791.25

Releases & Refunds for Prior Years

Real Property	\$ 363.19
Personal Property	\$ 7,546.43
Total for prior years	\$ <u>7,909.62</u>
 Grand Total	 \$ 120,700.87

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Consent Agenda Item #17-0028

**DURHAM COUNTY, NORTH CAROLINA  
2016-17 Capital Project Ordinance  
Amendment Number 17CPA000012**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2016-17 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Capital Project	Current Budget	Inc./Dec.	Revised Budget
LCHC Phase II Renovation (4730DC139)	\$1,000,000	\$1,191,520	\$2,191,520

Adopted this the 23<sup>rd</sup> day of January, 2017.

Consent Agenda Item #17-0034

**DURHAM COUNTY, NORTH CAROLINA  
2016-17 Capital Project Ordinance  
Amendment Number 17CPA000013**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2016-17 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Capital Project	Current Budget	Inc./Dec.	Revised Budget
Main Library Renovation (6110DC094)	\$2,789,270.22	\$330,600	\$3,119,870.22

Adopted this the 23<sup>rd</sup> day of January, 2017.

Consent Agenda Item #17-0037

**Durham County, North Carolina  
2016-2017 Budget Ordinance  
Amendment Number 17BCC000044**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2016-2017 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	\$29,758,165	\$75,702	\$29,833,867

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$108,895,079	\$75,702	\$108,970,781

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

This the 23<sup>rd</sup> day of January 2017.

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## **Public Hearings**

### **Public Hearing - Street Closing of a 220.66 Linear Foot Portion of Dickens Lane**

Kyle Taylor, Planner affirmed that all notices were filed. He stated the Board was requested to conduct a public hearing and approve the permanent closing of a 220.66 linear foot portion of Dickens Lane, located north of Freeman Road, west of Valmet Drive, and east of Greyson Drive.

Chair Jacobs opened the public hearing. No one was signed up to speak. Chair Jacobs closed the public hearing and entertained a motion for approval.

Commissioner Reckhow moved, seconded by Commissioner Howerton to adopt the order to permanently close the 220.66 linear foot portion of Dickens Lane.

The motion carried unanimously.

### **Public Hearing and Award of Franchise to Provide Ambulance Service in Durham County**

Brandon Mitchell, Managing EMS Officer II stated that Jan Care met all the requirements held by Durham County. He stated the Board was requested to hold a public hearing in order to grant an ambulance franchise for Jan Care of McDowell County, Inc. to provide non-emergency and inter-facility transportation services within Durham County.

Commissioner Carter inquired about the cost to the County. Mr. Mitchell responded there was no cost to the County. He added that Jan Care would privately bill each resident and would also provide mutual aid for backup as needed. Commissioner Carter asked how many franchises were needed in the County. Mr. Mitchell stated there was no set standard. He continued to say as long as the company met the requirements of the County, they were allowed to franchise.

Lowell Siler, County Attorney asked historically if the County at one time only operated with one provider. Mr. Mitchell responded there were two providers but the County ran into a situation where one provider failed to meet the requirements; that situation left the County with only one provider. He added the new ordinance did not restrict the number of franchises.

Commissioner Howerton asked for clarification on the usage of this service. Mr. Mitchell responded this franchise would be used for routine scheduled transportation such as doctor appointments,



hospital/nursing home discharges and other non-emergent transportation. He continued to say all emergency services would continue to come from the County.

Chair Jacobs opened the public hearing. No one was signed up to speak; she closed the public hearing and entertained a motion for approval.

Commissioner Howerton moved, seconded by Commissioner Reckhow to award an ambulance franchise to Jan Care of McDowell County, Inc.

The motion carried unanimously.

## **Other Business**

### **Presentation of FY2016 Comprehensive Annual Financial Report**

George Quick, Chief Financial Officer introduced Scott Duda, Partner with Cherry Bekaert to share a presentation titled *Audit Wrap Up and Presentation* which highlighted the following:

- Overview
- Audit Areas of Focus
  - Compliance with new GAAP regulations and revenue bond covenants/Payroll Expenses
  - Cash and Investments/Debt
  - Receivables and Revenue/Single Audit
  - Capital Assets/Litigation
  - Accounts Payable and Expenses/Management's Judgments and Accounting Estimates
- Results
  - Financial Statements
  - Uniform Guidance
  - State Single Audit
- Required Communications
  - Adoption of a change in accounting principles

Commissioner Reckhow asked if there was an increase in findings from previous years. Mr. Duda responded maybe more than previous years; however, based off the number of programs, this year's numbers were not unusual. Commissioner Reckhow inquired about the findings involving the Chip Program. Mr. Duda stated there was a lack of documentation (fees paid versus fees unpaid). Chair Jacobs interjected and added that all findings were remedied. Mr. Duda continued to say there was an agreement regarding who would cover the fees. He added the fees were paid but the question was whether the County had reimbursed the State. Commissioner Reckhow asked Mr. Duda if he was comfortable with how the County was handling the situation. Mr. Duda responded yes.

Mr. Quick added it was a non-issue at the moment and it would not change how business was conducted. He added the revenues for FY16 came in at 103% of what was budgeted for the past several years. Mr. Quick continued to say the expenditures came in less than 95% and all together this allowed the County to grow the fund balance to about \$5 million dollars.

Chair Jacobs suggested the statistical area be reviewed during the upcoming budget retreat.

### **Main Library Outreach Efforts during the Closing of Main Library**

Tammy Baggett-Best, Library Director thanked the Board and the community for their support. She introduced two staff members who provided details of programs offered during the renovation of the Main Library. Ms. Baggett-Best stated all staff would continue to be employed at other locations during the renovation and requested the Commissioners' approval to extend the hours beginning in March 2017 to include Fridays from 9:30am – 6:00pm and Sundays 2:00pm – 6:00pm at the Stanford L. Warren Library location.

Faith Burns, Interim Manager of Main Library and Sarah Iverson, Community Engagement Administrator shared the following programs:

- The MakerLab at Northgate Mall will provide various initiatives of STEAM (Science, Technology, Engineering, Art & Math), as well as Maker programs. Outreach Staff of Durham County Library will also operate inside this space. This space will open to the public the weekend of March 4. Initially the space will only be open during programming and Mall events. We will also host school field trips during the day, adult and teen programming in the evenings, and programming for all ages during weekend hours.
- Additionally, the North Carolina Collection will be housed at Northgate Mall and a “lucky day” collection will be available for customers to select fiction and non-fiction items. The Lucky day collection consists of our most popular titles that are readily available for check-out.
- We will have a Digital Access Center at CJRC. Hours will begin the weekend of March 4. Hours of operation will be Friday 10:00am – 6:00pm, Saturday 10:00am – 6:00pm and Sunday from 2:00pm – 6:00pm. This space will include 12 computers, public printing, internet access and public Wi-Fi access. We will offer computer classes, financial literacy and ESOL classes in this space.
- We are partnering with Durham Housing Authority: Liberty Street beginning the week of February 6. Hours of operation will be from 3:00pm – 5:00pm on Tuesdays and Thursdays. Programming will be provided by Librarians Olivia Singleton and Wright Adams. Additional programs are being planned utilizing a Google Grant.
- In partnering with East Durham Children's Initiative we have multiple program dates that are being finalized. This includes STEAM programming to be provided for Spring Break camp, Robotics 20 hour curriculum to be provided over the course of 6 weeks during summer camp. This is provided by Archie Burke and additional teen staff. Our Summer Lunch Adventures will also be held at EDCI and will include library programming every Thursday during the summer to consist of preschool aged focus and simultaneous adult/bilingual programming
- Tutoring Programs will be held on Mondays and Wednesdays for the Spring semester through the first week in May at the Scrap Exchange

Ms. Baggett-Best also encouraged citizens to visit the other locations during the renovation of the Main Library.

Commissioner Reckhow commended the programs offered. She inquired about how citizens would be informed about the services offered. Ms. Baggett-Best stated they were finalizing all dates, completing website updates, completing a taping with IN Touch and also reaching out to all social media outlets (Facebook, Twitter).

Commissioner Carter inquired about the cost implications. Ms. Baggett-Best responded there were no additional costs associated with the request. She added the staff were already in the building, they simply needed the approval to open the doors to the public.

**Directive: Chair Jacobs requested a press release be distributed so that the public would be aware of the changes.**

The Chair entertained a motion for approval.

Commissioner Reckhow moved, seconded by Commissioner Howerton to amend the motion to extend the hours beginning in March on Fridays (9:30am – 6:00pm) to all libraries and Sundays (2:00pm – 6:00pm) at the Stanford L. Warren Library.

The motion carried unanimously.

**Approval of Service Contract with Nehemiah Christian Center**

Drew Cummings, Chief of Staff expressed his gratitude to the minister for offering his center for the contract. He asked the Board to approve a six (6) month service agreement and to make appropriate adjustments to the ODS security contract. Mr. Cummings added that the County would support and provide ODS security services, a total of 15 computers would be made available and the arrangement would be reviewed on a monthly basis.

Commissioner Howerton inquired about the hours of operation. Mr. Cummings responded the center would be available Monday-Friday from 9:00am – 5:00pm and it will begin January 24, 2017.

Vice Chair Hill asked if the County would assume any liability and would citizens be approached regarding ministry services. Mr. Cummings responded the County would not be held liability and it was agreed that no one would be approached.

Chair Jacobs expressed her thanks to Nehemiah and to County staff for taking the lead on finding a solution. She added that it would be helpful to track attendance and asked that updates be made available. Mr. Cummings stated he would add the updates to the Quarterly Management Report (QMR). Chair Jacobs asked how citizens would know about the program. Mr. Cummings responded he was busy ironing out the contract but would work with Urban Ministries to get the word out.

Commissioner Reckhow hoped that weekend hours would be added to the Criminal Resource Center flyers as well.

Commissioner Carter moved, seconded by Vice Chair Hill to authorize the manager to execute the six (6) month service contract with Nehemiah Christian Center and to make the appropriate adjustments to the ODS security contract.

The motion carried unanimously.

**Board and Commission Appointments**

Michelle Parker-Evans, 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 now identified with an (i). Individuals who are recommended by a Board are underlined.) Individuals listed in bold print were appointed.

**Boxing and Wrestling Commission**

**(i)Renaldo Jackson** (Carter, Hill, Howerton, Jacobs, Reckhow)

**Firefighter's Relief Fund Board of Trustees**

(i)**Everett Harris III** (Carter, Hill, Howerton, Jacobs, Reckhow)

Nursing Home Community Advisory Committee

**Tashana Waller** (Carter, Hill, Howerton, Jacobs, Reckhow)

Public Health Board

(i)**Ferdinand Allison III** (Carter, Hill, Howerton, Jacobs, Reckhow)

(i)**Art Ferguson** (Carter, Howerton, Jacobs, Reckhow)

(i)**Mary Ann Fuchs** (Carter, Hill, Howerton, Jacobs, Reckhow)

Richie Kahn (Hill)

(i)**Dale Stewart** (Carter, Hill, Howerton, Jacobs, Reckhow)

Women's Commission

Vivian Slade (Hill)

**Joy Spencer** (Carter, Howerton, Jacobs, Reckhow)

Workforce Development Board

**Geoff Durham** (Carter, Hill, Howerton, Jacobs, Reckhow)

**Items Pulled From Consent Agenda:**

**2017 Durham County Legislative Agenda**

Commissioner Carter asked that the County not include item two (2) which read:

*“Seek legislation to repeal the statutory authority under N.C. Gen. Stat. 115C-431(c) that allows a local school board to file suit against a county board of commissioners over county appropriations for education.”*

She continued to say as long as school boards depended on funds from the County, this would not pose an issue. Commissioner Carter suggested that the support from Durham County be removed or asked that a note be made on the document.

Commissioner Reckhow stated that she would support the change and she highlighted the support of the other items.

Deborah Craig-Ray, General Manager mentioned that item two (2) was a priority of the North Carolina Association of County Commissioners (NCACC) that began with issues from Union County that resulted in a \$91 million lawsuit against the County Commission.

Commissioner Howerton commented on the extent of the conversation around the issue with NCACC asking how it would support all the other items on the table. She continued to say the item was supported at previous levels; however, now Durham County asked to remove themselves.

Commissioner Reckhow suggested the County finesse the document by adding that Durham County supported the following NCACC priority items and include an attachment with addendums.

Chair Jacobs stated this was a controversial issue last year where representatives stated they would not support the repeal. She added Durham County knew the association was moving forward and that this was just a conversation with the legislators. Chair Jacobs continued to say the County should attach the five (5) NCACC priorities as addendums and state the four (4) priorities supported by Durham County.

Commissioner Carter moved, seconded by Commissioner Reckhow to amend the legislative agenda as discussed and attach the items as addendums with Durham County additions.

The motion carried unanimously.

### **Closed Session**

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

- 1) G.S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.
- 2) G.S. 143-318(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.

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

The motion carried unanimously.

### **Reconvene to Open Session**

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

### **Adjournment**

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

The motion carried unanimously.

Respectfully Submitted,



Monica W. Toomer  
Deputy Clerk to the Board