

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

Monday, August 26, 2013

**MINUTES**

4:30 pm

Place: Commissioners' Chambers, second floor, Durham County Government Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chairman Fred Foster, Jr., Vice-Chair Brenda A. Howerton, and Commissioners, Wendy Jacobs, Michael D. Page, and Ellen Reckhow

Absent: None

Presider: Chairman Fred Foster, Jr.

**Opening of Regular Session**—Chairman Foster opened the meeting and announced that the Board was requested to adjourn to Closed Session pursuant to G.S. § 143-318.11(a)(6) 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.

Vice-Chair Howerton moved, seconded by Commissioner Page to adjourn to Closed Session.

The motion carried unanimously.

7:00 P.M. Regular Session

**Reconvene to Open Session**—Chairman Foster announced that the Board met in closed session. Chairman Foster announced that Durham County appointed officials received a 4.25 percent salary increase.

Commissioner Reckhow moved, seconded by Vice-Chair Howerton, to approve a 4.25 percent salary increase for V. Michelle Parker-Evans, Clerk to the Board; Kimberly Simpson, Tax Administrator; Lowell Siler, County Attorney; and Mike Andrews, County Sheriff.

The motion carried unanimously.

Commissioner Reckhow thanked Durham County appointed officials for their excellent performance.

Chairman Foster asked everyone to join in the Pledge of Allegiance.

**Agenda Adjustments**

There were no adjustments to the agenda.

## **Announcements**

Chairman Foster made the following announcements:

- “In Touch with Durham County,” the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon on Mondays; and 8:30 a.m., 12 noon and 6:30 pm on Tuesday–Sundays. Our County Commissioners’ meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.
- Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a difference in our community. Contact the Clerk’s Office at 919-560-0025, visit the County’s website, or email [Clerk@dconc.gov](mailto:Clerk@dconc.gov) for more information. Please note that all City and County taxes must be current at the time of application.
- Durham County has an opportunity to participate in a groundbreaking 20-30 year study to help understand the causes of cancer – and ultimately to eradicate it. The American Cancer Society has selected Durham County Library as one of four enrollment sites in Durham and Orange Counties. The goal is to enroll a minimum of 150 people in the study on September 24 at the Main Library, but enrollment appointments must be made in advance. Adults 30-65 years of age, who have never been diagnosed with cancer, can sign up to participate in the study, and anyone can become a champion to encourage others to participate. Learn more about the study, and register to enroll at [durhamcountylibrary.org/cancer](http://durhamcountylibrary.org/cancer).

## **Minutes**

Vice-Chair Howerton moved, seconded by Commissioner Reckhow, to approve as submitted the July 29, 2013 Regular Session Minutes and August 5, 2013 Worksession Minutes of the Board.

The motion carried unanimously.

## **Resolution - World War II Veteran 100<sup>th</sup> Birthday**

Chairman Foster read the following proclamation into record:

JERRY MILLARD SMITH

WHEREAS, Jerry Millard Smith was born to Mamie Taylor and Roy Smith on August 27, 1913, in Kinston, NC, weighing in at only one pound and a half at birth ; and

WHEREAS, Jerry Millard Smith married the late Rachel Mae Bullock and fathered three children; son, Randy and daughter, Beverly. In 1966 son, PVT Jerald Thomas Smith, died while serving in the U.S. Marine Corp during the Vietnam Era. Mr. Smith is currently married to Betty Ervin of 46 years; and

WHEREAS, Mr. Smith joined the U.S. Navy in 1942 as a Seaman Second Class; and served in World War II in the First Construction Battalion which formed the First Seabees of the Navy in 1942; and

WHEREAS, after having served honorably for more than three years as a Seaman Second Class in 1945 he returned to North Carolina. He retired from a building supply business and worked for another 30 years with a

mortuary service. Mr. Smith remained gainfully employed until age 95, remaining able to drive until age 98; and

WHEREAS, for many years he continued to serve our country as a community leader and mentor, giving back to those who served our nation both in war and peace time by volunteering for more than nine years with the Durham Veterans Affairs Medical Center; and

WHEREAS, since his retirement, Mr. Smith has remained an active member of the American Post 007, and the VFW, Henry Seeman Post 2740, both of Durham; and the Navy Seabee Veterans of America Island X-2 of Hillsborough NC; and

WHEREAS, Jerry Millard Smith served with dignity and honor to preserve our nations' freedom; and as a veteran, he answered the call to service in the face of great personal sacrifice, hardship and danger; and

WHEREAS, Jerry Millard Smith, is among Americans increasingly living longer and aging well as a centenarian in our community.

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

JERRY MILLARD SMITH

an amazing leader who has given unselfishly to our community and nation. All citizens of Durham County are called upon to commend, applaud and recognize the service and sacrifice he has given as he is honored.

/s/ all commissioners.

Ms. Lois Harvin-Ravin, Veteran Services Director, thanked the Board for issuing the resolution in recognition of Mr. Smith's 100<sup>th</sup> birthday.

### **Resolution of Appreciation - Honoring Mary Holderness**

Chairman Foster read the following resolution into record:

MARY D. HOLDERNESS

WHEREAS, historically graduation season is often marred by teenagers being injured or killed in serious accidents caused by celebrating graduates consuming alcohol and other drugs; and

WHEREAS, recognizing this danger, in 1988 Mary Holderness and others, began "Project Graduation;" a safe, supervised, alcohol and drug-free party where high school graduates could safely celebrate that important milestone, without cost ; and

WHEREAS, to create the best event possible, it has been necessary to publicize in advance; provide popular music; supply food and beverages; present a number of \$1,000 scholarships and prizes; to recruit volunteers and security; to solicit funding and contributions; to coordinate the event, and; then begin to plan for next year's event; and

WHEREAS, Project Graduation has been an inspiring success, and a positive Durham tradition, recognized by The Herald Sun and community leaders as one of the 10 best things about Durham, and since its inception not one high school graduate attending this party has ever been killed or seriously injured in an automobile accident the night of the celebration; and

WHEREAS, Mary Holderness has served without pay as Executive Director, for 25 years, since its inception, long past the graduation of her own children; and she has done all of this while serving the community with dedication and as a volunteer in numerous other capacities, including: serving as President for the Pearsontown

Elementary PTA, a founder and Associate Director of the Durham Public Education Network, a member and Chairman of the Board of the Museum of Life and Science, a member of the Board of the Haiti Heritage Center, a member of the Board of the Center for Child and Family Health, elder and Sunday School teacher, Children's Choir Director, Deacon and Ruling Elder in her church; and

WHEREAS, her tireless work of thousands of hours over decades has made the the City of Durham and Durham County a safer, better educated, healthier, and more pleasant place for all of its citizens, especially its youth;

NOW, THEREFORE, it is on behalf of this Board and on behalf of all of the citizens of the Durham County, North Carolina that we express our gratitude and appreciation to:

MARY D. HOLDERNESS

for her extraordinary and indefatigable work over many, many years in so many capacities for the benefit of all our citizens and to make this a better place.

/s/ All Commissioners

Ms. Holderness gave brief remarks thanking the Board for their recognition and volunteers for their contributions to Project Graduation over the years.

Vice-Chair Howerton thanked Ms. Holderness for her efforts to keep Durham students safe.

Commissioners Page and Reckhow recounted the inception of the Project Graduation event. Commissioner Reckhow stated that Ms. Holderness was an exemplary volunteer in the Durham community and thanked her for serving in a leadership capacity for so many years.

**Presentation of Plaque by the NC Public Health Accreditation Board to Recognize the Durham County Department of Public Health as a NC Accredited Local Public Health Department**

Ms. Gayle Harris, Public Health Director, introduced Dr. Dorothy Cilenti and Dr. Joy Reed of the NC Public Health Accreditation Board; Ms. Rochelle Talley, Human Services Planner/Evaluator, Ms. Rebecca Freeman and Mr. Eric Ireland, Assistant Public Health Directors; and Dr. Teme Levbarg, Ph.D., Vice-Chair of the Durham County Public Health Board.

Dr. Cilenti read a letter issued by Dr. Laura Gerald, MD, former North Carolina Health Director, which designated the Durham County Department of Public Health as a North Carolina accredited local public health department. The accreditation is valid from 2013 through 2017.

Ms. Harris thanked the Board for their support. She commented that such support allowed the Department of Public Health to continue to meet the needs of all citizens in the Durham Community.

Dr. Levbarg stated that the accreditation score of 100 percent was a remarkable achievement for Durham County. She commented on the excellent job done by staff and the department leadership team on a daily basis.

**Proclamation Expressing Appreciation for Durham Institutions Participating in YouthWork Internship Program**

Chairman Foster read the following proclamation into record:

2013 YOUTHWORk INTERNSHIP PROGRAM COMPANY APPRECIATION

WHEREAS, Durham County recognizes that more than 3,000 students graduate from Durham secondary schools each year; and

WHEREAS, Durham County is concerned that each one of them find a successful occupation that can support them and their families; and

WHEREAS, Durham County recognizes that the education and skills necessary to succeed in those occupations are greatly varied; and

WHEREAS, Durham County is committed to working with all public and private sector partners committed to helping provide our youth with the necessary education and skills to succeed in the work world; and

WHEREAS, work internships have been recognized as an extremely important part of helping youth prepare themselves for the work world; and

WHEREAS, Durham County believes it can be in the self-interest of all employers to develop strong talent development pipelines that include internship programs; and

WHEREAS, Durham County has been committed to providing a wide variety of internships in the past, including participating in the Mayor's Summer Youth Work Program and standing relationships with a number of graduate schools in the area; and

WHEREAS, working in conjunction with the City of Durham, Durham Public Schools, the Durham Workforce Development Board, and many other private and public sector partners, the Mayor's Summer Youth Work Program has been reborn as the Durham YouthWork Internship Program; and

WHEREAS, all of the current partners wish to greatly expand the number, variety, and targeted nature of the internships available to Durham youth.

NOW THEREFORE BE IT RESOLVED that I, Fred Foster, Jr., Chairman, on behalf of the Durham County Board of Commissioners, do hereby express great appreciation to the companies who participated in the summer 2013 YouthWork Internship Program; acknowledge the key role that private employers must play in picking up where our educational systems leave off in preparing Durham youth for the work world, and encourage further, active, expanded participation in the Durham YouthWork Internship Program.

This 26<sup>th</sup> day of August, 2013.

/s/ Fred Foster, Jr.  
Fred Foster, Jr., Chairman  
Durham Board of County Commissioners

Mr. Drew Cummings, Assistant County Manager provided a brief background on the YouthWork Internship Program. He stated that 37 institutions participated in the program, which provided approximately 350 internship opportunities for Durham County students. Representatives from the following organizations were present to accept the resolution: The Durham Bulls, Hayti Heritage Center, Duke Health System, Durham Technical Community College, Kimley-Horn and Associates, Gail's Hair Salon and Sensus.

Commissioner Jacobs expressed gratitude on behalf of the Board to all of the Durham institutions and private sector companies who participated in the YouthWork Internship Program. Commissioner Jacobs commented that these companies served as role models and hoped that it will encourage other companies to participate in the program next year.

Vice-Chair Howerton expressed her appreciation for the participants. She stated that she hoped that additional business owners will participate in the future.

Commissioner Reckhow reiterated the importance of the program to Durham County. Commissioner Reckhow announced that Durham County Government employed 37 youth this year and encouraged the companies to participate in the program next year and serve as ambassadors.

### **Proclamation of September as Recovery Month in Durham County**

Chairman Foster read the following proclamation into record:

#### NATIONAL RECOVERY MONTH SEPTEMBER 2013

WHEREAS, behavioral health is now recognized as an essential part of one's overall health and wellbeing; and

WHEREAS, the Substance Abuse and Mental Health Services Administration (SAMHSA) has developed a unified definition of recovery from mental and substance disorders as follows: "A process of change through which individuals improve their health and wellness, live a self-directed life, and strive to reach their full potential"; and

WHEREAS, the costs of not encouraging pathways to recovery are significant for individuals, families, neighborhoods and the community at large; and

WHEREAS, people in recovery achieve healthy lifestyles, stable homes, meaningful daily activities, strengthen neighborhoods and contribute in positive ways to the larger community; and

WHEREAS, we must reduce the stigma associated with mental illness and substance use disorders to encourage families and friends to recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

WHEREAS, in 2011, 45.6 million adults (18 and older) experienced mental illness and 20.6 million, twelve or older, were classified as drug abusers or substance dependent (SAMHSA); and, according to the North Carolina Division of Mental Health, Developmental Disabilities and Substance Abuse Services, approximately 18,000 adults and 1,000 children in Durham County abused or were addicted to illegal drugs, prescription medication and alcohol in 2012; and, that mental and substance use disorders in particular are closely tied to other chronic health issues; we must continue to support the multitude of pathways to recovery as a primary health care goal.

WHEREAS, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP) invite all residents of Durham, North Carolina to participate in National Recovery Month.

NOW, THEREFORE, I, Fred Foster, Jr, Chairman of the Durham Board of County Commissioners, do hereby proclaim the month of September 2013 as:

#### NATIONAL RECOVERY MONTH

in Durham, North Carolina and call upon the people of Durham, North Carolina to observe this month with appropriate programs, activities, and ceremonies to support this year's theme, "Join the Voices for Recovery: Together on Pathways to Wellness."

This 26<sup>th</sup> day of August, 2013.

/s/ Fred Foster, Jr.  
Fred Foster, Jr., Chair  
Durham Board of County Commissioners

Ms. Gudrun Parmer, Criminal Justice Resource Center Director, introduced Mr. Bob Thomas, Quality Assurance Manager. Ms. Parmer thanked the Board for the proclamation and their continued support of substance abuse treatment services within Durham County. She stated that the Criminal Justice Resource Center was a central source for substance abuse treatment for the criminal justice population in Durham County.

Mr. Thomas announced the Recovery Celebration on September 19, 2013 from 12 noon until 7:00 p.m. Mr. Thomas highlighted many of the activities and other events that will take place at the celebration.

### **Proclamation - 2013 Bull City Stand Down**

Chairman Foster read the following proclamation into record:

#### BULL CITY STAND DOWN DAY 2013

WHEREAS, throughout our history, American armed forces have stood tall against tyranny, offering hope to the oppressed and securing the blessings of liberty for our citizens; and

WHEREAS, veterans are brave men and women who answered the call to service in the face of great personal sacrifice, hardship and danger; and

WHEREAS, Durham County recognizes the many veterans who have served in the US Armed Forces during World War I, World War II, Korean War, Vietnam War, Persian Gulf War, Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn and all who served in War and Peace; and

WHEREAS, Durham County is home to over 17,000 veterans and it is our duty to remember their commitment to service by giving them a myriad of services to assist them, especially in hard times; and

WHEREAS, we are pleased to join communities all over our country that annually provide a "Stand Down" program to assist veterans who are homeless and in need of services and support to maintain their dignity; and

WHEREAS, because these brave warriors have served with dignity and honor to preserve our nations' freedom, we have a keen responsibility to honor them on this special day with hot meals, personal hygiene items, healthcare, housing and employment assistance and compassion in a single location; and

WHEREAS, this year's Stand Down will take place from 8:30 a.m. until 2:00 p.m. on Friday, September 20<sup>th</sup> at the Durham County Memorial Stadium and the National Guard Armory.

NOW, THEREFORE, I, Fred Foster, Jr., Chairman of the Durham County Board of Commissioners, do hereby proclaim September 20, 2013 as:

#### BULL CITY STAND DOWN DAY 2013

in Durham County, North Carolina and hereby urge all Durham County residents to support the Bull City Stand Down with offers of volunteer service to assist coordinators of the event, extend due respect, appreciation and recognition of the service and sacrifice given by our veterans on behalf of this great nation.

This the 26<sup>th</sup> day of August, 2013.

/s/Fred Foster, Jr.  
Fred Foster, Jr., Chair, Durham Board of County Commissioners

Ms. Lois Harvin-Ravin, Veteran Services Director, thanked the Board for issuing the proclamation in recognition of the Bull City Stand Down Day 2013. Ms. Harvin-Ravin stated that approximately 17,000 veterans are served in Durham County. She commented that although \$47 million is brought into the County for veterans who receive benefits, there are many veterans who do not receive any type of benefits from the Department of Veterans Affairs.

Stand Down Day committee members addressed the Board to illustrate the need for the Bull City Stand Down Day and thanked vendors and volunteers for contributing to the event.

### **Consent Agenda**

Chairman Foster asked the Commissioners if they desired to pull any items from the Consent agenda.

Commissioner Jacobs stated that she wished to pull items “c” and “l,” but had a question regarding item “e.”

Chairman Foster stated that he wished to pull item “r.”

Regarding item “e,” Commissioner Jacobs stated that in the future she would like the Board to discuss the agricultural rules and ordinances that needed to be implemented in order to address fertilizer. County Manager Michael Ruffin stated that the discussion would be scheduled on a future Board Worksession agenda.

Commissioner Jacobs moved, seconded by Commissioner Reckhow, to approve the following consent agenda items (11a, b, d, e, f, g, h, i, j, k, m, n, o, p and q):

- a. Approve the Durham County ABC Board’s use of the County of Durham’s travel policy modified with the appropriate changes in titles, departments, form names, terminology, etc. that reflect the Durham County ABC organization);
- b. Receive the report on claims paid through the Risk Management Division for FY 12-13 approve the bonds as they meet the statutory requirements;
- d. Approve the Records Retention Schedule issued by the North Carolina Department of Cultural Resources for records maintained by the Tax Administrator;
- e. \*Approve Budget Ordinance Amendment No. 14BCC000007 increasing the Soil & Water Department’s budget in the amount of \$3,000 to fund internships that will assist with enforcing the Jordan, Falls and Upper Neuse River Watershed Rules with the funding source being appropriated fund balance of the General Fund;
- f. Authorize the County Manager to enter into a contract with Griffin & Strong, P.C. for a Joint Disparity Study for the County and City of Durham Contracting and Procurement Procedures for a total amount not to exceed \$300,000;
- g. \*Approve Budget Ordinance No. 14BCC000008 to recognize funds from Duke Energy Progress in the amount of \$157,136 to assist low-income customers with energy needs;



- h. Approve Budget Ordinance Amendment No.14BCC000009 to recognize \$250 of funds from Addiction Professionals of North Carolina for National Recovery Month Activities;
- i. \*Approve Budget Ordinance Amendment No. 14BCC000010 to recognize and apply Emergency Management Performance Grant (EMPG) funds to Durham County Emergency Management in the amount of \$14,878;
- j. \*Approve Budget Ordinance Amendment No. 14BCC000011 to recognize and apply Hazardous Materials Emergency Planning grant funds to Durham County Emergency Management in the amount of \$5,000;
- k. Approve the receipt of a grant offer from the Federal Aviation Administration (FAA) to be utilized at the Raleigh-Durham International Airport (RDU);
- m. \*Accept the property tax release and refund report for July, 2013 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- n. Approve the Fiscal Year 2013-2014 proportional match of the 40 hours of special leave awarded to eligible employees by the General Assembly;
- o. Approve the attached Program Manual for the CDBG Infrastructure Grant which is partially paying for the Rougemont Water System;
- p. Appoint Wayland Burton as Chairperson of the Durham County ABC Board by a recommendation made from its board members at their regular board meeting on August 19, 2013;
- q. \*Approve the change in accounting for the purchase of the Bethesda Volunteer Fire Department's assets/inventory, charging a rental fee to the Bethesda Fire and Rescue Service District for the use of the assets/inventory, and approve Budget Ordinance Amendment No. 14BCC000012 to properly account for the purchase of the assets by the General Fund and allocate a rent payment from the District Fund to the General Fund;

The motion carried unanimously.

\*Document(s) related to this item follow:

Consent Agenda Item No. e.

DURHAM COUNTY, NORTH CAROLINA  
FY 2013-14 Budget Ordinance  
Amendment No. 14BCC000007

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2013-14 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	\$17,696,540	\$3,000	\$17,699,540

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Economic and Physical Development	\$4,612,320	\$3,000	\$4,615,320

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

This the 26<sup>th</sup> day of August, 2013.

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Consent Agenda Item No. g.

DURHAM COUNTY, NORTH CAROLINA  
FY 2013-14 Budget Ordinance  
Amendment No. 14BCC000008

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2013-14 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>			
Contributions & Donations	\$42,257	\$157,136	\$199,393

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$83,839,976	\$157,136	\$83,997,112

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

This the 26<sup>th</sup> day of August, 2013.

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Consent Agenda Item No. i.

DURHAM COUNTY, NORTH CAROLINA  
FY 2013-14 Budget Ordinance  
Amendment No. 14BCC000010

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2013-14 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	\$52,136,461	\$14,878	\$52,151,339

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$48,616,514	\$14,878	\$48,631,392

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

This the 26<sup>th</sup> day of August, 2013.

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Consent Agenda Item No. j.

DURHAM COUNTY, NORTH CAROLINA  
FY 2013-14 Budget Ordinance  
Amendment No. 14BCC00011

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2013-14 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	\$52,151,339	\$5,000	\$52,156,339

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$48,631,392	\$5,000	\$48,636,392

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

This the 26<sup>th</sup> day of August, 2013.

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Consent Agenda Item No. m.

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 July, 2013.

Releases & Refunds for 2013 Taxes	
Real	\$ 15,248.80
Personal	\$ 39,293.02
Registered Vehicles	\$ 24,949.11
Vehicle Fees	<u>\$ 605.00</u>
Total for 2013 Taxes and Fees	\$ 80,095.93

Prior year's (2008-2012) releases and refunds for July, 2013 are in the amount of \$44,305.61. The current year and prior year's releases and refunds amount to \$124,401.54.

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Consent Agenda Item No. q.

DURHAM COUNTY, NORTH CAROLINA  
FY 2013-14 Budget Ordinance  
Amendment No. 14BCC000012

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2013-14 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>			
Rental Income	\$562,105	\$69,000	\$631,105
Other Financing Sources	\$17,699,540	\$1,038,011	\$18,737,551
<u>SPECIAL REVENUE FUNDS</u>			
Other Financing Sources	\$1,213,286	-\$1,107,011	\$106,275

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$48,636,392	\$1,107,011	\$49,743,404
<u>SPECIAL REVENUE FUNDS</u>			
General Government	\$3,849,612	-\$1,176,011	\$2,673,601
Public Safety	\$3,712,690	\$69,000	\$3,781,690

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

This the 26<sup>th</sup> day of August, 2013.

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**Classification and Compensation Study for the County of Durham**

County Manager Ruffin introduced the item by reviewing the funding budgeted and approved by the Board in the FY 2013-14 budget to conduct a Classification and Compensation Study for the County as specified in RFP #14-003. The total cost for the study is not to exceed \$200,000. Mr. Ruffin stated that the final contracted amount will be far less than the amount initially requested. He noted that a total of seven responses to the RFP (Request for Proposals) were received and carefully evaluated by an Evaluation Committee of selected County employees.

Ms. Cora Wilson, Human Resources Director, stated that the vendor selected was Evergreen Solutions, LLC, a minority-owned firm based in Tallahassee, FL. Ms. Wilson confirmed that the proposal by Evergreen Solutions was not lowest bid received, but that the committee felt that this organization was the most responsible and maintained previous experience with public sector organizations of similar sizes. She continued saying that the County requested that the cost be finalized once the statement of work has been confirmed.

Commissioner Reckhow questioned the cost difference between the \$88,500 total proposed cost by Evergreen Solutions and the \$200,000 in funds appropriated by the Board. She commented on the proposal being “refined” and the cost of the proposal possibly increasing. County Manager

Ruffin responded that the contract would be brought back before the Board with an explanation of any changes that would alter the total proposed cost.

Commissioner Page stated that he was in support of the Classification and Compensation Study given employee turnover due to salaries. He asked if a timeline could be established. Ms. Wilson stated that the targeted deadline for the review to be completed is early-February 2014, with implementation of the recommendations to begin in advance of FY 14-15.

Vice-Chair Howerton also expressed her support of the study. She commented that the item should be approved, but if the final total cost of the contract is higher than the amount deemed appropriate by the Board, that it can be addressed at that time.

Commissioner Jacobs moved, seconded by Commissioner Reckhow, to approve authorization of the County Manager to enter into a contract with Evergreen Solutions, LLC for a Compensation Study for the County for a total amount not to exceed \$200,000.

Manager Ruffin clarified that staff will bring back to the Board an amended contract if the amount exceeds the \$88,500.

The motion carried unanimously.

### **Board Appointments**

Michelle Parker-Evans, Clerk to the Board, distributed ballots to the Board to make appointments to boards and commissions.

The Board made the following appointments (incumbents are underlined):

#### *Audit Services Oversight Committee*

Germaine Brewington - Foster, Howerton, Jacobs, Page and Reckhow

#### *Bicycle and Pedestrian Advisory Commission*

Randall Best - Foster, Howerton, Jacobs, Page and Reckhow

#### *Board of Adjustment*

David P. Lowe (Alternate) - Foster, Howerton, Jacobs, Page and Reckhow

#### *Boxing and Wrestling Commission*

Emmet Gill, Jr. - Foster, Howerton, Jacobs, Page and Reckhow

#### *Durham Planning Commission*

Charles Gibbs (Lebanon Township) Howerton, Page and Reckhow

Linda Huff (Mangum Township) Foster, Jacobs and Reckhow

#### *Homeless Services Advisory Committee*

Pearlie Williams (Former Homeless Individual) - Foster, Howerton, Jacobs, Page and Reckhow

#### *Jury Commission*

Crystal Todd-Yelverton - Foster, Jacobs and Reckhow

*Nursing Home Community Advisory Committee*

Pamela Humphrey-Stokes - Foster, Howerton, Jacobs, Page and Reckhow

*Women's Commission*

Kimberly Cameron - Foster, Howerton, Jacobs, Page and Reckhow

*Workforce Development Board*

Casey Steinbacher (Chamber of Commerce CEO) - Foster, Howerton, Jacobs, Page and Reckhow

**Items Pulled from Consent Agenda**

Consent Agenda Item No. c

Referencing page six of the *Assistance Policy for the 2013 Cycle of the Single-Family Rehabilitation Program*, Commissioner Jacobs noted that the application deadline was extended until September 30, 2013, but was still listed in the document as September 2, 2013. Commissioner Jacobs commented that the rating system for the application evaluation still gave zero points for buildings built before 1970.

Commissioner Reckhow clarified that the rating system had been revised and that homes built before 1970 now received one point. Mr. Drew Cummings, Assistant County Manager, confirmed that the rating system was changed to award one point for homes built before 1970 and would ensure that the language is included in the final version of the document. Mr. Cummings also stated that pre-applications are accepted on a "rolling" basis, but that the final application is due September 30, 2013.

Commissioner Jacobs expressed concern regarding the number of points awarded for buildings built before 1970. Mr. Cummings replied that he would look into the rating system again. County Manager Ruffin requested that Mr. Cummings forward a copy of the most recent version of the policy to the Board.

Commissioner Jacobs also questioned the advertising methods for the grant program. Mr. Cummings stated that he has discussed advertising with the Durham County Purchasing Division and the Wooten Company, but that there were state rules that govern bidding procedures. He continued saying that advertising would be conducted social clubs/organizations, municipal buildings and social media platforms.

Consent Agenda Item No. c

Commissioner Jacobs questioned if information regarding the County's inability to now engage in a RFP process for the elevator service contracts was available when Otis Elevator Company was selected for the elevator installation. Ms. Motiryo Keambiroiro, General Services Director, stated that the selection of the elevator company and the "Generation 2" elevators came through submittal from the prime contractor. She anticipated that in approximately three years, Otis Elevator Company would release its proprietary relationship with regard to the "Generation 2" elevators.

Consent Agenda Item No. r

Chairman Foster inquired as to the number of years that the County has owned the easements in question. Jane Korest, Open Space & Real Estate Manager, stated that the County does not currently own the easements. She added that the County does have option to obtain the easements, but it is dependent on the County's ability to obtain grants equal to at least 50 percent of the cost of the easement.

Chairman Foster asked if this was a continuous program or method to obtain easements. Ms. Korest responded that the easement program has been used previously for several other farm projects, but this would be the first time it was being used for the Tilley or S. Douglas Daye Farms.

Chairman Foster questioned the goal of using the easements. Ms. Korest replied that the easements would be used to prevent the properties from being subdivided and used for other purposes, to achieve watershed protection and ensure additional farmland for future generations. Chairman Foster inquired if the requested funds would be a recurring cost, to which Ms. Korest replied in the negative.

Lowell Siler, County Attorney provided additional information to the Board regarding the type of easement in question and its intended use.

Commissioner Reckhow moved, seconded by Vice-Chair Howerton, to approve the following consent agenda items (11c, l and r):

- c. Approve the attached, revised assistance policy for the 2013 round Single Family Rehabilitation (SFR) Grant from the North Carolina Housing Finance Agency (NCHFA);
- l. Authorize the execution of the elevator services contract with Otis Elevator Company for the remainder of fiscal year FY 2013/2014 in the amount of \$51,700.00 and authorize the Manager to execute annual extensions up to \$90,000 or until the Gen2 software is no longer proprietary;
- r. Approve the Cooperative Agreement between Durham County and Commodity Credit Corporation for the amount of \$250,200, and to authorize the County Manager to execute the Cooperative Agreement, as well as the corresponding conservation easements on the Daye and Tilley Farms.

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### **Closed Session**

Commissioner Reckhow moved, seconded by Commissioner Jacobs, to adjourn into closed session pursuant to G. S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body.

The motion carried unanimously.

### **Reconvene to Open Session**

Chairman Foster announced that the Board met in closed session. Direction was provided to staff.

Commissioner Page moved, seconded by Vice Chair Howerton, to authorize the County Attorney to enter a contract for \$55,000 with an expert witness to assist Durham County with the Health and Human Services Complex construction project.

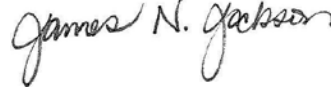
The motion carried unanimously.

**Adjournment**

Vice-Chair Howerton moved, seconded by Commissioner Jacobs, to adjourn the regular session meeting.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in cursive script that reads "James N. Jackson".

James N. Jackson  
Deputy Clerk to the Board