

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

Monday, April 14, 2014

2:00 P.M. Regular Session

MINUTES

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

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

Absent: Commissioner Wendy Jacobs

Presider: Chairman Michael D. Page

Opening of Regular Session—Chairman Page asked everyone to join in the Pledge of Allegiance.

Swearing in Ceremony of County Manager Wendell Davis

The Honorable Brian C. Wilks, District Court Judge of the 14th Judicial District, administered the following Oath of Office to the newly appointed County Manager:

NORTH CAROLINA
DURHAM COUNTY

OATH

COUNTY MANAGER
DURHAM, NORTH CAROLINA

I, WENDELL M. DAVIS, do solemnly and sincerely swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, WENDELL M. DAVIS, do swear that I will well and truly execute the duties of the office of County Manager according to the best of my skill and ability, according to law; so help me, God.

Subscribed and sworn before me
this 14th day of April, 2014.

/s/ Brian C. Wilks

/s/ Wendell M. Davis
WENDELL M. DAVIS
COUNTY MANAGER

The Honorable Brian C. Wilks
Durham County Judge – District 14

County Manager Davis made brief remarks reflecting on the occasion.

The Board congratulated County Manager Davis on his appointment and reaffirmed their pledge to collectively work with him during his tenure.

Agenda Adjustments

There were no adjustments to the agenda.

Announcements

Chairman Page made the following announcements:

- "In Touch with Durham County," the Durham County Television show, airs daily on Cable TV Channel 8 or 97-5 at 10 a.m., 3:30 p.m. and 6:30 p.m. 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@concd.gov for more information. Please note that all City and County taxes must be current at the time of application.
- "Living Healthy," the Durham Diabetes Coalition Television show, airs daily on Cable TV Channel 8 or 97-5 at 7 p.m. Each episode features Durham County resources and residents successfully living with diabetes. This is also an initiative that supports Durham County's strategic goal Health and Well-being for All.
- As Chair of the Board of County Commissioners, I will begin office hours for citizens on Wednesday, January 15th from 2:00 pm to 5:00 pm. Appointments can be made by calling me at 919-949-4022.

Commissioner Reckhow highlighted programs at various Durham County Library branches for the months of April, May and June 2014. She invited citizens to obtain further information about the programs by visiting any library location in-person or via the Durham County Library website. Commissioner Reckhow emphasized that there were many free educational and cultural enriching activities for people of all ages.

Chairman Page acknowledged the presence of Ernie Mills, Member, Governor's Taskforce on Homelessness.

Minutes

Vice-Chair Howerton moved, seconded by Commissioner Reckhow, to approve as submitted the March 24, 2014 Regular Session Minutes of the Board.

The motion carried unanimously.

Proclamation - April 2014 as National County Government Month

Commissioner Page read the following proclamation into record:

NATIONAL COUNTY GOVERNMENT MONTH | 2014

WHEREAS, National County Government Month is recognized by thousands of counties across America each April; and

WHEREAS, the theme for the April 2014 National County Government Month celebration is “*Ready and Resilient Counties: Prepare. Respond. Thrive*”; and

WHEREAS, the nation’s 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe, vibrant and economically resilient communities; and

WHEREAS, counties build infrastructure, maintain roads and bridges, provide healthcare, administer justice, keep communities safe, run elections, manage solid waste, keep records and much more; and

WHEREAS, Durham County Government and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

WHEREAS, in order to remain healthy, vibrant, safe and economically competitive, America’s counties must be able to anticipate and adapt to all types of change; and

WHEREAS, through National Association of Counties (NACo) President Linda Langston’s Resilient Counties initiative, NACo is encouraging counties to focus on how they prepare and respond to natural disasters and emergencies or any situation that the counties may face, such as economic recovery or public health and safety challenges; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve; and

WHEREAS, Durham County will host several activities for the public to recognize the month-long celebration including welcoming Wendell M. Davis as the new County Manager on April 14, 2014;

NOW, THEREFORE, I, Michael D. Page, Chairman of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim April 2014 as

“NATIONAL COUNTY GOVERNMENT MONTH”

in Durham County, North Carolina and hereby encourage all citizens, county officials, employees, schools and visitors to participate in Durham County Government’s celebration activities.

This the 14th day of April, 2014.

/s/ Michael D. Page

Michael D. Page, Chairman
Durham Board of County Commissioners

Ms. Dawn Dudley, Senior Public Information, thanked the Board for issuing a proclamation in recognition of National County Government Month. Ms. Dudley discussed several of the events planned for citizens and staff. Of which, Ms. Dudley highlighted the *SKYWARN* severe weather training held by the Durham County Emergency Management Department on April 12 at North Regional Library. She also announced the second live #AskDCo Twitter chat on April 23, which will be focused on the 2014 National County Government Month theme *Ready and Resilient Counties: Prepare. Respond.*

With regard to the National County Government Month theme, Commissioner Reckhow noted the ability of citizens sign-up through Durham 911 to receive text messages alerting them to severe weather and other area emergencies. She recounted a recent text message that she received regarding a severe storm, which kept her safe at home.

Proclamation - Child Abuse Prevention

Commissioner Page read the following proclamation into record:

CHILD ABUSE PREVENTION MONTH | 2014

WHEREAS, children are vital to our state's success, prosperity, and quality of life, and whereas children are our most valuable assets; and

WHEREAS, preventing child abuse and neglect is a community problem affecting both the current and the future quality of life of a community; and

WHEREAS, finding solutions to adverse reactions for children decreases the likelihood of substance abuse, heart disease, obesity, and future child maltreatment; and

WHEREAS, in Durham County 3,483 children were referred for child abuse, neglect, and dependency in FY2013, and 187 of these cases were cases substantiated for abuse in Durham County alone; and

WHEREAS, the estimated annual cost of child abuse and neglect for North Carolina is \$2,057,467,000; and

WHEREAS, female children in Durham County, North Carolina from ages 0-6 suffer abuse more than any other age group; and

WHEREAS, child abuse and neglect can be prevented by making sure every family and caregiver have the support they need to raise their children in a healthy environment; and

WHEREAS, the majority of child abuse and neglect cases stem from situations and conditions that are preventable with the help of an engaged and supportive community including citizens, healthcare providers, civic organizations, law enforcement and the business community employing effective child abuse prevention strategies;

NOW, THEREFORE, I, Michael D. Page, Chairman of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim April 2014 as

“CHILD ABUSE PREVENTION MONTH”

in Durham County, North Carolina and call upon all citizens, community agencies, faith based groups and medical facilities to recognize the 2014 National Child Abuse Theme of “*Look, Listen, Respond,*” and join with the Department of Social Services to increase efforts to prevent child maltreatment and strengthen the communities in which we live.

This the 14th day of April, 2014.

/s/ Michael D. Page
Michael D. Page, Chairman
Durham Board of County Commissioners

Mr. Michael Becketts, Department of Social Services Director, thanked the Board for issuing a proclamation in recognition of Child Abuse Prevention Month. Mr. Becketts stated that the child abuse prevention was not only the job of the Department of Social Services, but a community effort. He then introduced Ms. Jovetta Whitfield, Assistant Director-Family, Safety and Permanency, Ms. Ann Granby, Program Manager-Child Protective Services and Ms. Laura Wagenknecht, Executive Director, Exchange Family Center.

The Board commented on the proclamation and the need of the Durham community to utilize all available resources eradicate child abuse and neglect.

Consent Agenda

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

Regarding agenda item “k,” Vice-Chair Howerton noted that the meeting time within the attached resolution should be corrected from to read “2:00 p.m.”

Vice-Chair Howerton moved, seconded by Commissioner Reckhow, to approve the following consent agenda items (8a, b, c, d, e, f, g, h, i, j, k, l, m and n):

- a. Petition NCDOT to remove Chanticleer Drive (SR 2214), Buxbury Lane (SR 2213), and Hatteras Drive (SR 2213) from the Secondary Road Maintenance System;
- b. Approve the Option to Purchase with Integral Development LLC and authorize the County Manager to execute Option to Purchase for the James A. Whitted School property;
- c. Authorize the Manager to sign the first amendment to the agreement for ambulance coverage in Parkwood EMS district;
- *d. Accept the property tax release and refund report for January 2014 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;

- *e. Accept the property tax release and refund report for February 2014 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- *f. Accept the property tax release and refund report for March 2014 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- g. Allow the library to waive the annual out-of-county library card fee for employees of Durham County Government, as a benefit of employment with the County;
- h. Accept title to the contributed assets and authorize the County Manager to execute the Vehicle Lease Agreement with Parkwood Volunteer Fire Department;
- i. Adopt the resolution in support of providing affordable housing within a half mile of transit stations;
- j. Authorize the County Manager the authority to execute the Interlocal Agreement between the County of Durham and the City of Durham regarding the ICMA Fellowship position.
- k. Approve the attached Resolution to issue up to \$52 million in GO's to pay this facility out and to continue with the remaining approved bond projects which were extended by the LGC until 2017;
- *l. Approve Budget Ordinance Amendment No. 14BCC000048 to recognize funds in the amount of \$17,361 from the NC Department of Health and Human Services Division of Public Health to establish a local site within the statewide safe spaces network for carrying out the programmatic, logistical and administrative functions of the Safe Spaces group intervention via contract with Triangle Empowerment, Inc;
- *m. Approve Budget Ordinance Amendment No. 14BCC000049 appropriating Special Revenue Funds' fund balance totaling \$1,300 and recognizing additional tax revenue totaling \$8,950 for State costs associated with the billing, collection and distribution of motor vehicle taxes as part of the Tag and Tax Together Program;
- *n. Authorize the transfer \$475,000 of unused funds from the County's Debt Service Fund and appropriate them through Capital Project Amendment No. 14CPA000007, in the amount of \$475,000, in order to create a new capital project account for the Urban Ministries for H.O.P.E. Fire Sprinkler upgrades.

The motion carried unanimously.

*Document(s) related to this item follow:

Consent Agenda Item No. d.

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 January 2014.

Releases & Refunds for 2013 Taxes	
Real Property	\$ 18,592.36
Personal	\$ 47,509.80
Registered Vehicles	\$ 26,815.01
Vehicle Fees	<u>\$ 580.00</u>
Total for 2013 Taxes and Fees	\$ 93,497.17

Prior year's (2008-2012) releases and refunds for January 2014 are in the amount of \$6,753.11. The current year and prior year's releases and refunds amount to \$100,250.28.

Consent Agenda Item No. e.

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 February 2014.

Releases & Refunds for 2013 Taxes	
Personal	\$ 11,069.53
Registered Vehicles	\$ 118.53
Vehicle Fees	<u>\$ 45.00</u>
Total for 2013 Taxes and Fees	\$ 11,233.06

Prior year's (2008-2012) releases and refunds for February 2014 are in the amount of \$33,351.07. The current year and prior year's releases and refunds amount to \$44,584.13.

Consent Agenda Item No. f.

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 March, 2014.

Releases & Refunds for 2013 Taxes	
Real Property	\$ 1,149.94
Personal Property	\$ 23,536.64
Registered Vehicles	\$ 11,022.56
Vehicle Fees	<u>\$ 230.00</u>
Total for 2013 Taxes and Fees	\$ 35,939.14

Prior year's (2008-2012) releases and refunds for March 2014 are in the amount of \$13,940.96. The current year and prior year's releases and refunds amount to \$49,880.10.

Consent Agenda Item No. l.

DURHAM COUNTY, NORTH CAROLINA
FY 2013-14 Budget Ordinance
Amendment No. 14BCC000048

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	\$57,234,950	\$17,361	\$57,252,311

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$89,803,150	\$17,361	\$52,229,811

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

This the 14th day of April, 2014.

Consent Agenda Item No. m.

DURHAM COUNTY, NORTH CAROLINA
FY 2013-14 Budget Ordinance
Amendment No. 14BCC000049

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>SPECIAL REVENUE FUNDS</u>			
Taxes	\$7,089,266	\$8,950	\$7,098,216
Other Financing Sources	\$157,134	\$1,300	\$158,434

Expenditures:

<u>Function</u>			
<u>SPECIAL REVENUE FUNDS</u>			
Public Safety	\$3,832,549	\$10,150	\$3,842,699

Economic and Physical Development \$157,134 \$1,300 \$158,434

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

This the 14th day of April, 2014.

Consent Agenda Item No. n.

DURHAM COUNTY, NORTH CAROLINA
FY 2013-14 Capital Project Ordinance
Amendment No. 14CPA000007

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY 2013-14 Capital Project Ordinance is hereby amended to reflect budget adjustments for the following projects:

Project	Current Budget	Inc./Dec.	Revised Budget
Urban Ministries Fire Sprinkler Upgrade Project (4120DC099)	\$0	\$475,000	\$475,000

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

This the 14th day of April, 2014.

Closed Session

Commissioner Reckhow moved, seconded by Vice-Chair Howerton, to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

The motion carried unanimously.

Reconvene to Open Session

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


Adjournment

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

The motion carried unanimously.

The meeting adjourned at 3:30 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "James N. Jackson". The signature is written in a cursive style with a large, looping initial "J".

James N. Jackson
Deputy Clerk to the Board