

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

Monday, May 5, 2014

9:00 A.M. Worksession

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 Howerton and Commissioners Wendy Jacobs and Ellen Reckhow

Absent: Commissioner Fred Foster, Jr.

Presider: Chairman Michael D. Page

Citizen Comments

The Board of County Commissioners provided a 30-minute comment period to allow Durham County citizens an opportunity to speak. Citizens were requested to refrain from addressing issues related to personnel matters.

The Chair noted that no one signed up to speak.

**Lincoln Community Health Center (LCHC) & Duke University Health System (DUHS)
Collaboration on a Unified Electronic Health**

Chairman Page congratulated Katie Galbraith on her new leadership role as President of Duke Regional Hospital.

Marqueta Welton, Deputy County Manager, discussed the original request for \$1 million dollars to support the implementation of the EPIC software for Lincoln Community Health Center (LCHC). Ms. Welton stated that staff recommended the County provide \$500,000.00 which was half of the original request to help support the EPIC software upgrade. She added the timeline for the original plan was not expected to occur until January 2015; however, the DUHS implementation was so successful that a decision was made to bring LCHC on board sooner.

Ms. Welton addressed the Board's question regarding where the funds would come from to support this implementation. George Quick, Chief Financial Officer, recommended the funds be taken from the Community Health Trust fund. He stated there were more than \$7 million dollars available for unrestricted fund usage. Chairman Page asked for clarification on the amount being recommended. Mr. Quick responded he recommended a \$500,000.00 contribution.

Commissioner Reckhow stated when the Health Trust Fund was reviewed; she would like to know how much money the County had obligated for new expenditures to support annual commitments. Mr. Quick stated he would provide that documentation to the Board.

Ms. Welton responded to another question asked by the Board regarding how the Durham County Public Health Department would interface with the new EPIC system. She stated the Public Health Department would interface with Epic Care Elsewhere. The current vendor Patagonia Health spoke with a DUHS representative to discuss this interface.

Vice Chair Howerton asked if this would be a yearly expense. Ms. Welton responded this would not be an ongoing expense for Durham County. She stated DUHS would be responsible for updates and LCHC would be responsible for maintenance.

Wendell Davis, County Manager, inquired about the maintenance cost. Philip Harewood, CEO, LCHC stated the estimated yearly maintenance cost was \$250,000.00

Commissioner Jacobs asked how both DUHS and the County currently supported LCHC. Mr. Harewood responded LCHC's current budget was \$32 million dollars with one-third of that cost coming from DUHS. The building and land was leased from the County for \$1.00 per year but the value was not recorded on the financial statements for LCHC. Commissioner Reckhow added the County funded numerous capital improvement projects for LCHC.

Chairman Page asked Mr. Harewood what would happen if the County moved forward with the \$500,000.00 recommendation and how LCHC would proceed with locating the remaining funds. Mr. Harewood stated he would speak with the finance committee and DUHS to discuss other forms of financial support.

Commissioner Reckhow asked had there been any discussion with DUHS about accepting the \$500,000.00 proposed. Katie Galbraith, President of Duke Regional Hospital responded there had not been any discussion on the current dollar amount. She stated DUHS was very appreciative of the amount given and would discuss alternative sources of funding as well as potentially scaling down the services for LCHC without causing major impact.

Chairman Page asked what LCHC foresaw with DUHS in regards to the amount presented. Mr. Harewood stated if the \$500,000.00 was granted, a conversation would take place with DUHS to see if the system could be scaled down to provide LCHC with the necessary components. Chairman Page asked Mr. Harewood to keep the Board informed with the response from the meeting with DUHS.

Vice Chair Howerton moved, seconded by Commissioner Jacobs to suspend the rules to authorize this project.

The motion carried unanimously.

Commissioner Reckhow moved, seconded by Vice Chair Howerton to support the staff recommendation to authorize \$500,000.00 to support the implementation of DUHS EPIC electronic health record system.

The motion carried unanimously.

Chairman Page noted that Commissioner Foster was absent due to illness and asked for a motion to excuse him from this meeting.

Commissioner Reckhow moved, seconded by Commissioner Jacobs to excuse Commissioner Fred Foster, Jr.

The motion carried unanimously.

Chairman Page asked the Board if they should postpone or move forward with the Commissioners' Retreat scheduled for May 5, 2014 at 1:00 pm without Commissioner Foster's presence. All present Board members agreed to proceed with the Commissioners' Retreat as scheduled.

2013 Annual Report - Durham Alcoholic Beverage Control (ABC) Board

Wayland Burton, Chairman shared a presentation on the 2013 ABC Annual Report discussing the following:

- The Mission and Focus
- Community Outreach to John Avery Boys and Girls Club and the NCCU Alcohol and Other Drug Counseling Center
- Distribution of Grants and the Evaluation Process
- Law Regulations and ABC Fund Allocations
- Recommendations to the Board

Mr. Burton shared that the ABC Board recommended not outsourcing its law enforcement at this time.

Commissioner Reckhow inquired about the statutory requirement for law enforcement. Mr. Burton stated there was a minimum of 5% which varied among different counties. He also stated the ABC Board looked into contracting with the Sheriff's Office. Commissioner Jacobs asked how many employees the ABC Board had with its current budget. Mr. Burton responded the ABC Board currently had 2 FTEs.

Commissioner Jacobs inquired about the Responsible Alcoholic Liquor and Sales (RALS) training. Mr. Burton stated the training was conducted for those businesses that sold alcoholic beverages, including the Durham Bulls Athletic Park (DBAP). Barry Sessoms, ABC General Manager, stated the ABC Board also created a listserv to distribute pertinent information to businesses that sold alcoholic beverages. Commissioner Jacobs asked how actively the ABC Board was working the local law enforcement. Mr. Burton responded the ABC Board worked closely with all local law enforcement, especially during the peak times of the year.

Vice Chair Howerton asked how the City-County percentages were decided; and how did the ABC Board manage the convenience stores within the community. Mr. Burton responded the State ABC provided the beer and wine license to all convenience stores; the Durham ABC Board was not involved. Mr. Sessoms stated there was a statute that discussed the proximity of convenience stores with alcoholic beverage sales to schools and other buildings, but the Durham ABC Board had no influence on the opening of convenience stores that

desired to sell those beverages. Mr. Burton stated the 90/10 distribution was developed through an amendment that was agreed upon several years prior. Attorney George Miller Jr., ABC Board attorney added different counties had different percentages and it was based on the County and the Legislature.

Commissioner Reckhow congratulated the ABC Board on the increase of their financial situation. Commissioner Reckhow mentioned a concern on page two of the ABC State of the Business Report which stated "*County ABC Board unanimously voted to add 25% annually to the statutory amount distributed to the County and to distribute those surplus funds to the Count's General Fund quarterly.*" She stated it was a concern because that would bring the amount down from where it currently was. Mr. Burton responded that the statutory amount allocated in FY13 was increased by \$815,000.00 which brought the total up to \$1.5 million dollars. He added the ABC Board voted to maintain that increase. Commissioner Reckhow thanked Mr. Burton for the clarification and stated she would hope to maintain the dollar amount.

Memorial Stadium Authority Annual Report

Tommy Hunt, Chairman of the Durham County Memorial Stadium shared the Comprehensive Annual Report which outlined the following:

- Department Profile
- FY 2012-2013 Accomplishments
- Changes/Initiatives
- Finance and Organizational Structure
- Revenue and Expenditures

Mr. Hunt stated the Stadium Authority was in a bad place with the lack of rental fees and overall usage. He explained if rental rates were high, there would be fewer rentals and if rental rates were low it would affect the revenue.

Commissioner Reckhow mentioned the projected deficit was down and asked how the Stadium Authority was tracking the projection. Motiryo Keambiroiro, Director of General Services responded financially for 2013-2014, the Authority had expended \$133,000.00 in expenses and collected \$91,000.00 in funds. They projected \$161,000.00, but did not think it would be met. She stated that crowd control and the decision of the Board to no longer collect attending fees impacted the projection. Commissioner Reckhow asked if there was any interest in holding summer youth camps at the Stadium. Reco Chavis, Stadium Manager responded there was a request from the YMCA, but they needed both an indoor and outdoor facility in the event of inclement weather.

Vice Chair Howerton asked what was the plan to handle the deficit. Ms. Keambiroiro responded the deficit was supported by the General Services operating budget and the staff provided was from the Grounds Division. Vice Chair Howerton asked if that would continue into FY14-15. Ms. Keambiroiro responded most likely, it would.

Commissioner Jacobs commented that a two-sided sign would be constructed at the corners of Stadium Drive and Duke Street to help market the area. She also mentioned that additional space for concessions was added to help generate more revenue as well as the use

of temporary labor in the place of General Services to help reduce overtime cost. Commissioner Jacobs added the Triangle Sports Commission had recently submitted three bids for Pre-Olympic Trials in the upcoming years to take place at the Stadium.

Ms. Keambiroiro invited the Board to the dedication memorial for Becky Heron on May 6, 2014 at 12:15 pm.

2013 Annual Report - Durham Bicycle and Pedestrian Advisory Commission

Erik Landfried, Chair, Bicycle and Pedestrian Advisory Commission (BPAC) shared a presentation on the following:

- Overview and Membership
- 2013 Neighborhood Survey
- Major Goals for 2014
- Summary

Chairman Page mentioned the lack of cyclists in certain parts of Durham. He suggested that BPAC look at promoting bicycle riding as a healthy lifestyle to help encourage more activity.

Commissioner Jacobs suggested that BPAC partner with other organizations such as Durham CAN and El Centro to spread the word regarding the surveys. She also mentioned that the North Carolina Department of Transportation (NCDOT) reduced bike and pedestrian funding so the BPAC should consider funding from other sources. Commissioner Jacobs inquired about the new neighborhood compass and asked for an update on the bike and pedestrian access with the East End Connector. Mr. Landfried responded that the BPAC was adding cyclist crash data and he had not received an update from NCDOT regarding bike and pedestrian access.

Classification and Compensation Study for Durham County

Jeff Ling, Executive Vice President for Evergreen Solutions shared a presentation highlighting the eight recommendations from the Comprehensive Classification and Comprehensive Study.

Chairman Page mentioned how happy he was to see the area for potential career growth. He highlighted the Leadership Academy Program which was beneficial for employees looking to move up within the County. Chairman Page asked for clarification on the 25% parity. Mr. Ling responded 60% of an increase would be received in year two and 40% increase in year three.

Commissioner Reckhow asked what was covered in year one, two and three. Mr. Ling reviewed the “*Core Recommendation (2)*” slide which discussed the phased implementation approach.

Chairman Page asked Mr. Ling to clarify Recommendation(s) 6 “*Review the salary structure each year to determine if adjustments are needed*” and 7 “*Conduct a comprehensive classification and compensation study every three to five years*” stating they seemed to coincide. He also asked if the study would be necessary every three to five years. Mr. Ling

responded Recommendation 6 was needed to make annual adjustments while Recommendation 7 is needed to determine how dramatic the jobs would change and if the proper advertisements were being made. Cora Wilson, Human Resources Director stated the Human Resources department were currently doing Recommendation 6 themselves. Chairman Page stated if they Board embarked on this, he would hope action would be taken because this was a priority.

Vice Chair Howerton asked if the pay for performance had been implemented before. Tony Noel, Compensation and HRIS Manager responded 3.25 or 4.25% were the current percentages awarded to employees based on their evaluation. Vice Chair Howerton asked how would this recommendation be different from what the County currently utilized. Mr. Ling stated there would be a graduated scale with more variation. Vice Chair Howerton asked how would one level be distinguished from the other. Mr. Ling responded there would be specific criteria recognizable by the supervisor and employee such as tasks, goals and accomplishments. Vice Chair Howerton asked what would happen if a new Board came in and decided they did not like the changes being made. Ms. Wilson added the approach presented was attractive and the base structure could withstand the time. She stated it was not a drastic change from what the County was currently using.

Commissioner Jacobs stated the organization should be committed to the entire package, not just the compensation piece. She mentioned the package included changing job descriptions, evaluations and career ladders and asked if the organization was ready for that change. Ms. Wilson responded the department heads had given their support and focus group meetings were conducted which showed this would benefit employees. Commissioner Jacobs asked how this would be paid for. County Manager Davis a recommendation would be brought to the Board to discuss how to handle the cost for next year.

Commissioner Reckhow stated she supported the recommendation but found funding to be a concern for years two and three. She mentioned the approach Triangle Transit Authority (TTA) offered which was a range between 2-4% and asked Ms. Wilson to possibly visit that approach. Commissioner Reckhow stated if employees were at the rate they should be, then the County could reward them for going above and beyond.

County Manager Davis stated this item would be brought back to the Board at the May 27, 2014 Regular Session Meeting.

2013 Evaluation and Assessment Report of the Durham Comprehensive Plan

Karla Rosenberg, Planner shared a presentation on the following:

- Purpose
- Forecasting Development Trends and Issues (Population Growth and Change, Residential Land Use)
- Planning for an Aging and Diverse Population
- Keeping up with the Creative Class, Energy, Information and Communication Technology and Real Estate
- Non-Residential Land Use Demand
- Rethinking Commercial, Office, Residential and Industrial Development

Commissioner Reckhow stated that the comprehensive plan directed a large fraction of County growth for housing. She continued to say that the focus should be on the need for more affordable housing near transit.

Commissioner Jacobs mentioned rates were increased for downtown space and she would like a find balance for diversity. She asked for a directive to evaluate the existing policies and programs that support green building and green energy usage also asking what recommendations that could be implemented.

Vice Chair Howerton questioned the amount of land for residential and industrial usage. Aaron Cain, Planning Supervisor responded there was land designated for industrial usage, unfortunately the land available would not meet the needs suited for industrial use. Vice Chair Howerton asked how would the County continue the momentum if we built out with no continued growth. She questioned if the millennial population would stay in Durham or leave the area. Mr. Cain stated within 10 years there would be plenty of land available; however there may not be enough within 25 years.

Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Revised Memorandum of Understanding

Mr. Aaron Cain, Planning Supervisor, Durham City-County Planning Department stated Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) approved a revised Memorandum of Understanding and asked the Board if there were questions regarding the revisions. Mr. Cain noted three primary revisions:

- Clarifying that Triangle Transit is a party to the MPO
- Changing a definition of a quorum for the MPO Board
- Triangle Transit may contribute funding to the MPO

Mr. Cain stated the item would be brought to the Board as a Consent Item at the May 27, 2014 Regular Session Meeting.

American Campus, LLC (South Parking Deck)

George Quick, Chief Financial Officer stated the Board would receive an additional \$100,000.00 per year as a result of the lease as well as reduce some requirements for maintenance. He added the rate continued to increase each year and once the 20 year period had expired, it would be reviewed and determined if an additional increase would be needed.

Commissioner Reckhow discussed the price increase of event parking and inquired about the amount the County gained per event. Mr. Quick responded he did not have the exact number but noted in FY13 \$431,614.00 was earned. Commissioner Reckhow inquired about the existing lease and requested more information on this item prior to the Regular Session Meeting on Monday, May 12, 2014. Mr. Quick stated the lease was originally entered in 2003 with the loan maturing in 2018.

Wendell Davis, County Manager stated this item would be placed on the Regular Session Agenda as a Consent Item.

Mr. Quick notified the Board that Standard and Poor (S&P) and Moody's both confirmed Durham County's triple A (AAA) rating.

Review of BOCC Directives

Ms. Dionne Hines, County Intern presented the Board Directives for the months of February, March and April of 2014.

Commissioner Jacobs inquired about the Fast Food Workers' Resolution that was requested in September 2013. Deborah Craig-Ray, Assistant County Manager responded that the document was written, however, the Fast Food Workers representative could not be contacted. Commissioner Reckhow commented that she would not be able to support the resolution requesting \$15.00 for fast food workers.

Vice Chair Howerton stated that Lee County had put together a Youth Council and asked Ms. Craig-Ray to research information for the Board to consider. She asked if the information was available. Ms. Craig-Ray responded that Ms. Hines had researched the information, however; she would like to review it before forwarding it to the Board.

Closed Session

The Board was requested to adjourn to Closed Session pursuant to the following:

The Board is requested 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.

Commissioner Reckhow moved, seconded by Vice Chair Howerton that the Board moved into Closed Session pursuant the aforementioned Statues.

The motion carried unanimously.

Reconvene from Closed Session

Chairman Page reconvened the meeting. He announced that the Board met in Closed Session and directions were given to staff.

Adjournment

Commissioner Reckhow moved, seconded by Vice Chair Howerton that the meeting be adjourned.

The motion carried unanimously.

Respectfully Submitted,

Monica W. Toomer

Administrative Assistant II