



# Durham County

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

## Meeting Agenda Board of County Commissioners

*Michael D. Page, Chair*  
*Brenda A. Howerton, Vice Chair*  
*Fred Foster, Jr., Commissioner*  
*Wendy Jacobs, Commissioner*  
*Ellen W. Reckhow, Commissioner*

---

Monday, November 9, 2015

7:00 PM

Commissioners' Chambers

---

### "Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

### 7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

[15-706](#) Announcements

4. Minutes (5 min)

[15-710](#) Minutes

Attachments: [Regular Session - Oct 12, 2015](#)

5. Ceremonial Items

[15-732](#) Introduction of Jim Groves as Fire Marshal and Emergency Management Director

Agenda Text: The Board is requested to acknowledge the hire of Mr. Jim Groves as the new Fire Marshal and Emergency Management Director for Durham County.

Mr. Groves' hiring was announced on October 5th, 2015, and he started work on October 26th, succeeding Jeff Batten, who retired in April 2015. Groves, who has well over 2,500 hours of professional development training, brings to Durham County more than 30 years of fire and emergency management experience. Most recently, Mr. Groves has been employed as the Emergency Services Director in Orange County, North Carolina. In addition to his recent work there, Mr. Groves' professional experience in the area of emergency services, emergency management and homeland security includes 10 years at Parkwood Volunteer Fire Department, 10 years with Emergency Management in Durham, three years as Emergency Services Director in Lee County, and seven years as a consultant working with the *Federal Emergency Management Agency (FEMA)*. In addition to holding standard certifications, Mr. Groves is a Certified Emergency Manager, an Executive Level Emergency Manager, and an emergency management instructor in many areas of emergency Management.

Groves holds a Masters of Arts in Emergency and Disaster Management from American Military University and Bachelor of Science in Emergency and Disaster Management from Western Carolina University. He is also a graduate of Durham Technical Community College where he received an Associate of Applied Science in Environment Health and Safety Technology.

**Alignment With Strategic Plan:** Having a talented, experienced fire marshal and emergency management director strongly supports Goals 3 (safe and secure community) and 4 (health and well-being) of the County's strategic plan.

**Resource Persons:** Wendell Davis, County Manager; Drew Cummings, Interim Deputy County Manager

**County Manager's Recommendation:** The County Manager recommends that the Board to acknowledge the hire of Mr. Jim Groves as the new Fire Marshal and Emergency Management Director for Durham County.

## **15-720**

### **Resolution - Veterans Day 2015**

**Agenda Text:**

The Board is requested to pay tribute to our Veterans and read a resolution acknowledging Veterans Day on November 11.

The United States Congress passed a concurrent resolution on June 4, 1926 calling for the observance of November 11 with appropriate ceremonies. On May 13, 1938, an act, made the 11th of November in each year a legal holiday known as Armistice Day.

In 1954, the 83rd Congress amended the Act of 1938 to replace the word "Armistice" with the word "Veterans." Once this legislation was approved, November 11 became known as Veterans Day, a day to honor American veterans of all wars. President Eisenhower issued the first Veterans Day Proclamation on October 8, 1954.

On November 11, 2015, the Veterans Services Office will host an event from

11:00 am -1:00 pm to honor our veterans. The program will be held on the 2nd floor of the Human Services Complex, 414 E. Main Street. The public is invited to attend.

**Alignment with Strategic Plan:** Recognizing and assisting our veterans will impact all five of our strategic goals.

**Resource Persons:** Michael D. Page, Chair, Board of County Commissioners

**County Manager's Recommendation:** The County Manager recommends that the Board read the resolution in honor of Veterans Day and present it to Lois Harvin-Ravin, Veteran Services Director.

**Attachments:** [Resolution--Veterans Day 2015](#)

### **15-728 Resolution - Honoring Veteran Samie Anderson**

**Agenda Text:** The Board is requested to read and present a resolution honoring veteran Samie Anderson.

Samie Anderson, the oldest living WWII veteran in Durham, NC, passed on Wednesday, October 14, 2015 at the age of 107. Samie was enlisted February, 1941, at Fort Huachuca Arizona as an Army Specialty Cook. He served in Luzon, Philippines, and was honorably discharged from military service of The United States of America in 1945. He was a testimony of honest and faithful service to this country.

**Alignment with Strategic Plan:** (brief statement and relevant goal)

**Resource Persons:** Chairman Michael D. Page and Lois Harvin-Ravin, Director of Durham County Veteran Services

**County Manager's Recommendation:** The County Manager recommends that the Board read and present the resolution honoring veteran Samie Anderson.

**Attachments:** Resolution - Veteran Samie Anderson

### **15-736 Proclamation - National Hospice Care Month**

**Agenda Text:** The Board is requested to proclaim November as National Hospice Palliative Care Month in Durham County and encourage citizens to increase their understanding and awareness of care at the end of life and to observe this month with appropriate activities and programs.

Hospice and Palliative Care providers bring patients and family caregivers the highest quality care delivered by an interdisciplinary team of skilled professionals. This kind of care allows persons with terminal conditions to live as fully and comfortably as possible while bringing much support and respite to family and loved ones. Durham County is fortunate to have a network of six Hospice provider organizations available for our citizens and we take this month to recognize and celebrate their services in our community.

**Alignment with Strategic Plan:** Goal 2 - Improve the quality of life through preventive, behavioral and physical care services

**Resource Persons:** Michael D. Page, Chair, Board of County Commissioners; John Thoma, CEO, Transitions LifeCare

**County Manager's Recommendation:** The County Manager recommends that the Board proclaim November as National Hospice Palliative Care Month and present a proclamation to representatives of Transitions LifeCare.

**Attachments:** [Proclamation - National Hospice Month 2015](#)

### **15-742 Proclamation - National Adoption Awareness Month**

**Agenda Text:** The Board is requested to approve a Proclamation declaring November as Adoption awareness Month in Durham County. Each year National Adoption Month is celebrated in November to raise awareness of the need for adoptive homes for children in foster care. DSS is requesting that the Commissioners issue a proclamation recognizing the importance of adoption as a path to permanency for children in foster care in our community.

See attached proclamation.

**Alignment with Strategic Plan:** This recognition is in line with goals 2 and 3: Health and Well-being for All and Safe and Secure Community.

**Resource Persons:** Jovetta L. Whitfield, DSS Assistant Director; Sharyn Flood, Program Manager and Janice Williams, Adoption Supervisor

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Proclamation declaring November Adoption Awareness Month in Durham County.

**Attachments:** [Proclamation - National Adoption Awareness Month 2015](#)

## **6. Consent Agenda (15 min)**

### **15-729 Sheriff's Office - Budget Ordinance Amendment No. 16BCCC000021 to Recognize and Appropriate Revenue from the Bureau of Justice Assistance (BJA) in the Amount of \$58,285 to Support Detention Center Overtime Staffing Needs**

**Agenda Text:** The Board is requested to authorize acceptance of the 2015 State Criminal Assistance Program (SCAAP) award and amend the Detention Center operating budget to allocate the funding in the amount of \$58,285.

The Durham County Sheriff's Office, assisted by Robert S. Segal, CPA PA., applied for reimbursement of incurred correctional officer salary costs through SCAAP, which is administered by the Bureau of Justice Assistance (BJA). SCAAP provides federal payments to states and localities that incurred salary costs for incarcerating undocumented criminal aliens who have at least one

felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the reporting period. The Bureau of Justice Assistance has announced that Durham County is eligible for payment in the amount of \$58,285. These funds will be allocated to cover staff overtime at the Detention Center. Based on the terms of the contract, Robert S. Segal, CPA PA., is to be paid seventeen percent (17%) of the eligible award amount for compiling Detention Center population data. Therefore, a payment of \$9,908.45 will be made to Robert S. Segal, CPA PA. This payment will be made from previously budgeted funds.

**Alignment with Strategic Plan:** The funds will be used to cover overtime needs for Detention Center staffing which is consistent with **Goal 3** of the strategic plan.

**Resource Persons:** Kim Franklin, Sheriff's Finance Manager

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the Sheriff's Office to accept the award in the amount of \$58,285 from the Bureau of Justice Assistance and approve Budget Ordinance Amendment No. 16BCC00021 amending the Sheriff's Budget as requested to support overtime staffing costs within the Detention Center.

**Attachments:** [AAF-21 Legal Form Sheriff to Recognize BJA \(SCAAP\) Funds for Detention Ce](#)

**15-733**

**Budget Ordinance Amendment No. 16BCC00022 to Recognize Funds in the Amount of \$127,500 from the Medicaid and Medicare Electronic Health Record (EHR) Meaningful Use Incentive Program**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 16BCC00022 to recognize \$127,500 from the Medicaid and Medicare Electronic Health Record (EHR) Meaningful Use Incentive Program for upgrading technology and related training.

The American Recovery and Reinvestment Act of 2009 authorizes the Centers for Medicare & Medicaid Services to provide incentive payments for implementing and demonstrating meaningful use of certified EHR technology. After implementing our EHR system called Patagonia, the Department of Public Health was able to certify and attest in FY2016 to qualify for program incentives. Upgrading and enhancing technology will lead to improved overall health outcomes for Durham County.

The Board of Health has approved this amendment.

**Alignment with Strategic Plan:** This aligns with Strategic Goal 2: Health and Well-being for All. Meaningful use of certified electronic health record technology will result in better clinical outcomes, improved quality, safety, efficiency and reduced health disparities.

**Resource Persons:** Gayle B. Harris, MPH, Public Health Director

**County Manager's Recommendation:** The County Manager recommends that

the Board approve Budget Ordinance Amendment No. 16BCC000022 to recognize \$127,500 from the Medicaid and Medicare Electronic Health Record (EHR) Meaningful Use Incentive Program for upgrading technology and related training.

**Attachments:** [AAF-22 Public Health Medicaid and Medicare Meaningful Use Incentive Progr](#)

**15-738**

**Capital Project Amendment No. 16CPA000006 - Creation of Lincoln Community Health Center - Phase II Renovation Project (4730DC139), Appropriation of \$1,000,000 of Department of Health and Human Services Grant Funds to the Capital Project, and Execution of Contract for Architectural Design Services with Swanson + Stewart Architects for the LCHC Phase II Renovation**

**Agenda Text:**

The Board is requested to approve Capital Project Amendment No. 16CPA000006 appropriating \$1,000,000 of federally awarded grant funds to create a new capital project for the Lincoln Community Health Center Phase II Renovation (See Attachment 1, page 1) and to authorize the County Manager to execute a contract with Swanson + Stewart Architects (SSA) to provide architectural services for the Phase II renovation of the Lincoln Community Health Center, located at 1301 Fayetteville Street, Durham in the amount of \$123,900, for basic design services, additional design services and reimbursable expenses. (See Attachment 2, Pages 1-3). These awarded federal grant funds will be reimbursed to the County through draw down of the approved federal grant. General Fund dollars will fund purchases made before grant funds are available through an interfund loan of that amount and will be reimbursed/repaid once the grant funds become available. Per the language in the grant, LCHC has agreed to commit an additional \$375,891 to the project which will be incorporated into the project account at the time of construction contract award anticipated for October 2016.

The space planning evaluation was used by Lincoln Community Health Center in the stimulus funding grant application package to the Department of Health and Human Services - Health Resources and Services Administration (DHHS-HRSA) to secure funding for the Phase II Renovation in the amount of \$1,000,000. On September 30, 2015, HRSA awarded Grant No. C8DCS29088-01-00 the Lincoln Community Health Center (See Attachment 3, pages 1-9). The grant provides funds to reconfigure most of the lower level to provide new spaces for the WIC, HIMS, and Behavioral Health departments. Once completed, WIC & Behavioral Health will move down from the upper level. The old Behavioral health suite will be converted to an Integrated Care Clinic with (9) new exam rooms. Part of the former WIC area will be added to the Pharmacy, and the other part of the Dental Clinic. Other work includes renovation of toilet rooms on both floors for accessibility and new carpet and paint in the lower level administrative offices and large conference rooms. Other lower level renovation work would occur in the Call Center, Library area, and Conference Room D. The total area to be renovated is 18,924 square feet, which includes 5,000 square feet of paint and carpet only. The construction will need to be done in two phases, with the lower level work done first. The

building itself will remain occupied and functional during construction. Creation of this account is required to appropriate funding for the renovation which will be reimbursed to the County through draw down of the HRSA grant. Completion of this project will improve space usage, efficiency and increase the ability to serve more patients.

This project will be the third project completed by S+S Architects as they were selected in September 2007 for the EMS Area Backfill and future projects including the more recently completed Phase I Renovation at the LCHC facility. The services to be rendered under this contract include preparation of design drawings and specifications, conducting a pre-bid conference, bid evaluation, construction administration, inspection and project closeout. SSA is a WBE owned firm and proposes approximately 60% WBE participation for Architectural/Engineering Services on the project.

**Alignment with Strategic Plan:** This funding aligns with Strategic Goal 2: health and wellbeing for all, by supporting important health services providers such as Lincoln Community Health Center.

**Resource Persons:** Jay Gibson, P.E., County Engineer, Peri Manns, ASLA, Senior Project Manager, Brenda Hayes-Bright, Assoc. AIA, Project Manager, Keith Lane, Senior Budget Analyst and Leigh Stewart, AIA, LEED AP, Swanson + Stewart Architects

**County Manager's Recommendation:** The County Manager recommends the Board approve Capital Project Amendment No. 16CPA000006 appropriating \$1,000,000 in federally awarded grant funds to create a new Phase II Renovation capital project for the Lincoln Community Health Center and authorize the County Manager to execute a contract with Swanson + Stewart Architects (SSA) to provide architectural services for the Phase II Renovation in the amount of \$123,900 for basic design services, additional design services and reimbursable expenses. General Fund dollars will fund purchases made before grant funds are available through an interfund loan of that amount and will be reimbursed/repaid once the grant funds become available.

**Attachments:** [AAF - Backups for CPA 4730DC139 LCHC Phase II Renovation Project](#)

**15-740**

**Capital Project Amendment No. 16CPA000007 -Appropriation of County Contribution Funds (\$599,400) for a New Sheriff Technology Upgrade (4200DC105) Capital Project**

**Agenda Text:**

The Board is requested to appropriate County Contribution funds of \$599,400 to a new Sheriff Technology Upgrade capital project (4200DC105) as follows:

PROJECT	FY	2015 - 16	APPROPRIATION
REVISED PROJECT BUDGET			
16 Sheriff Technology Upgrade			
Project (4200DC105)		\$ 5 9 9 ,	4 0 0
\$599,400			

This project is the next iteration of four year upgrade and replacement cycles to support the information technology and telecommunications needs of the Durham County Sheriff's department. Normally bank loan funds are used to support these upgrade projects, but available local capital dollars will allow Durham County to begin this project with County Contribution funds, saving debt service payments for interest on any loans.

**Alignment With Strategic Plan:** Consistent funding support for ongoing capital projects meets the Strategic Plan Goal 5 "Accountable, Efficient, and Visionary Government" by enabling the County to provide the timely upgrades and capital purchases necessary to most efficiently meet infrastructure demands.

**Resource Persons:** Keith Lane, Senior Budget Analyst, Budget & Management Services.

**County Manager's Recommendation:** Approve Capital Project Amendment No. 16CPA000007 appropriating \$599,400 of County Contribution funds for a new Sheriff Technology Upgrade capital project.

**Sponsors:**

Lane

**Attachments:**

[CPA-07 Legal Form Appropriating County Contribution to a New Sheriff Techno](#)

**15-743**

**Award Contract for Third Party Administrator Claims Services**

**Agenda Text:**

The Board is requested to authorize the County Manager to execute a service contract with CorVel Enterprise Comp, Inc. to provide third party administrator services for workers' compensation claims for an amount not to exceed \$100,000 annually.

On August 12, 2015, a Request for Proposals (RFP No. 16-002) for Third Party Administrator Claims Services was advertised in the local newspaper and on the Durham County website under Bid Opportunities. A total of five (5) proposals were received and evaluated by a selection committee. Three firms were invited for interview by the selection committee on October 6th and 7th. The selection committee convened on October 13th for recommendation discussions. CorVel was deemed the best firm to provide services based on a number of criteria including claims administration and intake capabilities, cost control strategies and capabilities, risk management information system capabilities, and price.

Durham County established minority goals (7.20% African American and 3.55% Women-Owned) for the expenditure of funds with M/WBEs. However, the three firms interviewed (including CorVel) all indicated they would be utilizing their own workforce to provide these services.

**Alignment with The Strategic Plan:** This request relates to the following elements of the Durham County Strategic Plan: the effort aligns with Goal #5

(Accountable, Efficient, and Visionary Government).

**Resource Persons:** Lowell Siler, County Attorney; David English, Risk Manager

**County Manager's Recommendation:** The Manager recommends that the Board authorize the County Manager to enter into a service contract with CorVel Enterprise Comp, Inc. in an amount not to exceed \$100,000 annually. The initial term of the contract will be November 11, 2015 through November 11, 2016 with the option to renew by the County for seven (7) successful one-year periods.

**Attachments:** [RFP 16-002\\_Third Party Administrator Claims Services - 08.05.2015](#)  
[RFP 16-002\\_Third Party Administrator Claims Services\\_Legal Notice](#)

### **15-744**

#### **Board of County Commissioners' 2016 Meeting Schedule**

**Agenda Text:** The Board is requested to approve the proposed meeting schedule for 2016. As discussed, this year's schedule includes Budget Worksession dates.

**Alignment with Strategic Plan:** Goal 5 - Accountable, Efficient and Visionary Government

**Resource Persons:** V. Michelle Parker-Evans, County Clerk to the Board

**County Manager's Recommendation:** The County Manager recommends that the Board approve the proposed meeting schedule for 2016.

**Attachments:** [BOCC 2016 DRAFT MEETING CALENDAR](#)

## **7. Public Hearings**

### **15-747**

#### **Public Hearing to Consider Allocating Economic Development Investment Funds to Fidelity Investments**

**Agenda Text:** The Board is requested to hold a public hearing to consider allocating \$450,000.00 in economic development investment funds to Fidelity Investments (Fidelity). Fidelity is a financial services company that located in Research Triangle Park in the past decade. The company has been growing incrementally since its location in our community. Today the firm employs 3,200 employees at its Durham/RTP Campus/Regional Center.

The company is proposing to expand its Durham campus by adding 600 new workers by the end of 2018. The new jobs will primarily be technologists with a projected North Carolina-based average W-2 income exceeding \$100,000 per employee. These technical positions will work to support the company enterprise-wide. The company has 10 other regional centers located throughout the US and considered several other sites for this expansion, including Colorado, Florida and Utah. The company will also invest approximately \$22,000,000.00 in real and personal property to facilitate the expansion.

Good corporate citizenship has been one of the company's core values since it

was founded. The company is proud to have been named one of the Best Places to Work in 2015 by the Triangle Business Journal. In the same year, it won the TBJs' Diversity Award with its NC's site leader recognized among Triangle Women in Business. In 2015, the company tied for first place as an "Elevate Best Company for Employee Resource Groups," a distinction that recognizes the company's commitment to creating a work environment that fosters diversity, teamwork and collaboration. The company created a Women in Technology special interest group to help attract and retain more women in IT roles.

On October 27, 2015, the State of North Carolina through the Economic Development Partnership of North Carolina approved a \$15.5M Job Development Investment Grant (JDIG) as an incentive for the company to locate in North Carolina, along with \$1.14M for customized training. House Bill 117 requires that the local government participate in offered JDIG incentives in a manner appropriate to the project.

Staff is recommending that the county provide up to \$450,000 in economic development incentives. \$150,000 would be tied to the completion of the \$22 million capital investments. Fidelity could earn additional incentives of \$1,500 training reimbursements for each Durham resident hired in this proposed expansion, up to a maximum of \$300,000. Funds would be paid from the general fund and furnished over a five (5) year period through and economic development incentive fund performance contract.

This public hearing was advertised on October 30, 2015 as required by law.

**Alignment with Strategic Plan:** This project aligns with Goal 1: Community and Family Prosperity and Enrichment by supporting the retention of existing jobs and the creation of new jobs for a net job gain.

**Resource Persons:** Marqueta Welton, Deputy County Manager

**County Manager's Recommendation:** The County Manager recommends that the Board conduct the public hearing and, if appropriate, approve the proposed \$450,000.00 incentive for Fidelity Investments.

## 8. Regular Business

[15-748](#)

### **Approval of Public-Private Project Agreement with Harris Beverages, LLC**

**Agenda Text:**

The Board is requested to approve a Public-Private Project (PPP) Agreement negotiated with Harris Beverage, LLC in an amount of \$2,650,000.00 for the development of a new headquarters, warehouse and distribution facility on Junction Road. The County will significantly benefit from participation in the development of the project from increases to annual property taxes and the creation of new jobs.

Harris Beverage, LLC (Harris) is a family-owned beverage distribution company with facilities in Durham, Granville and Vance counties. The company plans to consolidate its operations into one location, either in Durham or Granville, by investing approximately \$13,000,000.00 to build a new headquarters and expand its warehouse and distribution operations. Granville County offered Harris an incentive to locate its new facilities there.

The Durham site is located in East Durham on Junction Road. The project entails a new facility with approximately 120,000 square feet of space and the creation of 39 new jobs over a seven year period. The new positions include sales, warehouse workers, forklift operators, drivers and administration. They will have an average wage of approximately \$30,000.00 with benefits, including health and life insurance, paid vacation and sick leave, educational assistance and an employer-matching 401(k) plan. The Harris facility will be a transformative project on Junction Road and will serve as the catalyst for creating an industrial park on adjacent property to attract other development in East Durham.

Harris has deep roots in Durham and has been a good corporate citizen supporting a number of local organizations and events. The new facility will include a community center with meeting space available free of charge to the community.

The Public-Private Partnership Agreement includes a County contribution of \$1,300,000.00 towards infrastructure costs and a \$1,350,000.00 loan for other development costs. The loan will be repaid over a six (6) year period. Without Durham County's participation in this project, Harris' project would not be done in Durham.

**Alignment with Strategic Plan:** This project aligns with Goal 1 of the County's strategic plan: Community and Family prosperity and Enrichment. This project supports the County's desire to create a viable industrial park in an underutilized area of the community. By contributing to the project's infrastructure, the County will help attract new business, create new jobs and increase the County's tax base.

**Resource Persons:** Marqueta Welton, Deputy County Manager; George Quick, Chief Finance Officer; Willie Darby, Assistant County Attorney.

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Public-Private Project (PPP) Agreement with Harris Beverage, LLC in an amount of \$2,650,000 for the development of new headquarters, warehouse and distribution facility on Junction Road.

**..Signature**

Attachments: [ED - HARRIS DURHAM COUNTY FINAL DRAFT 11 6 15.pdf](#)

## 9. ITEMS PULLED FROM CONSENT AGENDA (20 min)

## 10. Closed Session

### 15-746

### Closed Session

Agenda Text: 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.

Alignment with Strategic Plan: This discussion aligns with Goal 1: Community and Family Prosperity and Enrichment.

Resource Persons: Marqueta Welton, Deputy County Manager

County Manager's Recommendation: The County Manager recommends that the Board 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.

## 11. Adjournment