



# 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*

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Monday, December 14, 2015

7:00 PM

Commissioners' Chambers

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### "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)

#### 15-774

#### Announcements

##### Agenda Text:

- 1) The Board of County Commissioners will not meet in Regular Session on December 28th. The next meeting of the Board will be held on January 4, 2016 at 9:00 am.
- 2) Please contact the Clerk's Office at 919-560-0025 or [clerk@dconc.gov](mailto:clerk@dconc.gov) to find out about opportunities to serve on one of our volunteer boards or commissions.
- 3) We invite you to tune in to Cable TV Channel 8 or 97-5 to see rebroadcasts of tonight's meeting as well as other Durham County programming that may be of interest to you. Please contact the Public Information Office at 919-560-0008 or our website [www.dconc.gov](http://www.dconc.gov) for more information.

- 4) These announcements may also be found on the County's website or you may call the Clerk's Office at 919-560-0025.

#### 4. Minutes (5 min)

##### [15-775](#) Minutes

Attachments: [Regular Session - November 23, 2015](#)

#### 5. Ceremonial Items (30 min)

##### [15-783](#) Proclamation - Champions in Transportation Week

Agenda Text: The Board is requested to issue a Proclamation proclaiming the week of December 14, 2015 as "Champions in Transportation Week"-- an Initiative of Durham County ACCESS geared to raise awareness of the demand response service and to promote the often unrecognized heroes that make the trips possible, exceed the highest standards of service and recognize the true champions the customers and partners of Durham County. Activities planned during the week include: Durham County Transportation Advisory Board Meeting and Reception, greeting and thanking riders, ride along ACCESS van trips by TAB and staff members, recognition of "Champions" at the Board of County Commissioner's meeting, expanded outreach by ACCESS to partners and organizations, distribution of thank you notes to customers and enhanced marketing.

Durham County ACCESS is often the only link for many of Durham County residents to travel to their destination. In 2015, Durham County ACCESS will provide over 20,000 trips and as part of the coordinated system over 60,000 trips. Durham County ACCESS provides service to meet the mobility needs of the disabled, elderly, transportation disadvantaged, job related and medical needs of Durham County residents.

**Alignment with Strategic Plan:** Goal 1: Community & Family Prosperity and Enrichment.

**Resource Persons:** Linda Thomas, Transportation Program Manager, Durham County ACCESS. Delphine Sellars, Director, Durham County Cooperative Extension.

**County Manager's Recommendation:** The County Manager recommends that the Board issue a Proclamation to proclaim the week of December 14, 2015 as "Champions in Transportation Week."

Attachments: [Proclamation - Champions in Transportation Week](#)

##### [15-769](#) Recognition of Durham County Employee Alanna Jones and Durham County Employers for Their Commitment to Sustainable

## Transportation Choices

**Agenda Text:**

The Board is requested to recognize Durham County employee Alanna Jones and Durham County employers who were recently awarded “Golden Mode” awards from GoTriangle. The awardees were recognized for their commitment to reducing traffic and pollution through use of smart transportation modes such as taking the bus, carpooling, vanpooling, biking, and walking to work.

Durham County encourages smart commuting because it helps the community by reducing traffic, improving air quality, and encouraging a higher quality of life. People who take the bus, vanpool, carpool, bike or walk to work also have a more relaxing commute and show up at work ready to be productive.

Alanna Jones works in the Department of Social Services and has been riding the bus for the last eight months to make her 50 mile commute roundtrip more sustainable and less stressful. During her lengthy bus ride she gets a mental break to prepare herself for the day ahead or decompress from her busy day. Alanna also helps her co-workers to give transit and other smart commute options a try and even helps them get their GoPass bus passes.

Several Durham employers are also leading by example by making it easier for their employees to get to work with a smart commute choice.

- **Duke University** was recognized as the “Employer Commute Champion” for offering top-tier commuter benefits and facilities.
- **American Tobacco Campus** was recognized with “Employer Commute Honors” for showing the most growth in their smart commute program over the past year, including offering GoPasses to everyone who works at American Tobacco Campus regardless of their company affiliation.
- **Peter Tillman from the Durham Veterans Affairs Medical Center** received “Employee Transportation Coordinator Honors” for going above and beyond in helping employees find the right smart commute.
- **The East Coast Greenway Alliance** received “Community Impact Honors” for making a meaningful contribution to solving transportation challenges across the Triangle.

**Alignment with Strategic Plan:** This item aligns with Strategic Plan Goal 4 (Environmental Stewardship)

**Resource Persons:** Tobin L. Freid, Sustainability Manager; Jay Gibson, P.E., Director of Engineering & Environmental Services; Drew Cummings, Assistant County Manager

**County Manager’s Recommendation:** The County Manager recommends that the Board recognize the Golden Mode winners from Durham County.

**Attachments:** [2015 Golden Modes Durham winners](#)

**15-784**

**Resolution Recognizing the Exceptional Leadership of the North**

**Carolina Department of Transportation- Public Transportation Division**

**Agenda Text:** The Board is requested to adopt a Resolution recognizing the important contribution of leadership of the North Carolina Department of Transportation-Public Transportation Division Director, Debbie Collins and Mobility Specialist, Tamra Shaw.

**Alignment with Strategic Plan:** Goal 1: Family & Community Prosperity

**Resource Persons:** Linda Thomas, Transportation Program Manager Durham County ACCESS, Delphine Sellars, Director, Durham County Cooperative Extension

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Resolution recognizing the exceptional leadership of members of the North Carolina Department of Transportation - Public Transportation Division.

Debbie Collins, Director of NCDOT-PTD and Tamra Shaw, NCDOT-PTD Mobility Specialist will accept the Resolution and Award.

**Attachments:** [Resolution - NCDOT - Coop Extension](#)

**15-785****Resolution - Rougemont Ruritans for Exceptional Leadership, Support and Partnership with Durham County ACCESS- Demand Response Service Transportation**

**Agenda Text:** The Board is requested to approve a Resolution acknowledging the outstanding leadership, support and partnership of the Rougemont Ruritans in supporting the Durham County ACCESS Rural General Public Transportation Program.

**Alignment with Strategic Plan:** Goal 1, Community & Family Prosperity

**Resource Persons:** Linda Thomas, Transportation Program Manager, Durham County ACCESS. Delphine Sellars, Director, Durham County Cooperative Extension.

**County Manager's Recommendation:** The County Manager recommends that the Board approve a resolution recognizing the exceptional leadership, support and partnership of the Rougemont Ruritans in supporting Durham County ACCESS transportation.

Accepting the Resolution and award on behalf of the Rougemont Ruritans is Vice President John Burton Mininger.

**Attachments:** [Resolution - Rougemont Ruritans-Coop Extension](#)

**15-796****Resolution Durham County ACCESS Champion in Transportation - Passenger of the Year**

**Agenda Text:** The Board is requested to adopt a resolution recognizing Joshua Catlin, Durham County ACCESS rider as the Durham County ACCESS Champion in

Transportation - Passenger of the Year Award

**Alignment with Strategic Plan:** Goal 1: Family & Community Prosperity

**Resource Persons:** Linda Thomas, Transportation Program Manager, Durham County ACCESS and Delphine Sellars, Director, Durham County Cooperative Extension

**County Manager's Recommendation:** The County Manager recommends that the Board adopt the resolution recognizing Joshua Catlin as the Durham County ACCESS Champion in Transportation - Passenger of the Year.

**Attachments:** [Resolution - Joshua Catlin](#)

## 6. Consent Agenda (15 min)

### [15-749](#)

#### **Award of Sodium Aluminate Purchase Contract for the Triangle Wastewater Treatment Plant, IFB 16-007**

**Agenda Text:**

The Board is requested to authorize the County Manager to enter into a purchase contract with Brenntag Mid-South, Inc, for Sodium Aluminate in the amount of \$47,320 for the remainder of the 2016 fiscal year, and also authorize that this contract may be extended yearly in an amount to \$94,460 per year, for up to four (4) additional one-year periods in accordance with the terms and conditions of the original contract and subject to budget availability. Sodium aluminate provides chemical phosphorus removal that supplements the wastewater treatment plant's biological phosphorus removal process, helping enable the plant to meet or exceed permit requirements.

Durham County issued an Invitation for Bid (IFB 16-007) on October 2, 2015. IFB 16-007 was advertised in local newspapers and on the Durham County website. Additionally, the requirements were emailed to ten chemical vendors. Four bids were received on October 29, 2015. The bid tabulation is attached.

In review of the M/WBE participation goals, there were no participation goals achieved for this purchase; however, it is noted that Brenntag Mid-South, Inc.'s is a local vendor/facility, being located at 2000 E. Pettigrew Street, Durham, North Carolina.

**Alignment with Strategic Plan:** Sodium aluminate is necessary to ensure the Triangle Wastewater Treatment Plant meets its total phosphorus permit limit as specified in the facility's NPDES discharge permit. This action is in accordance with the Durham County Strategic Plan goal of Environmental Stewardship.

**Resource Persons:** Jay Gibson, PE, Engineering and Environmental Services Director; Joe Pearce, PE, Utility Division Manager

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to enter into a purchase contract with Brenntag Mid-South, Inc. for Sodium Aluminate in the amount of \$47,230 for the remainder of the 2016 fiscal year, and also authorize that this contract may be extended yearly in an amount to \$94,460 per year, for up to four (4)

additional one-year periods in accordance with the terms and conditions of the original contract and subject to budget availability.

**Attachments:** [IFB 16-007 Sodium Aluminate Purchase Bid Tabulation.pdf](#)

**15-757** **Write off of EMS Accounts Receivable Prior to November 1, 2005 in the amount of \$3,193,322.07**

**Agenda Text:** The Board is requested to approve the write off of EMS accounts receivable occurring on or prior to November 1, 2005 in the amount of \$3,193,322.07. North Carolina General Statute (NCGS) 44-51.4 classifies accounts receivable for EMS services as taxes and as such, not collectable after ten (10) years be written off. The last write off was approved on December 9, 2013 for all accounts prior to June 30, 2003.

Supporting documentation is not included because of protected information under HIPAA privacy rule.

**Alignment with Strategic Plan:** Aligns with Goal #2 (Health and Well-Being For All), Goal #3 (Secure Community), and Goal #5 (Accountable, Efficient, and Visionary Government).

**Resource Persons:** Chief Howard Kirkwood

**County Manager's Recommendation:** The County Manager recommends that the Board approve the request and authorize the Chief Financial Officer to remove the receivables from the County's financial records.

**15-758** **Budget Ordinance Amendment No. 16BCC000024 to Appropriate 170,000 of Committed Fund Balance for Public Health for Continuation of the Durham Diabetes Coalition Project**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 16BCC000024 to appropriate Committed Fund Balance for Public Health in the amount of \$170,000 for continuation of the Durham Diabetes Coalition.

In FY 2013 the Board approved 390,000 of Medicaid Cost Settlement funds to be placed in Committed Fund Balance for Public Health purposes (e.g. initiatives, programs, Etc.). The current balance of these funds are \$338,151.

Grant funds that have supported the Durham Diabetes Coalition project will be depleted by April of 2016. The funds requested will support ten staff positions in Public Health that implement clinical and population based services for diabetes awareness, prevention and management for Durham County residents from April 1 - June 30, 2016.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

**Alignment with Strategic Plan:** This funding aligns with Strategic Goal 2:

Health and wellbeing for all, objective 2, strengthen the well-being of individuals and families through prevention and education. Funds will support Durham Diabetes Coalition staff time on the project.

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

**County Manager's Recommendation:** The Board is requested to approve Budget Ordinance Amendment No. 16BCC000024 to appropriate Committed Fund Balance for Public Health in the amount of \$170,000 for continuation of the Durham Diabetes Coalition.

**Attachments:** [AAF-24 Legal Form Appropriate Fund Balance Committed for Public Health for I](#)

**15-771**

**Renewal of the Interlocal Agreement between Durham County and the City of Durham to Continue the Sustainability Office**

**Agenda Text:**

The Board is requested to renew the Interlocal Agreement with the City of Durham regarding the joint City-County Sustainability Office through June 30, 2020.

The Durham City-County Sustainability Office was authorized in September 2007 to oversee the implementation of the Durham Greenhouse Emissions Reduction Plan and other sustainability initiatives. The Interlocal Agreement between the City and County was renewed in 2010 for five years and is now up for renewal. There are no major changes proposed to the Interlocal Agreement at this time.

Over the past five years the Office has made significant progress including:

- Providing energy retrofits for 709 Durham homes resulting in an estimated annual savings of 2 million kWh and avoiding 1,800 metric tons of greenhouse gas emissions.
- Creating and implementing Charge Ahead Durham, a social marketing campaign to encourage households to improve environmental habits. This program resulted in an estimated annual savings of 522,00 kWh, 231,800 gallons of water, 20,800 lbs of waste, and avoidance of 942,600 lbs of greenhouse gases.
- Managing Energy Savings Performance Contracting for the County, which has resulted in reductions of over 4.1 million kWh, 145,000 therms of natural gas, and 7.6 million gallons of water in one year across 7 buildings. This results in an estimated reduction of 3,700 metric tons of greenhouse gases every year.
- Managing energy retrofit projects on City facilities resulting in annual reductions of 1,326 metric tons of greenhouse gas emissions.
- Launched Trees Across Durham, a broad coalition of organizations committed to protecting and improving Durham's urban forest, which has more than doubled the number of public trees planted in the past 2 years including planting over 700 trees at public schools.
- Receiving and managing over \$2.5 million in grant funding, in addition

to being a partner on additional grant fund projects valuing hundreds of thousands of dollars.

**Alignment with Strategic Plan:** This item aligns with Strategic Plan Goal 4 (Environmental Stewardship) and Goal 5 (Accountable, Efficient, and Visionary Government)

**Resource Persons:** Tobin L. Freid, Sustainability Manager; Jay Gibson, P.E., Engineering and Environmental Services Department Director

**County Manager's Recommendation:** The County Manager recommends that the Board renew the Interlocal Agreement with the City of Durham regarding the joint City-County Sustainability Office.

**Attachments:** [Sustainability ILA 2015](#)

### **15-777**

### **Award Contract for MWBE Consultant Services**

**Agenda Text:**

The Board is requested to authorize the County Manager to execute a consultant service contract with The Institute of Minority Economic Development to assist the County in providing resources such as loans and bonding, promoting community outreach, education and technical assistance to Minority and Women-Owned Business Enterprises (MWBEs) in the Durham community.

The initial term of the contract will be from January 1, 2016 through June 30, 2016 with the option to renew up to four (4) additional terms, for a total possible life of five (5) years). The County will pay an annual amount not to exceed One Hundred Thousand Dollars (\$100,000.00).

As a result of the disparity study and recommendations completed by Griffin & Strong, P.C. in January 2015, a contractual partnership between the County and The Institute of Minority Economic Development will provide support and joint commitment to improving the County's MWBE Program efforts. Attached is a copy of the Institute's proposal to provide services. As part of the contract, key performance measures have also been established in order to provide a systematic process to evaluate the effectiveness of their services to the County and the Durham community.

**Alignment With Strategic Plan:** To align with *Goal 1 Community and Family Prosperity and Enrichment*, creating awareness and engagement by allowing citizens to know about Durham County's Minority and Women Business Enterprise (MWBE) program and efforts in providing contracting opportunities.

**Resource Persons:** George K. Quick, Chief Financial Officer and Jacqueline Boyce, Procurement Manager

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to enter into a contract with The Institute of Minority and Economic Development in the amount not to exceed \$100,000.00.

**Attachments:**      [NC Institute Econ Dev Service Contract - Attachment 1](#)  
[NC Institute Econ Dev Contract - Attachment 2](#)

**15-778**      **Standard Non-Reimbursable Utility Contract for the Extension of the County Sanitary Sewer System**

**Agenda Text:**

The Board is requested to authorize the County Manager to execute five (5) Utility Contracts for extensions of the County sanitary sewer system. These contracts are the County's Standard Non-Reimbursable Contract. Attached are the project location maps (Attachment A), and a copy of the Standard Non-Reimbursable Utility Contract (Attachment B).

1. Nancy C Mallet Trust - Contract with Nancy C Mallet Trust to extend the County sewer system by connection of approximately 275 linear feet of 2 -inch sewer line to serve the residence at 4503 Hopson Road in Durham.
2. Stone Center of Carolina - Contract with Stone Center of Carolina to extend the County sewer system by connection of approximately 132 linear feet of 2-inch sewer line to serve the Stone Center of Carolina, located at 6515 NC Highway 55 in Durham.
3. Durham County Wildlife Club - Contract with Durham County Wildlife Club to extend the County sewer system by connection of approximately 1,380 linear feet of 2-inch sewer line to serve the Durham County Wildlife Club, located at 3616 Hopson Road in Durham.
4. Creekside at Bethpage Phase 2 - Contract with AV Homes to extend the County sewer system by connection of approximately 5,570 linear feet of 8 -inch sewer line to serve Creekside at Bethpage, Phase 2, located at 3500 Page Road in Durham.
5. Tryon Distributing - Contract with Tryon Triangle, LLC to extend the County sewer system by connection of approximately 620 linear feet of 8 -inch sewer line to serve the Tryon Distributing warehouse, located at 2450 South Miami Boulevard in Durham.

The developers of these projects have remitted all sewer extension fees, and the NCDEQ (North Carolina Department of Environmental Quality) sewer extension approvals have been granted.

**Alignment with Strategic Plan:** This action is in accordance with the Durham County Strategic Plan goal of Accountable, Efficient and Visionary Government, as these extensions will serve multiple home sites and three (3) businesses.

**Resource Persons:** Jay Gibson, PE, Director of Engineering and Environmental Services; Joe Pearce, PE, Utility Division Manager; and Walter Credle, PE, Project Manager.

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to execute the five (5) Utility Contracts for extensions of the County sanitary sewer system.

**Attachments:** [Attachment A.pdf](#)  
[Attachment B.pdf](#)

**15-779 Budget Ordinance Amendment-BCC1600025 Appropriating Reserved General Fund Fund Balance of \$129,774 from the Register of Deeds Automation Account to Support Automation of Real Estate Records from 1861 to 1962 and Authorization to Enter Into a Contract with Manatron for the Project**

**Agenda Text:** The Register of Deeds requests approval of Budget Ordinance Amendment BCC1600025 appropriating \$129,774 of restricted Register of Deeds Automation General Fund fund balance for the indexing and conversion of Deed Books dated 1861-1962 into an electronic format, and approval of a contract with Manatron to carry out the project.

These revenue being appropriated is unspent monies that were recognized in FY15 for restricted purposes and were reserved in General Fund fund balance in FY15. These funds were generated through the non-reverting Automation and Preservation Account authorized by N.C.Gen.Statute 161-11.3. This is a budgetary entry only for FY2015-16 to allow the departments to spend the restricted monies for the purposes of which they were received: i.e. the automation of the Real Estate Records from 1861 to 1962 in a electronic format.

The office of the Register of Deeds received two proposals for this project, one from Advanced Imaging System, and the other from our current vendor Manatron - A Thomson Reuters Business. The quotes from each vendor were very similar in the cost amount for the services, however additional fees would be charged by Thomson Reuters if Advanced Imaging System would perform the indexing and stapling of the images.

The Register of Deeds has chosen to have Manatron - Thomson Reuters complete the indexing and conversion project of the Deed Books dated 1861 - 1962. The quality of the work performed in prior project conversions, satisfaction with the methods used in prior projects, and the relationship with Manatron - Thomson Reuter since 1999, are several of the factors which lead the Register of Deeds to chooser Manatron-Thomson Reuters to complete this full indexing and conversion project.

**Alignment With Strategic Plan:** (Strategic Plan 5 Accountable, Efficient and Visionary Government. The conversion of the records will allow citizens access to the records in a more user friendly format.

**Resource Persons:** Sharon A. Davis, Chief Assistant, Register of Deeds

**County Manager's Recommendation:** The County Manager recommend the approval of Budget Ordinance Amendment BCC16000025 appropriating \$129,774 of restricted Register of Deeds Automation General Fund fund balance for the indexing and conversion of Deed Books dated 1861-1962 into an electronic format, and that the Board authorize the County Manager to enter into contract with Manatron in the amount not to exceed \$129,774 and also authorize the Manager to execute amendments not to exceed the automation budget of \$50,000.

**Sponsors:** Lane

**Attachments:** [AAF-25 Legal Form Appropriate Restricted Fund Balance Committed for ROD c](#)  
[BA#25 ROD Contract.pdf](#)

### **15-782**

### **Approval of Durham County ACCESS Title VI Program Resolution**

**Agenda Text:** The Board is requested to approve the Durham County ACCESS Title VI Program Resolution.

Durham County ACCESS as a condition of receiving any Federal Financial assistance from the Department of Transportation is required to have an approved Title VI Program that assures that it will comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations--including other Acts and directives. The Federal Transit Administration's revised Title VI Circular requires recipients of FTA funds from NCDOT to submit their Title VI Programs to NCDOT for review once every three years on a schedule determined by NCDOT. Durham County was notified in May 2015 through the NCDOT Office of Equal Opportunity and Workforce Services (EOWS), External Civil Rights Section who has the responsibility to conduct Title VI compliance reviews for public transportation to assure compliance that ACCESS was scheduled for a Compliance Review. As part of the review, Durham County ACCESS submitted the current Plan and required documents for EOWS to review. Following EOW'S initial review, EOWS provided Durham County ACCESS with a determination of deficiencies and a timeframe to make changes to meet the new Title VI standards. Durham County ACCESS successfully made the changes and worked with EOWS to assure the Plan met the standards of compliance prior to submitting the final Plan. Prior to EOW'S providing their final approval, EOWS requires the governing bodies to adopt a Resolution approving the Plan. On October 27, 2015, the Durham County ACCESS Title VI Plan was presented to the Transportation Advisory Board (TAB) and was adopted. The Resolution is presented to the County Board for their approval and adoption.

After the Board's action today, Durham County ACCESS will submit the Resolution to the EOWS for a determination of Compliance. The next Title VI Review for Durham County ACCESS will be in 2018.

**Alignment with Strategic Plan:** This request aligns with Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Linda Thomas, Durham County ACCESS Transportation Program Manager, Delphine Sellars, Director, Durham County Cooperative Extension.

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Durham County ACCESS Title VI Program Resolution.

**Attachments:**

[RESOLUTION OF THE DURHAM COUNTY BOARD OF COMMISSIONERS B](#)

Final DRAFT Title VI Plan October 2015 -working doc

[Final DRAFT Title VI Plan October 2015 -working doc 12-14-2015](#)

[Revised RESOLUTION Title VI OF THE DURHAM COUNTY BOARD OF COMI](#)

**15-786**

**Budget Ordinance No. 16BCC000028 to Recognize \$1,000 from the Local Government Federal Credit Union to the Criminal Justice Resource Center's Misdemeanor Diversion Program for the Excellence in Innovation Award**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000028 appropriating \$1,000 from the Local Government Federal Credit Union to the Criminal Justice Resource Center's Misdemeanor Diversion Program.

The Misdemeanor Diversion Program received the Excellence in Innovation Award from the Local Government Federal Credit Union on September 2015. The award came with a \$1,000 prize. The money will be used to provide support services to program participants in the Misdemeanor Diversion Program.

**Alignment with Strategic Plan:** The Misdemeanor Diversion Program supports Durham County's Strategic Plan Goal 3: Safe and Secure Communities, as well as Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Gudrun Parmer, Director, Criminal Justice Resource Center

**County Manager's Recommendation:** The County Manager recommends that the Board is requested to approve Budget Ordinance Amendment No. 16BCC000028 appropriating \$1,000 from the Local Government Federal Credit Union to the Criminal Justice Resource Center's Misdemeanor Diversion Program.

**Attachments:**

[AAF-28 Legal Form CJRC Local Government Federal Credit Union Award for M](#)

**15-788**

**Budget Ordinance No. 16BCC000027 to Recognize Funds from the NC Governor's Crime Commission and the Religious Coalition for a NonViolent Durham to the Criminal Justice Resource Center for the Reentry Partnership Project**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 16BCC000027 appropriating \$139,816.50 from the NC Governor's Crime Commission and the Religious Coalition for a NonViolent Durham to the Criminal Justice Resource Center for the Reentry Partnership Project.

In order to obtain the two year, \$119,842.50 award from the Governor's Crime Commission, the Criminal Justice Resource Center and the Religious Coalition for a NonViolent Durham had to commit matching funds of \$19,974 each. CJRC's portion of the funds have already been budgeted.

The Durham Reentry Partnership will combine the efforts of two organizations with well over ten years of Reentry experience each. The Criminal Justice Resource Center has been providing comprehensive reentry services to the individuals returning from incarceration to Durham County for over 15 years. Services provided through the grant include substance abuse treatment, cognitive behavior intervention, employment and educational support, and many wrap around services. The Religious Coalition for a NonViolent Durham will form Faith Teams to support and mentor program participants assisting individuals as they reintegrate into our community.

**Alignment with Strategic Plan:** This agenda item supports Durham County's Strategic Plan Goal 3: Safe and Secure Communities by assisting individuals as they return from incarceration

**Resource Persons:** Gudrun Parmer, Director, Criminal Justice Resource Center

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000027 appropriating \$139,816.50 from the NC Governor's Crime Commission and the Religious Coalition for a NonViolent Durham to the Criminal Justice Resource Center for the Reentry Partnership Project.

**Attachments:** [AAF-27 Legal Form CJRC Governor's Crime Commission Grant for Reentry Pa](#)

**15-789** **Budget Ordinance Amendment No. 16BCC000026 - Appropriate \$1,000,000 (County Portion) of \$7 Vehicle Registration Tax Revenue and Distribute to GoTriangle as Reimbursements are Requested by Go Triangle**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 16BCC000026 in the amount of \$1,000,000 which is the County's share of the \$7 vehicle registration taxes received by the County after the approved resolution authorizing the Division of Motor Vehicles (DMV) to distribute the \$7 vehicle registration tax on motor vehicles registered in Durham County directly to GoTriangle in a manner consistent with the Durham County Bus and Rail Investment Plan and Interlocal Implementation Agreement for the Durham County Bus and Rail Investment Plan.

Quarterly remittances of the County's share of the \$7 vehicle registration tax are made to Go Durham as the state notifies Go Durham of the specific amount collected for Durham County vehicles. The County is simply a pass through agent for funds collected by the state that have been approved by the Board of County Commissioners to go to Go Triangle.

Even though \$1,000,000 is budgeted, it is unclear how much will actually be remitted from the state to the County, and then passed on to Go Triangle, but it is important to note that only the amount of revenue remitted from the state will ultimately go to Go Triangle. By creating a significant budget amount, the County avoids having to go to the Board every quarter to approve this pass through occurrence.

Please note that this amendment is needed so as not to exceed appropriations for a given functional area (e.g., transportation). Also, please note that the budget for both the revenues and expenditures are being increased with no effect on General Fund fund balance.

**Alignment with Strategic Plan:** Strategic Plan Goal 4, Environmental Stewardship, as it reflects an increase in use of environmentally preferred transportation options; Strategic Plan Goal 5, Accountable, Efficient and Visionary Government as it ensures the proper accounting and budgetary treatment for the distribution to GoTriangle.

**Resource Persons:** S. Keith Lane, Senior Budget Analyst

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000026 appropriating \$1,000,000 of the County's share of the \$7 vehicle registration taxes received by the County after the approved resolution authorizing the DMV to distribute these taxes directly to GoTriangle, and distributing to those funds to GoTriangle.

**Sponsors:** Lane

**Attachments:** [AAF-26 Legal Form 7 Dollar Vehicle Registration Tax To Go Triangle \(\\$1,000,000\)](#)

### **15-792**

### **Refund of Overpayment of Tax/Revenues Stamps pursuant to N.C. General Statute 105-228.37**

**Agenda Text:**

The Board is requested to refund the overpayment of Tax/Revenue Stamps pursuant to N.C. General Statute 105-228.37 for \$494.00 The statute states: "(a) A taxpayer who pays more tax than is due under this Article may request a refund of the overpayment by filing a written request for a refund with the Board of County Commissioner of the county where the tax was paid (see attached request). The request must be filed within six months after the date the tax was paid and must explain why the taxpayer believes a refund is due".

On November 13, 2015 a deed was erroneously recorded in the Register of Deeds office for Durham County with Excise Stamps paid in the amount of

\$494.00 (See attached.) On November 23, 2015 a corrective affidavit was filed in the office (see attached) showing the correct amount of revenue stamps. Therefore the Shedor Law Firm, PLLC. respectfully requests, that the overpayment of the revenue stamps in the amount of \$494.00 be refunded.

**Alignment with Strategic Plan** Goal 5 Accountable, Efficient, Visionary Government. In the compliance with the aforementioned statute, we must be accountable and return those funds as requested by the statute when an overpayment occurs.

**Resource Persons:** Sharon A. Davis, Chief Assistant, Register of Deeds

**County Manager's Recommendation:** The County Manager recommends that the Board approve the refund of \$494.00 for the overpayment of excise tax to the Shedor Law Firm, PLLC.

**Attachments:** [SKM\\_C284e15120308560shedor](#)

### **15-793**

#### **Lease for Emergency Medical Services Fleet Maintenance at 122 Stone Park Court**

**Agenda Text:**

The Board is requested to approve a lease with Bull City Branch LLC for 122 Stone Park Court for Emergency Medical Services (EMS) vehicle repair. The property consists of a 5400 sq foot building with three service bay doors, and a fenced outside storage area. This lease will provide the necessary space for Durham County EMS fleet maintenance mechanics to perform repairs and preventative maintenance to the EMS fleet of ambulances and support vehicles. For the last several years, a single EMS mechanic has worked out of borrowed, and then leased single bay located in the City of Durham Fleet Maintenance Facility. This single space was insufficient for EMS's repair needs, was not available nights, weekends, or holidays. Additionally, it lacked indoor space to store vehicles under repair. Accordingly, maintenance and repairs were delayed and the working environment suboptimal. The Board of County Commissioners authorized the hiring of a second EMS mechanic in FY15-16. The proposed lease will provide work space for two mechanics, an additional vehicle lift, and indoor storage of ambulances undergoing repair. In addition, emergency repairs can be made at any time.

The leased space at 122 Stone Park Ct meets EMS's vehicle repair needs, including having a secured, fenced back yard for vehicles awaiting repair. The lease is for a new building in shell condition, and the owners will provide upfitting to include heating/ AC, small office space, break room, bathroom, shower, eye wash station, and motorized bay doors openers. The lease will run for five years, the minimum amount the landlord would accept. The lease also includes three optional one year renewals which can be used if the County still has need for the space at the end of the lease term. The lease will begin on Feb 1, 2016, or as soon as the upfitting improvements are completed. The lease cost has been negotiated at \$4,895.83 per month or \$58,750 per year (\$10.88 per sq foot) for the first year, with a 2% annual escalation. Under the lease terms, the

county is also responsible for all costs associated with maintenance, insurance and taxes, estimated at approximately \$2.20 per sq foot additional. The EMS FY 15-16 budget allocated funds for a new lease space for ambulance repair so no additional funding is needed.

**Alignment With Strategic Plan:** The lease of the 122 Stone Park Court for EMS fleet maintenance services supports Goal 2 “Safe and Secure Community” as well as Goal 5, “Accountable, Efficient and Visionary Government” by providing adequate, equipped space for ambulance maintenance and repair.

**Resource Persons:** Skip Kirkwood, EMS Director; Brandon Mitchell, EMS Administration and Finance Chief; Jane Korest, Open Space & Real Estate Manager

**County Manager’s Recommendation:** The County Manager recommends that the Board approve the lease with Bull City Branch LLC for 122 Stone Park Court for a five year term for Emergency Medical Services (EMS) vehicle repair, and authorize the Manager to execute the lease.

**Attachments:**

[Attach 1 Lease Summary 122 Stone Park Ct](#)

[Attach 2 EMS Lease 122 Stone Park Ct FINAL 12-14-15](#)

**15-803**

**Delta Airlines Potential Loss Revenue Guarantee Agreement**

**Agenda Text:**

The Board is requested to review a potential loss revenue guarantee agreement with Delta Airlines. Delta Airlines proposes to begin RDU-Charles de Gaulle daily, nonstop services in May or June of 2016. It is calculated that one international flight could result in \$25 Million in net income spending in the Triangle, create 100 new jobs and increase access to over 40 foreign markets (2014 NC State Economist Dr. Michael Walden). Delta seeks a revenue guarantee covering a potential \$2.2 Million gap in first year revenue projections. The gap is due to start-up costs, conservative projection of passenger traffic and restricted winter passenger loads. The Airport Authority has a \$1.1 Million Air Service Development Program for such service reducing the gap to \$1.1 Million. Delta is seeking community investment which envisions a 50/50 private-public sector funding guarantee arrangement to cover the potential revenue shortfall. Potential parties to the private-public funding guarantee are Research Triangle Foundation of North Carolina, the City of Durham, NC, the City of Raleigh, NC, Wake County, NC and Durham County, NC. If there is a shortfall in Delta’s revenue from May 13, 2016 through March 25, 2017, Research Triangle Foundation has entered into an agreement with Delta guaranteeing \$500,000 of the shortfall in revenue, if any. Durham County’s share will be an amount not to exceed \$137,500.00.

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

**Resource Persons:** Willie S. Darby, Senior Assistant County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board review the potential loss revenue guarantee agreement with Delta Airlines and direct staff as appropriate.

**Attachments:** [Delta Funding Agreement](#)

## 7. Public Hearings

**15-799**

### **Public Hearing to Consider Allocating Economic Development Investment Funds to Premier Research International**

**Agenda Text:**

The Board is requested to hold a public hearing to consider allocating \$26,000.00 in economic development investment funds to Premier Research International.

Premier Research International is a contract research organization proposing to increase its capacity by expanding its Research Triangle Park operations. The five-year expansion plan involves an estimated capital investment of approximately \$4.1 million and the creation of 260 new full-time jobs. The new jobs will include project managers, clinical monitors and data management specialists. Salaries will vary by position and will average \$73,296. Founded in 1989, Premier Research serves the clinical development needs of the biotech and specialty pharmaceutical sector. The company's global headquarters is in Philadelphia and it has 1,000 employees in 50 countries. Premier Research's Durham facility currently employs 62 people.

On December 1, 2015, the State of North Carolina through the Economic Development Partnership of North Carolina approved a \$2.58M in Job Development Investment Grant (JDIG) and customized training funds as an incentive for the company to expand in North Carolina. 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 \$26,000 in economic development incentives. The funds would be tied to the company investing approximately \$4.1M in expanding its operations and creating and hiring 260 new positions, up to a maximum of \$26,000. 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 December 4, 2015 as required by law.

**Alignment with Strategic Plan:** This project aligns with Goal 1: Community and Family Prosperity and Enrichment by supporting the creation of 260 new jobs.

**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 \$26,000.00 incentive for Premier Research International.

## 8. Other Business

### 15-800

#### **FY2015 Comprehensive Financial Annual Report**

**Agenda Text:** The Board is requested to receive a presentation by the Durham County's External Auditors, Cherry Bekaert, LLC. of the FY2015 Comprehensive Annual Financial Report.

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

**Resource Persons:** George K. Quick, Chief Financial Officer, Scott Duda, Partner and April Adams. Audit Manager for Cherry Bekaert, LLC.

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

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

## 10. Closed Session

### 15-797

#### **Closed Session**

- Agenda Text:**
- 1) The Board is requested to adjourn to closed session pursuant to G.S. 143.318.11 (a)(3) to consult with an attorney in order to preserve the attorney-client privilege, regarding County of Durham v. NC Department of Environment and Natural Resources, Division of Water Quality; OAH Case No. 15EHR02300/15EHR01287.
  - 2) 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.

**County Manager's Recommendation:** The County Manager recommends that the Board adjourn to Closed Session and direct staff accordingly.

## 11. Adjournment