



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, January 25, 2016

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)

16-848

Announcements

Agenda Text:

1. The 2016 Durham County Cares Applications are now open to all nonprofit organizations that service the Triangle Community. Durham County Cares is the annual Durham County Government Employee Giving Campaign, in which our employees donate funds to those nonprofit agencies chosen as our annual Recipient Organizations. Applications will be open from January 25th through February 19th, 2016. For more information, or to apply to be a 2016 Recipient Organization, please visit www.durhamcountycares.org <<http://www.durhamcountycares.org>>.
2. Durham YouthWork Internship Program and Durham Parks and Recreation will co-host a job fair on Saturday, Feb. 6, 10 am to 1 pm, at Holton Career and Resource Center, 401 N Driver St, Durham, N.C.

27703. The fair is open to all ages, but YouthWork will focus in particular on activities for youth ages 14-24. Attendees will learn about more than 250 summer internship opportunities and jobs throughout Durham, meet job and internship supervisors, and get help with interviewing skills and completing Durham's online job application. For more information on the job fair, contact James Dickens at the Durham YouthWork Internship Program, james.dickens@durhamnc.gov <mailto:james.dickens@durhamnc.gov> or (919) 560-4965 ext. 15217.

3. 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.
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)

16-849

Minutes

Attachments:

[Worksession - Dec 7, 2015](#)

[Regular Session - December 14, 2015](#)

[Worksession - January 4 2016](#)

5. Ceremonial Items

16-850

Proclamation - Durham School Choice Week

Agenda Text:

The Board is requested to proclaim January 24-30, 2016 as Durham School Choice Week. Each January, National School Choice Week shines a spotlight on effective education options for children-from high-performing traditional public schools to public charter schools, public magnet schools, private schools, online learning, and homeschooling.

National School Choice Week 2016 is expected to feature 15,000 independently-planned events across all 50 states. Already, 17 schools in Durham have signed up to hold events during the week.

Alignment with Strategic Plan: Goal 1 - Community and Family Prosperity and Enrichment

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

County Manager's Recommendation: The County Manager recommends that the Board proclaim January 24-30, 2016 as Durham School Choice Week.

Attachments:

[Proclamation - National School Choice Week 2016](#)

16-859

Proclamation - #DCoGoesRed Day 2016

Agenda Text: The Board is requested to proclaim February 4, 2016, as #DCoGoesRed Day in support of the American Heart Month® celebrated by many during the month of February.

People wear red as a way to bring attention to the problem of heart disease in women. Men and women are encouraged to wear red as a symbol of their support of women's heart health.

Alignment With Strategic Plan: Goal 2: Health and Wellbeing for All

Resource Persons: Khali Gallman, Information and Communication Specialist; Chasity Newkirk, Public Health Education Specialist; and Gayle Harris, Director of the Durham County Department of Public Health

County Manager's Recommendation: The County Manager recommends that the Board issue a proclamation declaring February 4, 2016 as #DCoGoesRed Day.

Attachments: [Proclamation - #DCoGoesRed Day](#)

6. Consent Agenda (15 min)

[16-812](#)

Property Tax Releases and Refunds for November 2015

Agenda Text: The Board is requested to approve the Releases and Refunds for the month of November, 2015. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of November, 2015.

Releases and Refunds for 2015 total equals \$33,583.14. Prior year's (2012-2014) releases and refunds for November, 2015 are in the amount of \$2,227.70. The current year and prior year's releases and refunds amount to \$35,810.84.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes ensures we are accountable to our citizens. The Board of E & R ensures that we are accountable and efficient as tax revenues are impacted by the actions of this Board. The actions of the tax department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: Kimberly H. Simpson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board accept the property tax release and refund report for November, 2015 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Backup - Releases & Refunds - November 2015 - January 2016](#)
[Backup Detail - Releases & Refunds - November 2015](#)
[NCVTS Refund - November 2015 - January 25, 2016](#)

16-820 **Budget Ordinance Amendment No. 16BCC000037 to Recognize \$28,058 from the Centers for Medicare and Medicaid for Durham Diabetes Coalition Project Operational Costs**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 16BCC000037 to recognize funds in the amount of \$28,058 from the Center for Medicare and Medicaid Services (CMS) through a contract with Duke University. These funds were awarded as the result of additional activities performed by Durham Diabetes Coalition staff, including data entry and closeout activities for a CMS funded clinical study.

The \$28,058 will support additional/expanded operational activities from now through the end of the year. Activities will include all DDC staff attending the two day Racial Equity Workshop sponsored by Organizing Against Racism NC; producing one-two television shows for the Living Healthy television series; promotion activities for Diabetes Alert Day and purchasing incentives and materials that support self-management behaviors.

The committed fund balance that was recently approved for this program will be used to support personnel costs from April-June.

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 well-being for all, objective 2 strengthen the well-being of individuals and families through prevention and education.

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

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000037 to recognize funds in the amount of \$28,058 from the Center of Medicare and Medicaid Services (CMS) for Durham Diabetes Coalition Project.

Attachments: [AAF-37 Legal Form Public Health CMS Funds for Diabetes Coalition Project \(\\$2](#)

16-840 **Property Tax Release and Refunds for December 2015**

Agenda Text: The Board is requested to approve the Releases and Refunds for the month of December 2015. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of December, 2015.

Releases and Refunds for 2015 total equals \$256,096.99. Prior year's

(2012-2014) releases and refunds for December, 2015 are in the amount of \$1,167.15. The current year and prior year's releases and refunds amount to \$257,264.14.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes ensures we are accountable to our citizens. The Board of E & R ensures that we are accountable and efficient as tax revenues are impacted by the actions of this Board. The actions of the tax department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: Kimberly H. Simpson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board accept the property tax release and refund report for December, 2015 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Sponsors: Board of County Commissioners

Attachments: [Backup-Releases & Refunds-December 2015-January 25, 2016](#)
[Detail-Releases & Refunds-December 2015-January 25, 2016](#)
[VTS Refunds-December 2015-January 25, 2016](#)

16-841

Request to Appoint a Special Board of Equalization and Review for 2016

Agenda Text:

The Board is requested to appoint the 2016 Board of Equalization and Review Members, appoint a Chairperson and a Vice Chairperson and set their compensation rate for 2016 at \$100.00 (Chair) and \$85.00 (Member) and \$25.00 per hour for any hour over the three hour session.

A resolution was adopted in February 2002 per the North Carolina General Statute 105-322 to appoint a special Board of Equalization and Review to hear tax appeal matters. Membership of the Board of Equalization and Review will be determined by Board of County Commissioners by the first Monday in March. The Board of County Commissioners shall also appoint the Chair and Vice Chair for this special Board and set the rate of pay.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes ensures we are accountable to our citizens. The Board of Equalization and Review ensures that we are accountable and efficient as tax revenues are impacted by the actions of this Board. The actions of the tax department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: Kimberly H. Simpson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board appoint the 2016 Board of Equalization and Review members, establish a Chair and Vice-Chair and set the rate of pay.

Attachments: [2016 BoER Appointments](#)

16-851

Budget Ordinance Amendment No. 16BCC000038 - Cooperative Extension Recognition of the Second Installment of a Grant from the Z. Smith Reynolds Foundation for Parents Leading the Way in the Amount of \$19,000

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000038 to recognize the second installment of \$19,000 of a grant from the Z. Smith Reynolds Foundation for the Parents Leading the Way project. The funds provide support for the development of Latino and non-Latino parent advocacy and leadership in our public schools to help their children succeed. Grant funds will be used to provide support for parent training, coaching and relationship building with parents and schools including the services of a bilingual parent advocate, trainers, childcare and materials through March 31, 2017. The budget for these funds is as follows: Community Outreach, Fund 4950231300:

5200159500	Supplies	3,000	5200150400	Food	3,000
5200160100	Contract Srv	10,995	5200130100	Training	1,280
5200110400	Printing	350	5200150100	Travel	375

Alignment With Strategic Plan: The Parents Leading the Way project aligns with Goal One of Community and Family Prosperity and Enrichment by developing the skill set of parents and schools to empower them to build productive parent-school partnerships to help their children succeed.

Resource Persons: Donna Rewalt, Community Outreach Coordinator and Delphine Sellars, Cooperative Extension Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000038 to recognize the second installment of 19,000 from the Z. Smith Reynolds Foundation for the Parents Leading the Way project.

Attachments: [AAF-38 CES Z Smith Reynolds Parents Leading the Way Grant](#)

[ZSR Check 2016](#)

[Z. Smith Reynolds Foundation - Your Online Account Has Been Updated](#)

16-852

Approval of County Elevator Maintenance Contracts with Southern Elevator Company Inc., and ThyssenKrupp Elevator Americas

Agenda Text:

The Board is requested to authorize the County Manager to enter into annual contracts with Southern Elevator Company, Inc. in the amount of \$66,186.00 and ThyssenKrupp Elevator Americas in the amount of \$59,460.00 to provide elevator maintenance services at sixteen (16) Durham County facilities (forty-four (44) total elevators).

Southern Elevator Company, Inc. will provide elevator maintenance services at the Detention Center, Judicial Annex, General Services, Bethesda Fire Station #1, Durham County Courthouse, Justice Center Parking Deck and DSS Main.

ThyssenKrupp Elevator Americas will provide elevator maintenance services for the County Administration Building, Agricultural Building, Durham Center for Senior Life, Jail Annex (CJRC), Judicial Building, Main Library, Stanford Warren Library, Memorial Stadium and Human Services Complex.

The initial contract term for the remainder of the FY2015-2016 will be for five (5) months (February 1 - June 30), totaling \$53,035.00. The regular 12-month contract term (July 1 - June 30) will be \$125,646.00.

The Scope of this work is outlined in RFP No. 15-017 which was advertised on March 26, 2015 in the local newspaper and the Durham County website. A total of three proposals were received. After evaluation, the contract for all facilities was awarded to Otis Elevator on September 1, 2015. Due to concerns of noncompliance, the contract issued to Otis Elevator will be cancelled at the end of January. The new approach is to split the contract between the two other bidders, both being duly qualified and having prior experience in working with the County. Both Southern Elevator and ThyssenKrupp have agreed to honor their pricing as submitted in their original proposal.

Alignment With Strategic Plan: These contracts align with Goal 5, Accountable Efficient and Visionary Government, by providing specialized maintenance to critical County assets.

Resource Persons: Joel Jones, Quality Control & Contract Specialist; Motiryo Keambiroiro, General Services Director

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to enter into annual contracts with Southern Elevator Company, Inc. in the amount of \$66,186.00 and ThyssenKrupp Elevator Americas in the amount of \$59,460.00 to provide elevator maintenance services at sixteen (16) Durham County facilities.

Attachments: [Service Contract, Southern Elevator Company](#)

[Service Contract, ThyssenKrupp Elevator Americas](#)

[Elevator Services RFP 15-017 FY 2015-2016](#)

16-854

Budget Ordinance Amendment No. 16BCC000035 Appropriating \$600,000 of General Fund Fund Balance And Transferring \$500,000 from the General Government Function For a Total of \$1.1 Million Additional Durham Public School Current Expense Funding

Agenda Text:

The Board is requested to approve an appropriation of \$600,000 of General Fund Fund Balance and a transfer of \$500,000 from the General Government Function (Elections Dept.) to Durham Public Schools (DPS) current expense funding, for a total increase of \$1.1 million, to support a 1.5% salary increase for all Durham Public School classified employees.

The \$500,000 General Government transfer to DPS is realized from cost savings in the Board of Elections department due to the NC General Assembly's

legislative actions that do not require the May Partisan Primary. As a result, the Board of Elections Department budget is being reduced by \$500,000.

The Board officially approved the application of additional County funding to DPS current expense at the December 7th, 2015 Board of County Commissioners (BOCC) Worksession. This item is simply the budget amendment financially following through with that BOCC decision.

Alignment with Strategic Plan: This budget amendment aligns with **Goal 1-Community and Family Prosperity and Enrichment**, through providing access to educational, vocational, economic and cultural opportunities and by providing support for educational opportunities that ensure high academic achievement.

Resource Persons: Claudia Odom-Hager, Director of Budget and Management Services

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000035 appropriating \$600,000 of General Fund Fund Balance and a transfer of \$500,000 from the General Government Function (Elections Dept.) to Durham Public Schools (DPS) current expense funding, for a total increase of \$1.1 million, to support a 1.5% salary increase for all Durham Public School classified employees.

Sponsors: Lane

Attachments: [AAF-35 Legal Form GF Fund Balance Appropriation to DPS Current Expense fc](#)

16-856

Budget Ordinance Amendment No. 16BCC000036 Appropriating \$4.55 million of General Fund Fund Balance and Transferring Those Funds to the County Contribution Fund and Capital Project Amendment No. 16CPA000009 -Appropriation of County Contribution Funds (\$4.55 million) to the Whitted School (5910DC227) Capital Project

Agenda Text:

The Board is requested to approve an appropriation of \$4.55 million of General Fund fund balance and transfer those funds to the existing Whitted School capital project (5910DC227) as follows:

Capital Project	Current Budget	Inc./Dec.	Revised Budget
Whitted School Project (5910DC227)		\$3,800,000	\$4,550,000 \$8,350,000

The initial \$3.8 million for the Whitted School capital project has come from 2007 GO Bond funds dedicated for DPS related capital projects. The additional funding being requested here consists of \$2 million of committed General Fund fund balance and \$2.55 million of unassigned General Fund fund balance for a total of \$4.55 million in additional funding for the project.

The \$2 million of committed General Fund fund balance is education dedicated (per BOCC policy) Article 46 sales tax funds collected during the first three

months of that sales tax collection which were not specifically budgeted for any particular education related spending. DPS, during previous discussion with the BOCC, had requested that this particular committed fund balance be considered as a portion of their support for the Whitted School capital project. The requested \$2.55 million of unassigned General Fund fund balance is the County's direct support of the Whitted School capital project

The Whitted School capital project will repurpose the historic Hillside High School into a new and expanded facility which will include eight new pre-K classrooms targeted at residents of surrounding neighborhoods as well as a low-income senior housing facility supported in part by housing vouchers committed by the Durham Housing Authority. Sale of the property closed on Dec. 18, 2015. Construction began the following week and is anticipated to last into early 2017, with the school portion of the project to open in the fall of 2017.

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: Drew Cummings, Interim Deputy County Manager

County Manager's Recommendation: The County Manager recommends approval of Budget Ordinance Amendment No. 16BCC000036 Appropriating \$4.55 million of General Fund Fund Balance and Transferring Those Funds to the County Contribution Fund and Capital Project Amendment No. 16CPA000009 Appropriating \$4.55 million of County Contribution Funds to the Whitted School (5910DC227) Capital Project.

Sponsors: Lane

Attachments: [AAF-36 Legal Form Appropriating GF Fund Balance to Whitted School Capital F](#)
[CPA-09 Legal Form Appropriating GF Fund Balance to Whitted School Capital f](#)

16-857

Approve the Interlocal Agreement for the Southview Future City-County Park Partnership and Approve the Capital Project Amendment No. 16CPA000010 decreasing the Open Space & Farmland Preservation Capital Project \$200,000 and Budget Amendment No. 16BCC000039 Transferring \$200,000 to the General Fund to Support the Ppurchase of the 104 acres at the Future Park

Agenda Text:

The Board is requested to approve the Interlocal Agreement for the Southview City-County Park partnership for the acquisition and management of a future city-county park/open space project in eastern Durham County and approve the Capital Project Amendment No. 16CPA000010 decreasing the Open Space & Farmland Preservation Capital Project \$200,000 and Budget Amendment No. 16BCC000039 transferring \$200,000 to the General Fund to support the purchase of the 104 acres at the future park. The Southview acquisition is a partnership project with the City of Durham, with major funding assistance

from the City of Raleigh's Upper Neuse Clean Water Initiative (UNCWI), and the N.C. Clean Water Management Trust Fund (CWMTF). The overall property consists of 134 acres located in eastern Durham County on the north side of NC 98 and the east side of Southview Road as shown on Attachments 1 and 2.

The Board of County Commissioners previously approved this acquisition and partnership with the City of Durham in November 2013. The partnership entailed that the City of Durham initially acquire the 134-acre property from the Trust for Public Land (TPL), with Durham County purchasing 103 acres from the City once an Interlocal Agreement was approved by both bodies. TPL was awarded \$250,000 from the City of Raleigh's UNCWI program and \$500,000 from the CWMTF to pay for a large proportion of the original \$1.2 million acquisition cost. The City then purchased the entire 134 acres from the TPL for \$450,000 with the agreement that Durham County would purchase the 104 acres of open space surrounding the future city park site from the City.

The attached Interlocal Agreement spells out the relationship between the City and County in owning and managing the future park/open space area. The City of Durham will own the 30 acres in the middle of the property (shown in yellow on attached maps) that is intended for a future community park to serve the eastern Durham area. The City's portion cost \$250,000. Durham County will purchase the 104 acres of the property (shown in green on attached maps) that surrounds the future city park for \$200,000. The property to be owned by the County has CWMTF conservation restrictions that require the property to be managed for water quality protection purposes, but permits low impact recreation such as trails. The City does not currently have funding for site development of the city park, and it is not anticipated for approximately five years. The County will be involved in the development of future park plans for the property. The City and County will each be responsible for managing the land that they own. The terms of the initial Interlocal Agreement is 10 years. The Durham City Council approved the attached Interlocal Agreement on December 21, 2015.

No new county funding is needed to support this project since the \$200,000 in county funding would come from open space capital project funds previously set aside for this project when the Board approved the joint project with the City. The transfer of \$200,000 from the capital project ordinance to the General fund for the purchase of the land is a technical transfer that provides the Finance Department with a more concise end of year accounting of assets purchased by the County in each fiscal year.

Alignment With Strategic Plan: This acquisition helps to implement Strategic Plan Goal 4, "Environmental Stewardship", by increasing the amount of open space that has been protected by Durham County in the Falls Lake watershed, as well as Goal 5, "Accountable, Efficient and Visionary Government."

Resource Persons: Jane Korest, Open Space and Real Estate Manager; Jay

Gibson, Director of Engineering and Environmental Services, Bryan Wardell, Senior Assistant County Attorney

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

1. Approve the Interlocal Agreement with the City of Durham regarding the purchase of 104 acres of the Southview partnership, and to authorize the Manager to execute any necessary documents related to the purchase.
2. Approve the Capital Project Amendment No. 16CPA000010 decreasing the Open Space Capital Project Farmland Preservation capital project \$200,000 and Budget Ordinance Amendment No. 16BCC000039 transferring \$200,000 from the capital project account to the General Fund to support the county's purchase of 104 acres of the overall Southview city-county park partnership.

Attachments: [Attach 1 Southview Interlocal context map](#)
[Attach 2 Southview Interlocal Aerial Map](#)
[Attach 3 Southview Interlocal Agt FINAL](#)
[AAF-39 Legal Form Open Space Funding for Southview Future City-County Par](#)
[CPA-10 Legal Form Open Space Funding for Southview Future City-County Pa](#)

7. Board and Commission Appointments (10 min)

16-861 Board and Commission Appointments

Agenda Text: Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:

- Animal Services Advisory Committee
- Boxing and Wrestling Commission
- Firefighters' Relief Fund Board of Trustees
- Historic Preservation Commission
- Nursing Home community Advisory Committee
- Planning Commission
- Public Health Board
- Transportation Advisory Board
- Workforce Development Board

The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees, and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards; two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from these term limits.

Alignment with Strategic Plan: When citizens are engaged and partners on our Boards and Commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant, diverse community with abundant opportunity for all residents to live, work, learn, play and grow.

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

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint a member to the above-mentioned boards and commissions.

8. ITEMS PULLED FROM CONSENT AGENDA (20 min)

9. Adjournment