



# Durham County

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

## Meeting Agenda Board of County Commissioners

*Wendy Jacobs, Chair*  
*James Hill, Vice Chair*  
*Heidi Carter, Commissioner*  
*Brenda A. Howerton, Commissioner*  
*Ellen W. Reckhow, Commissioner*

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Monday, February 13, 2017

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 Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair 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)

#### 17-0059 Announcements

Agenda Text:

- 1) The Durham YouthWork Internship Program is hosting six sessions in the coming weeks to help youth complete the online application process for possible summer internships. The assistance sessions to help interested youth prepare and submit their applications will be held from 4:30 p.m. to 6 p.m. as follows:
  - \* Wednesday, February 15, TA Grady Recreational Center, 531 Lakeland St.
  - \* Thursday, February 23, Hoover Road Community Center, 1126 Hoover Rd.
  - \* Tuesday, February 28, Southside Community Center, 201 Enterprise St.

- \* Tuesday, March 7, Holton Career and Resource Center, 401 N. Driver St.
  - \* Thursday, March 16, Durham Teen Center, 1101 Cornell St.
  - \* Tuesday, March 21, Weaver Street Community Center, 3000 E. Weaver St.
- 2) The [Durham YouthWork Internship Program](http://durhamnc.gov/598/YouthWork-Internship-Program) <<http://durhamnc.gov/598/YouthWork-Internship-Program>>, administered by the City of Durham Office of Economic and Workforce Development, is accepting online applications for approximately 200 summer employment opportunities for youth between the ages of 14-24. Hourly wages will range from \$7.25 to \$12, and the deadline to apply is Friday, March 31, 2017. Internship placements within the City of Durham include the Office of Economic and Workforce Development, Durham Parks and Recreation, Public Works Department, Durham One Call, and others. Other summer opportunities include positions with Durham County Government, Durham Public Schools, Durham Technical Community College, North Carolina Central University, and local businesses and non-profit organizations. For more information, contact Senior Employment Program Coordinator James Dickens <<mailto:James.Dickens@DurhamNC.gov>> with the City's Office of Economic and Workforce Development at (919) 560-4965, ext. 15217 or by email <<mailto:James.Dickens@DurhamNC.gov>>.
- 3) The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization is requesting input from residents on the draft Comprehensive Transportation Plan (CTP). The CTP lists proposed highway, bus transit, light rail transit, bicycle, pedestrian and other transportation improvements to be implemented over the next several decades. Comments will be accepted on the MPO's website: [www.dchcmppo.org](http://www.dchcmppo.org) <<http://www.dchcmppo.org>> thru February 24, 2017. You may contact Andrew Henry, 919-560-4366, ext., 36419 for details.
- 4) A free urban agricultural workshop will be held Thursday, March 16th, 8-10 am at Durham Public School Hub Farm, 117 Milton Road. The topic will be *Pollinators and Native Species*. RSVP at 919-560-0558 to reserve your seat and breakfast.

- 5) Durham Launches a New Emergency Notification System: ALERT DURHAM <<http://www.alertdurham.com/>>. The [Durham County Emergency Management Department](http://dconc.gov/government/departments-a-e/emergency-management) <<http://dconc.gov/government/departments-a-e/emergency-management>> is encouraging anyone who lives or works in Durham to visit [ALERTDURHAM.com](http://www.alertdurham.com/) <<http://www.alertdurham.com/>> to register for the new notification system. Residents who had previously registered to receive alerts through CodeRed will need to re-register with [ALERT DURHAM](http://www.alertdurham.com/) <<http://www.alertdurham.com/>>.
- 6) The results are in from the City/County Resident Survey. Residents were asked to rank the quality of living and accessibility to services offered by local government. The survey revealed that residents are pleased with life in Durham and outcomes show that satisfaction rates are higher overall in comparison to similar sized communities around the nation. To view the complete survey detailing residents' attitudes towards a wide range of services, visit <http://dconc.gov/government/departments-a-e/city-county-resident-survey/2016> where results from the 2015 survey are also located.
- 7) The Durham County Juvenile Crime Prevention Council is now accepting proposals for juvenile crime intervention/prevention programs to be supported by North Carolina Division of Juvenile Justice (DJJ) funds for the State Fiscal Year 2017-2018. These funds are allocated to Durham County to support community programs serving Durham County delinquent and at-risk youth, between the ages of 7 and 17, for the fiscal year beginning July 1, 2017. Any local public agency, private 501(c)3 non-profit organizations, or housing authority interested in applying for these funds must complete and submit application online by visiting <https://cp.ncdjjdp.org/cp>. Applicants needing additional assistance with the application process can view self-help videos on the webpage by clicking on the help tab. For questions about funding awarded by the DJJ, contact Walter Crews, Area Consultant, Division of Adult Correction and Juvenile Justice at (919) 214-2348.
- 8) 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)

[17-0060](#)

Minutes

Attachments:

[Worksession -January 3, 2017](#)

[Regular Session - January 23, 2017](#)

## 5. Consent Agenda (15 min)

**[17-0045](#) Budget Ordinance Amendment No. 17BCC000045 to Recognize Grant Funds in the Amount of \$750 from the Shift NC “Altogether Now” Award for the Youth Home**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 17BCC000045 to recognize \$750 from the Shift NC “All Together Now” for the Youth Home. The Youth Home received the first installment of the All Together Now award for \$1,250 in May of 2016 (FY 2015-16). These funds are a continuation of the original grant award.

The project will help build and strengthen a referral network to link young people to quality care. The funds will be used to purchase software to assess mental and physical health of juveniles upon admission as well as materials to educate youth on a healthy lifestyle.

**Alignment with Strategic Plan:** Goal 3: Safe and Secure Community, Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Angela G. Nunn, Youth Home Director

**County Manager’s Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000045 to recognize \$750 from the Shift NC “All Together Now” for the Youth Home.

**Attachments:**

[MOA](#)

[AAF-45 Legal Form Youth Home Shift NC All Together Now Funds \(\\$750\)](#)

**[17-0052](#) Advertising of Tax Liens-2016**

**Agenda Text:** The Board is requested to authorize the Tax Administrator to provide public notice and advertise the 2016 delinquent tax liens. N.C.G.S. 105-369 states the advertisement of tax liens shall be made during the period March 1st through June 30th.

**Alignment with Strategic Plan:** This action aligns with Goal 5, Accountable, Efficient and Visionary Government by accounting for all tax revenues due to support county services.

**Resource Persons:** Kimberly H. Simpson, Tax Administrator

**County Manager’s Recommendation:** The County Manager recommends that the Board approve the Tax Administrator’s request to begin advertising the 2016 tax liens in the month of March.

**Sponsors:** Board of County Commissioners

**Attachments:** [Advertising of Tax Liens-2016](#)

**[17-0054](#) Refund of Overpayment of Tax/Revenues Stamps pursuant to N. C.**

**General Statute 105-228.37****Agenda Text:**

The Board is requested to approve the refund of the overpayment of Tax/Revenue Stamps pursuant to N. C. General Statute 105-228.37 in the amount of \$244.00. 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. 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 October 31, 2016, a Trustee's Deed was recorded in Durham County, however the property referenced is located in Forsyth County. This document should have been recorded in Forsyth County. The excise stamps recorded reflected \$244.00. Hutchins Law Firm respectfully request a refund in the amount of \$244.00. (See attachments)

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

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve the refund of \$244.00 for the overpayment of excise tax to Hutchins Law Firm.

**Attachments:**

[HUTCHINS 244.00.pdf](#)

**17-0055****Refund of Overpayment of Tax/Revenues Stamps pursuant to N. C. General Statute 105-228.37****Agenda Text:**

The Board is requested to approve the refund the refund of the overpayment of Tax/Revenue Stamps pursuant to N. C. General Statute 105-228.37 in the amount of \$50.00. 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. 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 October 31, 2016, a Trustee's Deed was recorded in Durham County, however the property referenced is located in Forsyth County. This document should have been recorded in Forsyth County. The excise stamps recorded reflected \$50.00 Hutchins Law Firm respectfully request a refund in the amount of \$50.00 (See attachments)

**Alignment with Strategic Plan:** Goal 5 Accountable, Efficient, Visionary Government. In the compliance with the aforementioned statute, we must be

accountable and return the funds requested when an overpayment occurs.

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve the refund of \$50.00 for the overpayment of excise tax to Hutchins Law Firm.

**Attachments:** [HUTCHINS 50.00.pdf](#)

**17-0057**

**Execution of Contract Agreement with the UNC School of Government's Development Finance Initiative for the Phased Pre-Development Process for the 300 and 500 blocks of East Main St.**

**Agenda Text:**

The Board is hereby requested to authorize the County Manager to enter into a contract with the UNC School of Government's Development Finance Initiative (DFI) for a phased pre-development process for the 300 and 500 blocks of East Main St. in the amount of \$110,000.00 (See Attachment 1, Pages 1-4)

The BOCC received a briefing from County staff on parking for the downtown County Government Services complex on September 12, 2016. It was noted that parking needs have been identified in several County initiatives over the last 15 years including the following: the 2000 Durham County Facilities Master Plan, the 2003 Masterplan amendment, the 2011 Downtown Parking Study, and the most recently completed 2016 Facilities Master Plan Update. Each of these studies have identified an increasing demand for downtown parking to ensure adequate access to County services. The 2011 Downtown Parking Study and the 2016 Master Plan Update both highlight that parking will reach 95%-100% in the 2019-2020 timeframe.

In addition, the provisions for adequate parking has been, and will continue to be, a key driver to help ensure the ongoing economic vibrancy of downtown Durham. Parking along with other considerations have been brought to staff's attention during the various discussions and updates around these sites. As highlighted in the proposal, DFI brings specialized development and finance expertise to attract private investment into transformative projects. This specialized expertise will not only attract private investment but also will provide Durham County with the information necessary to make sound decisions regarding future development agreements in order to further our community and economic development goals. By engaging DFI, staff intends to attract private sector investment while minimizing public investment, maximizing public interests and ensuring that future redevelopment on these sites enhances the County's existing assets. This will result in an RFQ from developers for the County's desired redevelopment of the (2) sites.

It is recommended that the County proceed with the work in the proposal dated November 17, 2016 in the total amount not to exceed \$110,000.00. Funding for

this service is available in the Downtown Parking Deck Capital account.

**Alignment With Strategic Plan:** This request aligns with Strategic Plan Goal #5 - (Accountable, Efficient and Visionary Government) - by providing a phased predevelopment process to address parking needs which will allow more efficient service delivery and better customer service through the development of these community resources.

**Resource Persons:** Jay Gibson, P.E., General Manager/Director of Engineering and Environmental Services; and Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the execution of an agreement with the UNC School of Government's Development for the phased pre-development process for the 300 and 500 blocks of East Main St. in the total not to exceed amount of \$110,000.00.

**Attachments:** [AAF - Backups Downtown Parking Pre-development Process -DFI - Durham Pr](#)

**17-0058**

**Budget Ordinance Amendment No. 17BCC000046 to Recognize Contract Funds from the North Carolina Department of Public Safety to Establish Criminal Justice Resource Center as Intermediary Agency for the Local Reentry Council and Approve 1.6 Provisional FTE**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 17BCC000046 in the amount of \$43,104 from the North Carolina Department of Public Safety (NCDPS) to fund the establishment of the Intermediary Agency for the Local Reentry Council including the creation of two provisional positions (1.6 FTE). The Criminal Justice Resource Center (CJRC) submitted a response to a Request for Proposals (RFP) from NCDPS for an Intermediary Agency in Durham County and was awarded a one year contract in the amount of \$149,897 with the option of two additional one year terms. The contract period is December 21, 2016 through December 20, 2017. The proposed budget amendment includes only funding required to support positions and activities in the current fiscal year. The remaining contract amount will be included in the department's FY18 budget. No additional County funding is required to support the contract.

In 2013, Local Reentry Councils (LRC) were implemented in five pilot areas across North Carolina. In 2016, NCDPS formally recognized Local Reentry Councils in six expansion areas, including Durham County. The RFP identified an Intermediary Agency for each expansion site that would be contractually obligated for the start-up implementation of the Local Reentry Council Model.

The Local Reentry Council is an organized network of individuals and agencies that provide supervision and coordinate innovative responses to the reintegration of formerly incarcerated individuals at the local level while using

existing program services. The Local Reentry Council will bring together stakeholders who can offer assistance and resources to help formerly incarcerated individuals become productive citizens, as well as reduce recidivism and victimization.

CJRC and the Durham County Criminal Justice Advisory Committee have been working towards organizing a network of agencies to support persons returning to Durham County after incarceration and building a continuum of services. This contract requires the creation of two positions, a Local Reentry Council Coordinator (1.0 FTE) and a Job Placement Specialist (0.6 FTE). Additionally, the contract provides a limited amount of funding for contract services (housing, child care and transportation) as well as supplies (bus tickets, clothing and basic needs) and employment related training.

**Alignment with Strategic Plan:** This agenda item supports the County's Strategic Goal 3: Safe and Secure Community.

**Resource Persons:** Roshanna Parker, Assistant Director, CJRC; Gudrun Parmer, Director, CJRC

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000046 in the amount of \$43,104 from the North Carolina Department of Public Safety (NCDPS) to fund the establishment of the Intermediary Agency for the Local Reentry Council and the creation of two provisional positions (1.6 FTE).

**Attachments:** [local\\_reentry\\_council\\_structure](#)

[AAF-46 Legal Form CJRC NCDPS Funds for Local Reentry Council and 1.6 FT](#)

**17-0064** **Durham Open Space and Trails (DOST) Commission Matching Grants Funding Recommendation for FY 2016-2017**

**Agenda Text:** The Board is requested to approve the Durham Open Space and Trails (DOST) Commission Matching Grants funding recommendation for FY 2016-2017.

The DOST Commission received six applications for the Matching Grants Program to assist nonprofit community organizations with recreational and open space projects. The Matching Grants committee of the DOST Commission and County staff examined the proposed projects to ensure compliance with the program's goals and guidelines. The DOST Commission approved these six projects and funding recommendation at its meeting on January 18, 2017: The recommendation to allocate \$77,200.72 of County funds represents a gain to the County of \$143,290 in matching funds as more than half the projects' proposed value of \$220,490. The Matching Grants program budget was approved in the FY 2016-2017 Budget.

A detailed list of projects recommended for funding is attached as well as a list of projects that the Matching Grants program has funded for the past 26 years, pending approval of the recommended FY 2016-2017 projects by the Board of

County Commissioners.

**Alignment With Strategic Plan:** Goal 2: Health and Well-being for All which promotes physical activities for County residents and staff and Goal 4: Environment to protect open space and preserve rural character.

**Resource Persons:** Annette Montgomery, Matching Grants Committee Chair

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Durham Open Space and Trails (DOST) Commission Matching Grants funding recommendation for FY 2016-2017.

**Attachments:** [FY2017 DOST Matching Grant Projects.pdf](#)  
[FY17 History of Matching Grants Projects.pdf](#)

**17-0065** **Budget Ordinance Amendment No. 17BCC000047 to Recognize a Grant from the Safety and Justice Challenge Network Innovation Fund and Approve 0.72 Provisional FTE**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 17BCC000047 in the amount of \$50,000 from the Safety and Justice Challenge Network Innovation Fund to implement an Automated Notification System for Durham County's criminal courts and the establishment of a provisional part-time position (0.72 FTE). The grant period runs from January 1, 2017 until March 30, 2018 and does not require a funding match from the County.

The Safety and Justice Challenge Innovation Fund is supported by the John D. and Catherine T. MacArthur Foundation and administered by the Urban Institute. The Innovation Fund is an opportunity for justice agencies and local communities to implement bold and innovative ideas in order to reduce over-incarceration in jails and build capacity for future system change.

The Criminal Justice Resource Center coordinated an application in partnership with the offices of Durham County's Clerk of Superior Court, Public Defender, District Attorney, as well as District and Superior Court. Participation in the Innovation fund is an ideal opportunity to test the assumption that through the implementation of an Automated Notification System Durham can reduce the number of citizens who fail to appear for scheduled court dates and reduce the number of inmates in the detention facility whose bond is revoked due to the missed court date. The provisional part-time position (0.72 FTE) included with the grant will provide operational and administrative support required to implement the notification system.

Participation in the Safety and Justice Challenge Network will also provide an opportunity to receive tailored support including technical assistance, peer learning and coordination with national partners on an ongoing basis.

**Alignment with Strategic Plan:** This agenda item supports the County's Strategic Goal 3: Safe and Secure Community and Goal 5:

**Resource Persons:** Gudrun Parmer, Director, CJRC

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000047 in the amount of \$50,000 from the Safety and Justice Challenge Network Innovation Fund to implement an Automated Notification System for Durham County's criminal courts and the creation of a provisional part-time position (0.72 FTE).

**Attachments:** [AAF-47 Legal Form CJRC Safety and Justice Challenge Network Fund for Auto](#)

**17-0067**

**Capital Project Amendment No. 17CPA000014 - Moving Unspent 2007 General Obligation Bond Funds between Durham Public School Capital Projects and Closing Capital Projects**

**Agenda Text:**

On February 9, 2017, the Durham Public Schools (DPS) Board of Education approved adjustments to remaining 2007 General Obligation (GO) Bond capital projects. Pursuant to the Interlocal Agreement with DPS, as amended, the Durham County Board of County Commissioners is requested to consider and approve the closing of ten capital projects and transfer the remaining funds to DPS capital projects SH202, SH214 and SH234.

The attached table indicates funds reconciled by DPS and the County that are available for transfer:

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

**Resource Persons:** Hugh Osteen, DPS Deputy Superintendent of Operational Services; Jon Long, DPS Executive Director, Construction & Capital Planning

**County Manager's Recommendation:** The County Manager recommends that the Board approve Capital Project Amendment No. 17CPA000014 closing ten capital projects and transferring the remaining 2007 General Obligation (GO) Bond funds to DPS capital projects SH202, SH214 and SH23 as outlined above.

**Attachments:** [CPA-14 Moving GO Bond Funds Between DPS Capital Projects and Closing 10](#)

[Table - Reconciled Funds by DPS](#)

[CPA-14 Legal Form Moving GO Bond Funds Between DPS Capital Projects \(17](#)

**17-0072**

**A Request to Adopt a Resolution to Schedule a Public Hearing on March 13, 2017 to Consider the Closing of a 174 Square Foot Portion of Willow Springs Road**

**Agenda Text:**

The Board is requested to adopt a resolution to schedule a public hearing for March 13, 2017 to consider the closing of a 174 square foot portion of Willow Springs Road.

Attachment 1, Context Map

Attachment 2, Aerial Map

**Alignment with Strategic Plan:** Staff finds the request to align with Goal Five, “Accountable, Efficient and Visionary Government,” of the strategic plan. Scheduling a public hearing for this item will permit the public an opportunity to formally comment on the request at a date certain.

(brief statement and relevant goal)

**Resource Persons:** Jacob Wiggins Planner, and Grace Smith, Acting Assistant Director, City/County Planning

**County Manager’s Recommendation:** The Manager recommends that the Board adopt a resolution to schedule a public hearing for March 13, 2017 to consider the closing of a 174 square foot portion of Willow Springs Road.

**Attachments:** [17-0072 SC1600006 - Cover Memo updated](#)

[Attachment 1 - Context](#)

[Attachment 2 - Resolution to set Public Hearing updated](#)

### **17-0073**

#### **Execution of Architectural Design Service Agreement with O’Brien/Atkins and Associates, P.A. for the Durham County Detention Center Security Modifications Project No.: DC088**

**Agenda Text:**

The Board is requested to authorize the County Manager to enter into a contract with O’Brien/Atkins and Associates, P.A. to provide design services for the Durham County Detention Center Security Modifications located on 219 South Mangum Street in the amount of \$216,388.00 plus a reimbursable amount of \$15,000.00 thus totaling a not to exceed budget of \$231,388.00. (See Attachment 1, Pages 1&2)

This is a (2) phase project is to address issues identifies as a security concerns within the facility. The first phase of the project will be to provide a newly enclosed area at the staff entrance (rear) of the building. This enclosure will allow security screening for staff and contractors entering the building. The intent is to provide an officer’s station to be manned 24/7 with a package scanner and metal detector at this entrance. This modification will require demolition, new structure, wall construction, power, lighting, heating, cooling, fire protection, intercom, access control, and CCTV. Emergency egress from the adjacent exit stair will also impacted as this will require minor reconfigurations in this space to conform to the accessibility code.

The second phase will include relocating the officer’s station in each of the (10) direct supervision housing units. Currently, the officer’s stations are centrally located within the housing units and allow inmates to approach officers from 360 degrees. The relocation of the stations would back the stations to an adjacent wall which would eliminate the potential of an officer being approached from the rear while maintaining an expansive field of view within the housing the unit. This will require replacement of the existing stations with new stations built on raised platforms providing new raceways to route power,

data, fire alarm, door control wiring and cabling to the new locations. O'Brien/Atkins and Associates, P.A. has performed all architectural design services for the Detention Center originally opened in 1996 and has designed several modifications/additions during its operation. This provides them with extensive experience with the facilities structure and systems. Once the design is complete each of these projects will be publicly bid according to the Durham County Purchasing guidelines.

In review of the M/WBE participation, O'Brien/Atkins Associates, P.A. has proposed 3.3% M/WBE participation on this project. J & A Engineering, LLC. (Hispanic) will be providing the electronic security design and DocuSource, LLC. (Women) will be performing the printing/reproduction for the project. OBA has also committed to seeking additional participation if the opportunity prevails.

It is recommended that the County proceed with all work described in the proposal dated February 1, 2017. Funding for the architectural design contract is available in the Detention Center Renovation Capital Project Account.

**Alignment with Strategic Plan:** This aligns with Goal 3 - "Safe and Secure Community" as the overall goal of the Durham County Detention Facility is the secure custody of our inmates and the safety of the public and our staff.

**Resource Persons:** Jay Gibson, P.E., General Manager; Peri Manns, ASLA, Deputy Director of Engineering; James Faress, P.E., Senior Project Manager; Major Julian Couch, Sheriff's Office/Detention Center; Frank Turner, AIA, Principal - O'Brien/Atkins Associates, P.A.

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the execution of the contract with O'Brien/Atkins Associates, P.A. to provide design services for the Durham County Detention Center Security Modifications project in the amount \$216,388.00 plus a reimbursable amount of \$15,000.00 thus totaling a not to exceed budget of \$231,388.00

**Attachments:** [AAF - Backups - Attachment 1 - Detention Center Security Modifications - OBA](#)

#### **17-0074**

#### **Property Tax Releases and Refunds for January 2017**

**Agenda Text:**

The Board is requested to approve the Releases and Refunds for the month of January 2017. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of January 2017.

Releases and Refunds for 2016 total equals \$39,097.95 and \$2.62 for 2017. Prior year's (2013-2015) releases and refunds for January 2017 are in the amount of \$1,043.63. The current year and prior year's releases and refunds amount to \$40,144.20.

**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 January 2017 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

**Sponsors:** Board of County Commissioners

**Attachments:** [NCVTS December Refunds](#)  
[Release & Refunds-Backup Detail-January 2017-February 13, 2017](#)  
[Releases and Refunds Backup-January 2017-February 13, 2017](#)

#### **17-0075**

#### **Approve the Contract Amendment between Manatron a Thomson Reuters Business and the County of Durham**

**Agenda Text:**

The Board is requested to approve a contract amendment between Manatron a Thomson Reuters Business and the County of Durham in the amount of \$108,902.75.

The County and Manatron a Thomson Reuters Business entered into a contract on November 16, 2015 in the amount of \$129,774.00. The intent of this contract is to provide an electronic Index for the imaging found in Old Deed Books dated 1861 - 1962; books numbered 1 - 215 and 216 - 289.

The amendment is necessary to address an issue of legibility with the imaging in the deed book project. In order to correct this issue it is necessary to re-scan the original records. This will provide the best product to be used for the indexing of the old deed books and to convert the index into an electronic format. The additional funds would allow the vendor to scan the bond and mechanical books to provide a more legible copy; and to prepare the books for preservation and conservation a project we will undertake in next year's budget cycle.

The County, on behalf of the Register of Deeds office desires to amend the terms of the original agreement to include the scanning of these older records. These services are estimated at \$108,902.75. The amended contract is not to exceed \$238,676.75. The funds utilized for the amendment portion of this project will be allocated from the Register of Deeds Automation Account a non-reverting fund authorized by statute which allows funds to be used for enhancement of and the preservation of documents.

**Alignment with Strategic Plan:** Goal 5 -Accountable, Efficient, Visionary Government. This project will increase our provision of exceptional customer

service, and innovation; not to mention preservation of history for future reference

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve the contract amendment amount by \$108,902.75 not to exceed \$238,676.75.

**Attachments:** [Durham County NC102516DC SOW2017.1.pdf](#)  
[Durham County NC102416DC SOW2017.pdf](#)

**17-0078** **Budget Ordinance Amendment No. 17BCC000048 to Appropriate General Fund Fund Balance and Approval of 2017 Art of Cool Festival Contract for \$30,000**

**Agenda Text:** The Board is requested to approve Budget Ordinance Amendment No. 17BCC000048 to appropriate General Fund fund balance and to authorize the County Manager to execute a contract for \$30,000 to support free community programming at the 2017 Art of Cool Festival.

The Board of County Commissioners received a detailed reporting at their February 6th worksession of the economic and community impact of the 2016 Art of Cool Festival. In 2016, this progressive jazz and alternative soul music festival located in downtown Durham generated a total economic impact of \$1.9 million (calculated by the Durham Convention and Visitors Bureau), which is over triple what it was in the festival's first year (2014). At the 2016 festival, over 8,000 attendees watched over 60 performers at 10 venues over 3 days.

The Art of Cool (AOC) is a 501(c)(3) jazz-presenting non-profit organization that strives to cross artistic, economic and social boundaries to bring together a diverse mix of people, cultures, experiences and creativity. The mission of AOC is to present, promote and preserve jazz-influenced music in ways that build and uplift community. AOC's two major programs are Art of Cool Festival ([aocfestival.org](http://aocfestival.org)) and stArt of Cool ([startofcool.org](http://startofcool.org)). AOC was founded in Durham, NC in 2011 and is spearheaded by jazz trumpeter and educator, Albert Strong IV, and Cicely Mitchell, DrPH.

There are a variety of free public access events at the 2017 festival, and in addition to requesting attendance figures for all public access events, the contract will provide for a full Economic Impact Statement to be delivered to the County Commissioners by the end of August 2017.

For FY17-18, the intent is to include an allocation in the budget for festivals and events which have a strong and demonstrable economic development component, and to allocate some or all of those funds via an RFP process during FY17-18.

**Alignment with Strategic Plan:** Economic development is strongly tied to

Goal 1 and Goal 4 of the Durham County Strategic Plan.

**Resource Persons:** Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000048 to appropriate General Fund fund balance and that the Board authorize the County Manager to execute a contract for \$30,000 to support free community programming at the 2017 Art of Cool Festival.

**Attachments:**

[EIS Art of Cool 2016](#)

[free programming at 2016 AOC fest](#)

[AAF-48 Legal Form Art of Cool Festival \(\\$30,000\)](#)

**17-0079**

**Budget Ordinance Amendment No. 17BCC000049 to Appropriate General Fund Fund Balance and Approval of 2017 MoogFest Contract for \$62,500**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 17BCC000049 to appropriate General Fund fund balance and to authorize the County Manager to execute a contract for \$62,500 to support free community programming at the 2017 MoogFest festival.

The Board of County Commissioners received a detailed reporting at their February 6th Worksession of the economic and community impact of the 2016 MoogFest, the inaugural year of this festival *in Durham*. In 2016, this electronic and experimental music festival located in downtown Durham generated a total economic impact of \$7.1 million (calculated by the Durham Convention and Visitors Bureau). At the 2016 festival, over 40,000 attendees watched over 285 artists and performers at more than 15 venues over 3 days.

There are a variety of free public access events at the 2017 festival, and in addition to requesting attendance figures for all public access events, the contract will provide for a full Economic Impact Statement to be delivered to the County Commissioners by the end of August 2017.

For FY17-18, the intent is to include an allocation in the budget for festivals and events which have a strong and demonstrable economic development component, and to allocate some or all of those funds via an RFP process during FY17-18.

**Alignment With Strategic Plan:** Economic development is strongly tied to Goal 1 and Goal 4 of the Durham County Strategic Plan.

**Resource Persons:** Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000049 to appropriate General Fund fund balance and that the Board authorize the County

Manager to execute a contract for \$62,500 to support free community programming at the 2017 MoogFest festival.

**Attachments:** [Moogfest 2016 Final EIS](#)  
[Moogfest2016\\_CommunityRecapReport\\_160616](#)  
[AAF-49 Moogfest \(\\$62,500\)](#)

**17-0080** **Approval of Memorandum of Understanding with Durham Public Schools Board of Education**

**Agenda Text:** The Board is requested to approve the attached Memorandum of Understanding with the Durham Public Schools Board of Education.

The Board of County Commissioners and DPS Board of Education have had MOUs before which governed and/or guided various aspects of their relationship. Those earlier MOUs either expired or fell into disuse, but in recent years both parties have expressed interest in a renewed MOU to help frame and guide the relationship between the two elected bodies. Over the past year, multiple versions have been discussed and considered, and the attached document is a consensus document with final modifications made by a joint task force of members from both elected boards. The document may not represent all of the two bodies' mutual interests, never mind the other interests which each may have, but both bodies and their senior staffs agree that the document represents an important acknowledgement of both bodies' responsibilities and commitments to improving our local, public education system.

**Alignment With Strategic Plan:** A strong and well-supported public education system is a strong driver for improvements in every goal area of our County Strategic Plan.

**Resource Persons:** Wendell M. Davis, County Manager

**County Manager's Recommendation:** The County Manager recommends that the Board approve the attached Memorandum of Understanding with the Durham Public Schools Board of Education.

**Attachments:** [BOCC BOE MOU 1-30-17 CLEAN](#)

## 6. Public Hearings

**17-0051** **Public Hearing - Discovery Charter School Bonds**

**Agenda Text:** The Board is requested to hold a public hearing and receive comments on educational facilities of Discovery Charter School Foundation to be financed with proceeds from the issuance of tax-exempt bonds by the Public Finance Authority.

At the conclusion of the public hearing, the Board is requested to adopt the attached resolution entitled: RESOLUTION OF THE BOARD OF COMMISSIONERS OF DURHAM COUNTY, NORTH CAROLINA APPROVING THE ISSUANCE OF BONDS BY THE PUBLIC FINANCE

AUTHORITY AND A PLAN OF FINANCE FOR DISCOVERY CHARTER SCHOOL.

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

**Resource Persons:** Lowell L. Siler, County Attorney; Brandon Lofton, Robinson, Bradshaw & Hinson, P.A.

**County Manager's Recommendation:** The County Manager recommends that the Board hold the public hearing and adopt the attached resolution.

**Attachments:** [Discovery-Durham Approval Resolution](#)

**17-0071**

**Approval of Resolutions for General Obligation Bond Anticipation Note, Limited Obligation Bond Anticipation Note and Taxable General Obligation Bonds (Whitted School Project)**

**Agenda Text:**

The Board is requested to adopt the attached resolutions approving the issuance of \$72.2M in Limited Obligation Bond Anticipation Notes secured by the judicial building, \$50M in General Obligation Bond Anticipation Notes (authorized by November 8, 2016 referendum), the direct placement of \$3.8M taxable General Obligation Bonds covering the Whitted school project. The BOCC is also requested to hold a public hearing on the issuance of LOBANs because they non-voter approved debt.

The LOBANs will be purchased by PNC Bank at 68.5% of 1 month LIBOR plus 33 basis points, the GO will be purchased by Bank of America over a 3 year period at 70% of 1 month LIBOR plus 37 basis point and the taxable GO Bonds will be purchase by Bank of America at a 3.23 rate over a 10 year term.

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

**Resource Persons:** George K. Quick, Chief Financial Officer; Jessica Brown-Linton, Assistant Chief Financial Officer

**County Manager's Recommendation:** The County Manager recommends that the Board adopt the Resolutions and hold the public hearing.

**Attachments:** [Approval Proceedings of County Commission-Durham 2017 IFC](#)  
[Installment Financing Contract-Durham 2017 IFC \(PNC\)](#)  
[Deed of Trust-Durham 2017 IFC](#)  
[Durham County, N.C. - Note Purchase Agreement](#)  
[Durham County, N.C. - Proceedings of BOC on February 13, 2017](#)  
[Durham County, NC - Proceedings of BOC on 2 13 17](#)  
[Durham County, NC - Proceedings of BOC on 2 13 17 - 9427172v4\\_Durham C](#)

**7. ITEMS PULLED FROM CONSENT AGENDA (20 min)**

## 8. Closed Session

[17-0077](#)

### Closed Session

**Agenda Text:**

The Board is requested to adjourn to closed session pursuant to G.S. 143.318.11 (a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

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

**Resource Persons:** Lowell L. Siler, County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board adjourn to closed session and direct staff as appropriate.

## 9. Adjournment