



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

Monday, March 13, 2017

7:00 PM

Commissioners' Chambers

7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Other Business

[17-0131](#) STATE OF THE COUNTY ADDRESS

Agenda Text: The Chair will address the County's accomplishments over the past year, its goals for the upcoming year, and challenges it continues to face.

Alignment with Strategic Plan: Accountable, Efficient and Visionary Government

Resource Persons: Wendy Jacobs, Chair

County Manager's Recommendation: The County Manager recommends that the Board highlight its accomplishments in the State of the County Address and direct staff accordingly.

[17-0124](#) Update from GoTriangle Staff on Durham - Orange Light Rail Plan

Agenda Text: The Board is requested to receive the update from GoTriangle staff and ask any questions they like.

The Federal Transit Administration (FTA) has made it clear in recent communications with GoTriangle that they need clearer commitments for specific levels of local light rail funding in order to permit the project to move forward to the engineering phase. They need these commitments on or before April 30th, which requires full revision and re-adoption of both the Orange and Durham Bus Rail Investment Plans (BRIPs). The implications for the project of *not* meeting this deadline could be grave.

GoTriangle staff have asked for this update opportunity to speak with Commissioners about the procedural steps which would be necessary to achieve adoption of both BRIPs prior to the April 30th deadline, and a proposed schedule including the public comment period, public hearings, and proposed

official actions is attached to this item.

Alignment With Strategic Plan: A broad, effective public transportation plan and system resonates strongly with Goals 1, 2, 4, and 5 of the County's strategic plan.

Resource Persons: John Tallmadge, Director of Regional Services Development, GoTriangle

County Manager's Recommendation: The County Manager recommends that the Board receive the update from GoTriangle staff and ask any questions they like.

Attachments: [Transit Plan Update Schedule 3-9-17](#)

3. Agenda Adjustments (5 min)

4. Announcements (5 min)

[17-0114](#) Announcements

Agenda Text:

- 1) Cooperative Extension Offers NC Safe Plates - Food Safety Manager Certification Course March 27-29, 9am-3pm. This course will prepare food service managers to complete the Food Safety Manager Certification Examination which will be administered Monday, April 3rd, 9am-11:30am. Food service managers successfully completing the exam will meet the 2013 FDA Food Code requirement to be designated as an ANSI (American National Standards Institution) approved Certified Food Protection Manager. Managers will also receive a certificate to display in their operation which will verify with local Environmental Health Departments that they are in compliance. The course and exam will be held at the Cooperative Extension Office, 721 Foster Street. For more information, Deborah McGiffin at 919-560-0521.
- 2) At the Board's next regular session meeting on March 27th, an Advance Public Comment session will be held to receive citizen input on the Fiscal Year 2017-2018 budget. As County staff begin preparation of the FY 2017-2018 budget, public input is being solicited on issues which may need to be addressed during the budget process. Individuals are asked to sign up prior to speaking. If you are unable to attend, your comments can be emailed to the Commissioners at commissioners@dconc.gov <<mailto:commissioners@dconc.gov>>.
- 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) 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.

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

5. Minutes (5 min)

17-0115

Minutes

Attachments:

[Legislative Agenda Breakfast-Feb 3, 2017](#)

[Worksession - 02.06.2017](#)

[Regular Session - February 13, 2017](#)

6. Ceremonial Items

17-0118

Proclamation - Athletic Training Month

Agenda Text:

The Board is requested to proclaim March as Athletic Training Month in Durham County and to bring awareness to the profession of athletic training.

Athletic Trainers (ATs) are health care professionals who collaborate with physicians. The services provided by ATs comprise prevention, emergency care, clinical diagnosis, therapeutic intervention and rehabilitation of injuries and medical conditions.* Athletic training is recognized by the American Medical Association (AMA) <<http://www.ama-assn.org/>> as a health care profession.
(* <http://www.bocatc.org/about-us/defining-athletic-training>)

North Carolina Central University's Athletic Training Students are proud to bring this Proclamation forward to Durham County's Board of Commissioners. Athletic Training Students, individually contribute a minimum of 400 service learning hours annually to athletic and sports medicine services in Durham County. They are invested in their service learning opportunities and uphold NCCU's motto "In Truth and Service." They participate in clinical rotations at NCCU, Durham Public Schools, Duke University Hospital System, NC School of Science & Math and Triangle Orthopedics, in Durham County.

Alignment with Strategic Plan: (Goal 1 - Community and Family Prosperity and Enrichment; Goal 2 - Health and Well-being for All)

Resource Persons: Wendy Jacobs, Chair; Elizabeth Jewell, NCCU Athletic

Training Program

County Manager's Recommendation: The County Manager recommends that the Board read the proclamation and encourage the community to acknowledge the profession of athletic training.

Attachments: [Athletic Training Month - 2017](#)

[17-0123](#)

Resolution Honoring the Life of Former County Manager George H. Williams

Agenda Text:

The Board is requested to extend condolences to the family of the late George H. Williams, former Durham County Manager who passed earlier this month. The attached resolution was prepared, shared with his family and read at his funeral on Friday March 10, 2017. Services were held at St. Joseph's AME Church where he was a faithful member for many years. Mr. Williams served Durham County from 1991-1995 as its 4th County Manager.

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

Resource Persons: Wendy Jacobs, Chair, Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board extend condolences to the Williams family and read the resolution into the official record.

Attachments: [George Williams - 2017](#)

7. Consent Agenda (15 min)

[17-0081](#)

Capital Project Amendment No. 17CPA000015-Appropriation of 2016 Voter Approved General Obligation Bonds For Durham Public School Projects

Agenda Text:

In November 2016, the County received voter approval for \$90,866,522 of General Obligation Bond for Durham Public Schools.

The attached Capital Project Ordinance identifies the total appropriations for the of 2016 GO Bond related projects for Durham Pubic Schools. The total amount of bond funding supporting these projects and bond issuance costs is: \$90,866,522, with \$90,000,000 going to projects and \$866,522 for bond issuance costs. General Fund dollars will fund purchases made before General Obligation Bond funds are available through an interfund loan of that amount and will be reimbursed/repaid once the loan funds become available.

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: Keith Lane, Budget & Management Services Director,

George Quick, Chief Financial Officer, Hugh Osteen, DPS Deputy Superintendent of Operational Services; Jon Long, DPS Executive Director, Construction & Capital Planning.

County Manager's Recommendation: The Manager recommends that the BOCC approve Capital Project Amendment No. 17CPA000015 appropriating \$90,866,522 in 2016 Voter Approved General Obligation Bond funds for various DPS Projects. General Fund dollars will fund purchases made before General Obligation Bond funds are available through an interfund loan of that amount and will be reimbursed/repaid once the loan funds become available.

Attachments: [CPA-15 Legal Form 2016 GO BONDS DPS Projects \(\\$90,866,522\)](#)

17-0082 **Approval of Budget Ordinance Amendment No. 17BCC000050 Increasing the Budget Transfer Amount from the 2007 GO Bonds Fund (Closed in November of 2016) to the Debt Service Fund in the Amount of \$94,000**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000050 increasing the budget transfer amount from the 2007 GO Bonds Fund (fund number 4004720000) to the Debt Service Fund in the amount of \$94,000 retroactive to November 30, 2016. The Board approved closing the 2007 GO Bonds Fund at the November 28, 2016 regular session along with three other capital project funds with the amounts remaining in the funds to be transferred to the Debt Service Fund. As such, the fund has been officially closed, however, the budget amendment amount for the transfer from the 2007 GO Bonds Fund approved at the November 28th meeting was less than the actual amount being transferred. As a result, staff is getting an error in the financial system (SAP) when trying to record this final transaction moving the remaining funds to debt service. Therefore, to process this final transaction, staff is requesting the budget transfer amount from the 2007 GO Bonds Fund to the Debt Service Fund be increased by the amount of \$94,000. Note that staff experienced system issues in allocating the November interest to the funds which is the cause for the delay in processing the closing journal entries. The system issues were resolved in January.

Please note that approval of this budget amendment is a technical matter only as the Board has already approved the closing of this fund. Approval of this amendment will allow staff to process the final transaction without exceeding budget.

Alignment With Strategic Plan: Goal 5: Accountable, Efficient, and Visionary Government

Resource Persons: George K. Quick, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000050 increasing the budget transfer amount from the 2007 GO Bonds Fund to the Debt Service Fund in the amount of \$94,000 retroactive to November 30, 2016.

Attachments: [AAF-50 Legal Form Additional Transfer Needed to Close Capital Project Funds](#)

17-0084 Award of Hopson Road Force Main Connection, IFB 17-020

Agenda Text:

The Board is requested to award a construction contract to Moffat Pipe, Inc. for the construction of the Hopson Road Force Main Connection in the amount of \$307,000; to authorize the County Manager to execute the contract; and to authorize the County Manager to execute any related contracts, not to exceed a total project budget of \$337,700 inclusive of contingency funds.

Background:

The Hopson Road Force Main Connection project (IFB 17-020) is designed to improve reliability of the Durham County collection system to continue our high level of environmental protection. The work includes the installation of approximately 102 linear feet of 18-inch ductile iron sanitary sewer force main, associated valves and fittings as required, and the permanent closure of an existing 2,600 foot long force main. The new force main will connect an existing 18-inch force main to the north, which was built as part of the Creekstone Apartments development, and an existing 18-inch force main, recently constructed by NCDOT and the North Carolina Railroad, as part of the Hopson Road Bridge Project. A ten percent (10%) contingency is recommended for this project to cover any potential change orders associated with working on underground utilities and is included in the overall project budget of \$337,000 noted above.

Funding for this project is from the Collection System Rehabilitation project fund, which is funded from the Utility Enterprise Fund.

Durham County issued an Invitation for Bid (IFB 17-020) on November 17, 2016. IFB 17-020 was advertised in local newspapers and on the Durham County website. Additionally, the requirements were emailed to seven contractors. Three bids were received on December 15, 2016. The bid tabulation is attached.

The lowest bid submitted by J.F. Wilkerson Contracting Co., Inc. in the amount of \$177,277 was deemed non-responsive because they failed to provide reasonable documentation demonstrating that good faith efforts were made towards meeting the County's MWBE participation goals for this project. The next lowest bidder was Moffat Pipe, Inc., with a bid of \$307,000. Moffat Pipe, Inc. is a certified-MWBE Women-Owned Business and will be utilizing 100% MWBE participation on this project, and they have provided a responsive bid.

Alignment with Strategic Plan: Goal 4, Environmental Stewardship: Awarding this contract to Moffat Pipe, Inc. allows Durham County to connect to recently constructed force mains and abandon an existing deteriorated force main. These actions will result increase the reliability of our utility system and environmental protections by decreasing likelihood of a force main failure. This

action is in accordance with the Durham County Strategic Plan Goal of Environmental Stewardship.

Resource Persons: Jay Gibson PE, General Manager; and Kyle Manning, Senior Project Manager.

County Manager's Recommendation: The County Manager recommends the Board award a construction contract to Moffat Pipe, Inc. for the construction of the Hopson Road Force Main Connection in the amount of \$307,000; to authorize the County Manager to execute the contract; and to authorize the County Manager to execute any related contracts, not to exceed a total project budget of \$337,700.

Attachments: [161216 HopsonRoadFM BidTab](#)
[IFB 17-020 Hopson Rd Force Main Connection - Signed Rejection Ltr](#)

17-0085 **Design Services for the Stirrup Iron West Parallel 24" Gravity Sewer Project**

Agenda Text: The Board is requested to authorize the County Manager to enter into a design consultant contract with AECOM Technical Services of North Carolina, Inc. (AECOM) to provide design, permitting, and construction administration services related to bidding and construction of approximately 1,000 total linear feet of 24" gravity sanitary sewer infrastructure in the amount of \$94,970.

Background:

A 2015 sanitary sewer modeling study performed by URS Corporation on behalf of Durham County revealed the existing gravity sanitary sewer pipe between manholes T-19-030 and T-19-028 of the County's Stirrup Iron West Gravity Sewer Outfall is at 100% capacity. To continue economic development in the areas tributary to the Stirrup Iron West Gravity Sewer Outfall it is necessary to increase the capacity of this sanitary sewer outfall. The installation of a parallel sewer to the existing sewer will provide the necessary additional capacity for this sewerage basin segment, and will allow for continued economic growth in the service area. Attached is a figure from the 2015 URS Corporation study indicating the location where the existing gravity sanitary sewer is at 100% capacity.

Funding for this project is from the Collection System Rehabilitation project fund, which is funded from the Utility Enterprise Fund.

Durham County issued Request for Qualifications (RFQ) #17-011 on September 9, 2016 for the evaluation of current and future capacity requirements and any design improvements required to increase the capacity of the Stirrup Iron Creek Sewer in this basin segment to continue economic development in the area. RFQ #17-011 was advertised in local newspapers and on the Durham County website. Additionally, the RFQ requirements were emailed to eighteen consulting firms. Six proposals were received on October 6, 2016. The four

firms with the highest composite scores were selected for interviews. AECOM was chosen for this work based on their approach to projects of this nature, company background, completion of similar work over the last five years, resumes of key team members and client references. An example individual score sheet detailing the evaluation criteria and the final selection score sheet are attached. AECOM's scope of service is also attached.

In review of the MWBE participation for this Engineering Consultant Services project, AECOM Technical Services of NC, Inc. will be utilizing 22.81% Women-Owned businesses to provide Engineering Consultant Services subcontracting on this project, and they have provided a responsive scope of work and package.

Alignment With Strategic Plan: Entering into a contract with AECOM for the design, permitting, and construction administration services related to the bidding and construction of the Stirrup Iron West Parallel supports Strategic Plan Goal 1 "Community and Family Prosperity and Enrichment," as well as supporting Strategic Plan Goal 4 "Environmental Stewardship." This project will foster a business-friendly environment by completing the first step towards creating available sewer capacity which will allow continued economic growth in the region. Additionally, the increased capacity will reduce the risk of a sanitary sewer overflows during adverse weather conditions, continuing our high level of environmental protection.

Resource Persons: Jay Gibson PE, General Manager; and Kyle Manning, Senior Project Manager

County Manager's Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a design consultant contract with AECOM Technical Services of North Carolina, Inc. (AECOM) to provide design, permitting, and construction administration services related to bidding and construction of approximately 1,000 total linear feet of 24" gravity sanitary sewer infrastructure in the amount of \$94,970.

Attachments: [URS 2015.06.29 Figure Indicating Capacity Issues](#)
[RFQ 17-011 Evaluation Individual Score Sheet](#)
[Signed Final Evaluation Sheet](#)
[AECOM 24-inch interceptor FINAL \(Scope of Service\)](#)

17-0089 **Budget Ordinance Amendment No. 17BCC000051 - Appropriate \$500,000 (County Portion) of \$7 Vehicle Registration Tax Revenue and Distribution to GoTriangle**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000051 in the amount of \$500,000 which is the estimated County's share of the \$7 vehicle registration taxes collected by the state 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 \$7 vehicle registration tax collected by the state which includes the County's share are made to GoTriangle directly from the State. County staff computes the County's portion per the statutory formula. County staff then records the County's portion on the general ledger recognizing the County's portion of the funds as revenues and the distribution to GoTriangle as the offsetting expenditure (e.g., as a pass-through of the funds collected by the state that have been approved by the Board of County Commissioners to go to GoTriangle).

Even though \$500,000 is budgeted, it remains a challenge to estimate the amount of \$7 vehicle registration funds the state will collect in the fiscal year. However, please note that only the amount of revenue collected by the state is remitted to GoTriangle. By creating a significant budget amount, the County avoids having to go to the Board every quarter to approve a budget amendment to record this pass-through transaction to the County's general ledger.

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, Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000051 appropriating \$500,000 which represents the County's estimated share of the \$7 vehicle registration taxes being collected by the state and remitted/distributed directly to GoTriangle.

Attachments: [AAF-51 Legal Form G7 Dollar Vehicle Registration Tax To Go Triangle \(\\$500,000\)](#)

17-0097

Budget Ordinance Amendment No. 17BCC000052 Public Health: Recognize an Increase of \$3,597 of Refugee Health funds from NC DHHS, Division of Public Health to Support the Refugee Health Program in Durham County

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000052 to recognize an increase in funds of \$3,597 from the NC Epidemiology/Communicable Disease Branch, Division of Public Health.

Funding will be used support the increased number of screenings of Refugees.

Please note that this amendment requires no additional County funds.

Alignment With Strategic Plan: This aligns with Strategic Goal 2: Health and Well-being for All.

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

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000052 to recognize the increase in funds in the amount of \$3,597 from the NC Epidemiology/Communicable Disease Branch, Division of Public Health.

Attachments: [AAF-52 Legal Form Public Health NC DHHS Funds for Refugee Health Program](#)

17-0098

Budget Ordinance Amendment No. 17BCC000057 Public Health: Recognize a Decrease of \$199 of Communicable Disease Funds from NC DHHS, Division of Public Health to Support the STD/HIV Program in Durham County

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000057 to recognize a decrease in funds of \$199 from the NC Communicable Disease Branch, Division of Public Health.

Funding for Local Health Departments decreased as a result in a reduction in the CDC grant that funds the North Carolina STD Prevention Project.

Please note that this amendment requires no additional County funds.

Alignment With Strategic Plan: This aligns with Strategic Goal 2: Health and Well-being for All.

Resource Persons: Gayle Harris, MPH, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000057 to recognize a decrease in funds of \$199 from the NC Communicable Disease Branch, Division of Public Health.

Attachments: [AAF-57 Legal Form Public Health Decrease of NC DHHS CDC Funds for STD F](#)

17-0099

Budget Ordinance Amendment No. 17BCC000053 to Recognize \$40,000 from the NC DHHS Division of Public Health Women's and Children's Health/ Women's Health Branch

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000053 to recognize funds in the amount of \$40,000 from the Department of Health and Human Services Division of Public Health.

The one-time Preconception Health funding is to: 1) assist with managing and convening focus groups with women and men ages 18-30 in order to gather data about women's and men's knowledge of life planning, preconception health and wellness; and 2) coordinate a provider education conference to address preconception health research and reproductive life planning. Please note that this amendment requires no additional County funds.

The Board of Health has approved this amendment.

Alignment With Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All.

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

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 17BCC000053 to recognize funds in the amount of \$40,000 from the Department of Health and Human Services Division of Public Health for managing and convening preconception health focus groups and a provider education conference.

Attachments: [AAF-53 Legal Form Public Health NC DHHS Funds for Women and Children's H](#)

17-0100

Budget Ordinance Amendment No. 17BCC000056 to Recognize Funds in the Amount of \$14,250 from the Alamance County Health Department for Reimbursement for Staff Time for Implementation of the Minority Diabetes Prevention Program and Approve a New \$5.00 Fee for Group-Based Patient Education

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000056 to recognize funds in the amount of \$14,250 from Alamance County Health Department (ACHD) for reimbursement of staff time for implementation of the Minority Diabetes Prevention Program and to approve a new \$5 fee for group-based patient education sessions as required as part of the program.

Four staff members in the Nutrition Division are involved in implementing the program. Per a contractual agreement, DCoDPH will invoice ACHD monthly for salaries/fringe benefits costs associated with the planning and delivery of the program and ACHD will reimburse DCoDPH for these costs.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment with Strategic Plan: This program aligns with Strategic Goal 2: Health and Well-being for All.

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

County Manager's Recommendation: The County Manager recommends that

the Board of County Commissioners approve Budget Ordinance Amendment No. 17BCC000056 to recognize funds in the amount of \$14,250 from Alamance County Health Department (ACHD) for reimbursement of staff time for implementation of the Minority Diabetes Prevention Program and to approve a new \$5 fee for group-based patient education sessions as required as part of the program.

Attachments: [Addendum 473-Minority Diabetes Prevention Program](#)
[Durham MOU-signed contract](#)
[AAF-56 Legal Form Public Health Reimbursement from Alamance County for D](#)

17-0101 **Budget Ordinance Amendment No. 17BCC000055 to Recognize Funds in the Amount of \$4,000 From the Duke Margolis Center for Health Policy for the Healthiest Cities and Counties Community Seed Grant**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000055 to recognize funds in the amount of \$4,000 from the Duke Margolis Center for Health Policy to use as planning funds to support the activities identified in the Healthiest Cities and Counties Challenge.

Challenge activities include work toward improving food security in Durham, education on the Durham's Smoking Rule and work towards the development and use of the Community Health Worker position in Durham County.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment With Strategic Plan: This program aligns with Strategic Goal 2: Health and Well-being for All.

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

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 17BCC000055 to recognize funds in the amount of \$4,000 from the Duke Margolis Center for Health Policy to use as planning funds to support the activities identified in the Healthiest Cities and Counties Challenge.

Attachments: [AAF-55 Legal Form Public Health Duke Funds for Healthiest Cities and Counties](#)

17-0104 **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 (1) Utility Contract for the extension of the County sanitary sewer system.

Background:

This contract is the County's Standard Non-Reimbursable Contract. Attached is a project location map (Attachment A), and a copy of the standard

non-Reimbursable Utility Contract (Attachment B).

1. Churchill Place Office Venture, LLC - Contract with Churchill Place Office Venture, LLC to extend the County sewer system by the connection of approximately 505 linear feet of 8-inch sewer line to serve the Churchill Place Office Park, located at 5425 Page Road in Durham.

Churchill Place Office Venture, LLC has remitted all sewer extension fees and NCDEQ (North Carolina Department of Environmental Quality) sewer extension approvals have been granted.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 1: “Community and Family Prosperity and Enrichment,” as this extension will foster a business-friendly environment by providing sewer service to one office complex and allow additional development in the area in the future.

Resource Persons: Jay Gibson PE, General Manager; and Kyle Manning, Project Manager.

County Manager’s Recommendation: The County Manager recommends the Board authorize the County Manager to execute one (1) Utility Contract for the extension of the County sanitary sewer system.

Attachments: [Attachment A](#)
[Attachment B](#)

17-0107 **Execution of Consulting Services Agreement with SEDC Engineering, P.C. dba NV5 for the Fundamental LEED Commissioning Services for the Durham County Judicial Building Renovation. Project No.: 473DC073**

Agenda Text: The Board is hereby requested to authorize the County Manager to enter into a contract with SEDC Engineering, P.C. (SEDC) dba NV5 to provide Fundamental LEED Commissioning Services for the Durham County Judicial Building Renovation located on 201 East Main St. in the amount of \$61,900.00 (See Attachment 1, Pages 1 & 2).

The Request for Proposals (RFP) for the Fundamental LEED Commissioning Services was advertised on January 26, 2017. Two (2) responses were received on February 16, 2017 and were evaluated by a selection committee represented by County Engineering. SEDC was rated as the most qualified firm for the project and submitted a responsive proposal. SEDC will verify that the project’s energy related systems are installed, calibrated and perform according to the owner’s project requirements, basis of design and construction documents. Benefits of commissioning include reduced energy use, lower operating costs, reduced contractor callbacks, better building documentation, improved occupant productivity and verification that the systems perform in accordance with the owner’s project requirements.

On October 27, 2008, the Durham County BOCC adopted the High Performance Building Policy for County projects. The Durham County High Performance Building Policy requires that new construction receive a “Gold” level LEED (Leadership in Energy and Environmental Design) Certification and that renovation projects receive a “Certified” level certification. In accordance with the High Performance Policy, this proposal includes the necessary scope for the project to qualify for the LEED Energy & Atmosphere Prerequisite 1 for Fundamental Commissioning of Building Energy Systems. The project team is targeting a “Silver” level certification for this project. Commissioning services were originally planned to be provided by the design team. However, OBA could not provide a staff person that met the following criteria of 1) the commissioning agent must have documented commissioning authority experience in at least two (2) building projects and 2) though the commissioning agent may be an employee of any of the design and construction management firms, the individual serving in this role must be independent of the project. In light of the fact that OBA could not meet this criteria, Durham County has to retain a third party commissioning agent for this service.

In review of the MWBE participation for this Fundamental LEED Commissioning Services Project, there were no participation goals achieved. SEDC Engineering, P.C. dba NV5 is performing this service in house utilizing their own workforce to perform this particular service and has provided a responsive bid. SEDC Engineering has been contacted and accepted their course of action to extend their good faith efforts on MWBE participation going forward on this project. Funding for this service is available in the Judicial Building Renovation Capital account.

Alignment with Strategic Plan: This aligns with Goal 4 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment. The relocation of various departments into this facility also addresses Goal 5 by providing more efficient service delivery and better customer service.

Resource Persons: Jay Gibson, P.E., General Manager/Director of Engineering and Environmental Services; 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 a consulting services agreement with SEDC Engineering, P.C. dba NV5 dated February 16, 2017 in the amount of \$61,900.00.

Attachments: [AAF - Backups - Attachment 1 - Judicial Building Renovation Fundamental Cor](#)

17-0108 **Approval of Contract with Siemens Building Technologies to Purchase and Install a New Fire Panel at Durham County Detention Center**

Agenda Text:

The Board is requested to authorize the County Manager to execute a contract in the amount of \$296,025.94 with Siemens Building Technologies for the installation of a new fire panel at Durham County Detention Center. The current system is suffering from obsolescence; it was originally installed with Detention Center Construction in 1996. To allow for proper synchronization all new fire notification systems are required and included in this contract. With a new panel at the Detention Center the fire sprinkler system will continue to provide Life Safety coverage in the event of a fire at the facility.

Funding for this contract was included in the FY16/17 budget. Siemens Building Technologies is a member of the National Joint Powers Alliance (NJPA), a joint purchasing agreement which the County is a member, so no RFP was required for this project.

Alignment with Strategic Plan: This request aligns with the County's Strategic Goal 3: Partner with the community to prevent and address unsafe conditions, protect life and property and respond to emergencies. Goal 5: Efficient and Visionary Government: An effective organization committed to the pursuit of excellence through: collaborative leadership, exceptional customer service, innovation, transparency and fiscal responsibility.

Resource Persons: Motiryo Keambiroiro, Director of General Services; Shawn Swiatocha, Assistant Director of General Services; Charles King, Project Facilitator; David Alpaugh, Building Maintenance Supervisor; Eli McCutcheon, Quality Control & Contract Specialist

County Manager's Recommendation: The County Manager recommends that the Board authorize the Manager to execute the contract with Siemens Building Technologies to purchase and install a new fire panel at Durham County Detention Center totaling \$296,025.94.

Attachments:

[Siemen's Building Technolgies \(NJPA #\)](#)

[Service Contract, SIEMENS, FACP Replacement at Det Ctr.](#)

[Durham Detention Center Proposal](#)

17-0109**Execution of the Asbestos Abatement Contract for the Lincoln Community Health Center Renovation - Phase II Renovation Project No.: 47302635DC139****Agenda Text:**

The Board is requested to authorize the County Manager to enter into a contract with Enpuricon, Inc. for the asbestos abatement for the Phase II Renovation of the Lincoln Community Health Center (LCHC) located at 1301 Fayetteville St., Durham East Main Street, Durham, in the amount of \$54,511.50 (See Attachment 1, pages 1 - 3) and to execute any other related contracts including change orders, if necessary, not to exceed the available budget of \$60,000.00.

Background:

On January 23, 2017, the Board of County Commissioners appropriated \$1,191,520.00 of Lincoln Community Health Center funding into the previously

established Capital Project Account and authorized the construction contract with Harrod and Associates, P.A. for the LCHC Phase II Renovation. At that time, the appropriations approved by the Board included a budget estimate for the necessary asbestos abatement in the amount of \$79,000.00. As noted above, actual bids received were well within the estimated budget allowance for this task. The assessment report identified asbestos containing materials in the mastic underneath the floor tiles in the facility. Subsequently, bids were received by County Engineering on February 7, 2017, for this abatement with Enpuricon, Inc. being the apparent responsible/responsive low bidder. The LCHC funding has been incorporated into the project account and a portion of this allocation will be used for this service contract. The LCHC funding must be used for the asbestos abatement as language in the grant stipulates that the grant funding cannot be apportioned for hazardous material abatement. Hazardous material abatement is critical to the project as it will enhance the environmental safety of the site. This abatement must also be conducted prior to the commencement of the construction work to improve this facility.

The scope of work for the renovation project will include: interior renovation of portions of both floors of the building in several phases. Renovations include demolition and reconfiguration of walls, new casework and finishes, new ceiling tile and light fixtures, new plumbing fixtures, and reconfiguration of the existing mechanical system to support the new work. There are several alternates for the renovation in additional areas, specifically conference rooms, existing toilets and office areas. The total area to be renovated (including alternate bids) is 22,616 square feet primarily to the Pharmacy, Dental Clinic, WIC, HIMS and the Behavioral Health Departments. The outpatient medical clinic will remain functional during the renovation. New materials will include recycled content flooring and low-VOC paint products. Completion of this project will provide a reliable working environment by eliminating current space deficiencies and improve service delivery at this facility.

In review of the M/WBE compliance for this service, Enpuricon, Inc. will not be utilizing any M/WBE participation as they will be performing this services in-house due to the nature of this work.

Alignment With Strategic Plan: This aligns with Strategic Goal 2 - "Health and Wellbeing for All" by supporting important health services providers such as Lincoln Community Health Center.

Resource Persons: Jay Gibson, P.E., CFM, General Manager, Peri Manns, ASLA, LEED GA, Deputy Director of Engineering & Environmental Services, Brenda Hayes-Bright, Assoc. AIA, CDT, Project Manager, Jacqueline Boyce, Purchasing Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute a service contract with Enpuricon, Inc. for the work outlined in the proposal dated February 7, 2017 in

the amount \$54,511.50 and to execute any other related contracts including change orders, if necessary, not to exceed the available budget of \$60,000.00.

Attachments: [AAF - Backups - Attachment 1 LCHC Phase II Renovation - Asbestos Abatement](#)

17-0110 **Department of Social Services Budget Ordinance Number 17BCC000054 Recognizing \$93,415 for Housing Opportunities for Persons with Aids (HOPWA) Funds from the City of Durham and Approval of two (2) Provisional FTEs to Provide Case Management**

Agenda Text: The Board is requested to recognize \$93,415 from the City of Durham for The Housing Opportunities for Persons With Aids (HOWPA) Program. This is a federal program dedicated to the housing needs of people living with HIV/AIDS. Under the HOWPA Program, HUD makes grants to local communities, States, and nonprofit organizations for projects that benefit low-income persons living with HIV/AIDS and their families.

The City of Durham and Durham County Department of Social Services have entered into an Interlocal Agreement (Sub-Grant Agreement) whereas DSS, the Project Sponsor is being awarded the HOPWA Program funds for eligible activities. DSS will provide limited financial assistance for eligible households to remain in their current housing using Short -Term Rental Mortgage and Utility (STRMU) Funds, and offer participants comprehensive Supportive Services by linking assisted participants housing plans and medical plans to other community resources and programs for individuals needing additional medical, health-related counseling, and other non-housing related issues. DSS will provide Supportive Services for up to sixteen participants being assisted with Tenant Based Rental Assistance (TBRA) vouchers through Durham Housing Authority (DHA). DSS will provide Permanent Housing Placement services for at least seven HOPWA-eligible households moving to subsidized rental housing in coordination with DHA. DSS will use existing relationships with landlords and housing providers throughout the four-county Durham-Chapel Hill Eligible Metropolitan Statistical Area to transition a limited number of HOPWA-eligible households into more permanent housing through the use of TBRA vouchers. The Department is requesting the Board to approve the Interlocal Agreement.

The Department is requesting approval of two (2) provisional FTEs to provide case management.

No County funds required.

Alignment with Strategic Plan: This action aligns with Goal 2: Health and Well-being for All.

Resource Persons: Michael A. Becketts, Director.

County Manager's Recommendation: The County Manager recommends that the BOCC approve Budget Ordinance No. 17BCC000054 of \$93,415 for Housing Opportunities for Persons With Aids (HOPWA) Funds from the City

of Durham and approve the Sub-Grant Agreement (Interlocal Agreement between the City of Durham and Durham County Department of Social Services. The County Manager also recommends the approval of 2 provisional FTEs.

Attachments: [AAF-54 Legal Form DSS HOPWA Funds from the City of Durham and 2 Provisi](#)

17-0132 Bond Resolution

Agenda Text: The Board is requested to approve the attached resolution that authorizes the County Manager to sign the Taxable General Obligation Bond for the Whitted School project on behalf of the County. This is a correction to a previous resolution that authorized the Chairman of the Board of County Commissioners in error. These administrative actions are approved at the County Manager level.

The original resolution was approved by the BOCC on February 13, 2017 entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$3,800,000 TAXABLE GENERAL OBLIGATION SCHOOL BOND."

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

Resource Persons: George K. Quick, Chief Financial Officer

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

Attachments: Durham County NC - Proceedings of BOC on 3_13_17

17-0139 Resolution to Support Funding for Mental Health Services

Agenda Text:

The Board is requested by Alliance Behavioral Healthcare to approve and sign the attached resolution as a tangible expression of your opposition to further cuts in State funding for public behavioral healthcare. The State funding to serve individuals with mental health, substance use, and intellectual/developmental disabilities has been cut by \$252 million over the past two years, including \$26 million in cuts to the citizens Alliance serves. Additional cuts this year would force Alliance to redirect their fund balance to make up for the shortfall. This shift would seriously jeopardize their reinvestment plan which calls for those dollars to create and enhance innovative programs and services that meet the identified needs of their communities, and their constituents.

Alignment with Strategic Plan: Goal 2: Health and Well-being for All

Resource Persons: Rob Robinson, CEO, Alliance Behavioral Healthcare

County Manager's Recommendation: The County Manager recommends that the Board approve and sign the Resolution to Support Funding for Mental Health Services

Attachments: [Resolution in Support of Funding for Mental Health Services](#)

8. Public Hearings

17-0106 **Public Hearing - A Request to Conduct a Public Hearing on the Permanent Closing of a 174 Square Foot Portion of Willow Springs Road**

Agenda Text: The Board is requested to conduct a public hearing on the permanent closing of a 174 square foot portion of Willow Springs Road, located adjacent to 501 Currin Street.

Attachment 1, Context Map
Attachment 2, Aerial Map
Attachment 3, Street Closing Application
Attachment 4, Street Closing Plat Reduction
Attachment 5, Street Closing Order

Alignment with Strategic Plan: Staff finds the request to align with Goal Five, “Accountable, Efficient and Visionary Government,” of the strategic plan. This portion of Willow Springs Road is presently unused and is not maintained by NCDOT.

Resource Persons: Kyle Taylor, Planner

County Manager’s Recommendation: The Manager recommends that the Board adopt an order permanently closing a 174 square foot portion of Willow Springs Road.

Attachments: [Attachment 1 - Context](#)
[Attachment 2 - Aerial](#)
[Attachment 3 - Application](#)
[Attachment 4 - Street Closing Plat](#)
[Attachment 5.Street Closing Order](#)
[SC1600006 Report_Final_20170223](#)

17-0128 **Public Hearing - Discovery Charter School Bonds- 30 min**

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, if appropriate, adopt the attached resolution.

Attachments: [Discovery-Durham Approval Resolution-3-13-17 Meeting](#)

17-0129 **Public Hearing to Consider Approval, for Purposes of Meeting the Requirements of the Internal Revenue Code, of up to \$26,000,000 in Educational Facilities Revenue Bond to be Issued by the Public Finance Authority for the Benefit of Durham Academy, Incorporated (the "Borrower")- 30 min**

Agenda Text: The Public Finance Authority (PFA) is a governmental unit of the State of Wisconsin created for the purpose of issuing tax-exempt and taxable conduit bonds for public and private entities nationwide. PFA is sponsored by the National Association of Counties, the National League of Cities, the Wisconsin Counties Association and the League of Wisconsin Municipalities. Any debt issued is not debt of the County or PFA, but rather is payable solely from debt service payments received from the entity involved (in this case, the Borrower). Other projects financed by PFA include: Carolina Friends School in Durham, St. David's School in Raleigh, the Raleigh Montessori School, Voyager Academy in Durham and Sterling Montessori Academy and Charter School in Morrisville (partial listing).

PFA has been requested to issue the Bonds pursuant to Section 66.0304 of the Wisconsin Statutes, as amended, in the principal amount of up to \$26,000,000. The proceeds of the Bonds will be loaned to Borrower to be used to (a) refund in advance of their maturity the Borrower's obligations with respect to the North Carolina Capital Facilities Finance Agency Educational Facilities Revenue Bonds (Durham Academy) Series 2010, as amended (the "2010 Bonds"), the proceeds of which were used to finance the Prior Project (as defined below); (b) finance the Current Project (as defined below), and (c) finance certain issuance costs to be incurred in connection with the Bonds.

The proceeds of the 2010 Bonds were used to finance and refinance the cost of various capital improvements to the Borrower's and The Hill Center, Inc.'s (the "Hill Center") campuses, including but not limited to the financing, refinancing or reimbursing for various capital improvements (all such capital improvements described in this paragraph being the "Prior Project"), including without limitation, (a)(1) constructing and equipping a new facility to house the Hill Center and its programs for educating those with special needs, (2) site work on the Academy Road Campus, including the widening of a public road, (3)

renovating, expanding and equipping Kenan Auditorium on the Ridge Road campus, (4) renovating, expanding and equipping the gymnasium and Taylor Hall on the Academy Road campus, (5) other renovations to various campus facilities and various equipment purchases, (6) the purchase of various parcels of property contiguous to the Borrower's and the Hill Center's campuses, (7) the construction of and the acquisition of furnishings and equipment for a new lower school and gymnasium, (8) renovations to and furnishings and equipment for the Borrower's middle school, (9) various computer, equipment, and furnishing purchases, (10) various improvements to the Borrower's Ridge Road and Academy Road campuses; (b) financing, refinancing or reimbursing improvements to the Borrower's Ridge Road and Academy Road campuses, including without limitation, HVAC improvements, computer networks, roof replacements, auditorium seating, gym flooring, exterior siding and other similar improvements, including the purchase of equipment and furnishings, and (c) paying certain costs incurred in connection with the issuance of the 2010 Bonds. All of the aggregate outstanding principal amount (approximately \$9,740,000) of 2010 Bonds will be refunded.

The "Current Project" consists of the acquisition, construction, equipping and furnishing of (a) a new 46,000 square foot upper school science and humanities building on the Borrower's Ridge Road campus, (b) a new classroom and administrative office building on the Borrower's Ridge Road campus and (c) certain exterior improvements throughout the Borrower's Ridge Road and Academy Road campuses. The Current Project is expected to cost approximately \$15,830,000. The Current Project and the Prior Project are herein referred to as the "Project".

All of the facilities and equipment to be financed, refinanced or reimbursed with the proceeds of the Bonds are or will be owned and operated by the Borrower or the Hill Center, and are located on the Borrower's and the Hill Center's campuses at 3601 Ridge Road, 3116 Academy Road and 3200 Pickett Road, all in Durham, North Carolina.

Wisconsin law and Federal tax law requires that tax exempt bonds issued to finance or, in certain circumstances, refinance, facilities owned by nonprofit organizations be approved by the elected legislative body (or highest elected representative) of the governmental unit that has jurisdiction over the area in which the facility is to be located. Prior to this approval, Internal Revenue Code Section 147(f) requires that a public hearing be held, at which hearing the public is given the opportunity to comment on the two projects.

Because the proceeds of the Bonds will be used to refinance and finance the projects, which are located in the County, the Board of Commissioners is one of the appropriate governing bodies to approve the use of tax-exempt bonds to finance the Project for the purposes of Section 147(f) of the Code (the other is the City of Durham).

The Bonds are expected to be purchased by BB&T Community Holdings, Co. (a BB&T Bank affiliate). The Borrower will promise to repay the principal, premium, if any, and interest on the Bonds. Neither PFA nor the County would have any liability whatsoever for the payment of principal or interest on the Bonds. The Bonds will be special limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the PFA, and certain funds and accounts established by the bond indenture for the Bonds.

The Bonds shall not be deemed to constitute a debt of the County or a pledge of the faith and credit of the County, but shall be payable solely from the revenues and other funds provided therefor.

The County will have no responsibility whatsoever for the Bonds. The Bonds will not affect the County's debt ratios or legal debt limit. Because no taxes or other revenues of the County will be pledged to pay these Bonds, the staff of the County has made no financial analysis of the Bonds, the Borrower or the projects.

The notice of public hearing (attached) was published in the *Durham-Herald Sun* as required by law. The form of the resolution to be adopted by the Board of Commissioners is also attached.

The Board is requested to:

1. That the Board of Commissioners hold a public hearing on the proposed issuance of not to exceed \$26,000,000 of the Bonds to be issued by the Public Finance Authority; and
2. At the conclusion of a public hearing, the Board of Commissioners adopt the attached resolution which finds:
 - a. That the \$26,000,000 in Educational Facilities Revenue Bonds do not constitute a debt of the County; nor require a tax levy or a pledge of the faith and credit of the County; nor will affect the County's debt ratios or legal debt limit;
 - b. That the County has made no financial analysis of the Bonds, of the Borrower or of the Project;
 - c. Approve the issuance of not to exceed \$3,000,000 in Educational Facilities Revenue Bonds to be issued by the Public Finance Authority for the benefit of the Borrower; and
 - d. Reserving all rights with respect to zoning, planning, plans, specifications, inspections, etc. that the County would otherwise require.

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

Resource Persons: Lowell L. Siler, County Attorney; Jeffrey Poley, Parker Poe

Adams & Bernstein LLP

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

Attachments: [Extract Minutes of BOCC Meeting](#)
[Notice of Public Hearing - Durham Academy School Bonds](#)

9. ITEMS PULLED FROM CONSENT AGENDA (20 min)

10. Closed Session

[17-0122](#) Closed Session

Agenda Text: The Board is requested to adjourn to Closed Session pursuant to G.S. 143.318.11(a)(3) to consult with an attorney and to preserve the attorney-client privilege;

and pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of business or industry.

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

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

11. Adjournment