



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, January 22, 2018

7:00 PM

Commissioners' Chambers

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### Regular Session

#### “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)

#### [18-0611](#) Announcements

Agenda Text:

- 1) The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) is seeking public feedback on the proposed 2045 Metropolitan Transportation Plan (MTP) report, which will drive future policies and decision-making processes for highway, bicycle, pedestrian, and transit projects. Residents and stakeholders can now review and provide input on the proposed 2045 MTP, which shows the highway, bus transit, rail transit and other transportation projects to be implemented over the next 30 years, and presents the official demographic forecasts and regional travel model. Visit the DCHC MPO Website and provide comments directly by email by February 9. For more information, contact Andy Henry with the City of Durham Transportation Department at (919) 560-4366, ext. 36419 or by email.
- 2) It's that time of year again - flu season! As long as flu activity is ongoing,

it's not too late to get vaccinated, even in January. The Centers for Disease Control and Prevention states that even if you have already gotten sick with flu this season, it is still a good idea to get a flu vaccine since it protects against three or four different viruses (depending on which flu vaccine you get). Everyone 6 months of age and older should get a flu vaccine every season. An annual flu vaccine is the best way to protect you and your loved ones against this potentially serious disease. Contact the Durham County Department of Public Health Immunization Clinic at 919-560-7608 for more information.

- 3) Join us for the CONNECTING TO OPPORTUNITY SUMMIT sponsored by GoTriangle, Triangle J Council of Governments, and Gateway Planning. This summit will be a day of learning and discussion with local and national experts. The event will be held Tuesday, February 6, 2018 from 9:00 am - 5:00pm at the Durham Performing Arts Center (DPAC), 123 Vivian Street. Please register by today, or contact Aspen Romeyn, Triangle J at 919-558-9319 for more information.
- 4) Durham City Council, County Commissioners, and Board of Education will host a series of community conversations. The first topic, "Public Safety" will be discussed on Saturday, January 27th at the Durham Convention Center, 301 W. Morgan Street from 10:00 am-12:00 noon. "Affordable Housing, Transportation & Human Services" will be addressed on Tuesday, January 30th at 7:00 pm at the Durham County Human Services Complex, 400 E Main Street. "Education and Economic Development" will be discussed on Tuesday, February 6th at 7:00 pm, at Brogden Middle School 1001 Leon Street.
- 5) The SummerWork Youth Job Expo has been rescheduled to Wednesday, January 31st at Hillside High School from 3:00-5:00 pm. Youth and young adults ages 14-24 can find summer jobs, internships, and other work-based learning opportunities. Learn tips and techniques for successfully applying for jobs and internships. Register to attend at [bit.ly/SummerWorkYouth2018](http://bit.ly/SummerWorkYouth2018) (URL is case-sensitive).
- 6) Please note the date change - The next regularly scheduled meeting of the Board of County Commissioners will be Thursday, February 8th at 9:00 am. The Board will **not** meet on Monday, February 5th.

7) 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)

**18-0612** Minutes**Attachments:** [Regular Session - January 8, 2018](#)**5. Ceremonial Items****18-0607** Recognize the Durham Soil and Water District for Receiving the Conservation Technical District of the Year for North Carolina**Agenda Text:**

The Board is requested to recognize an award recently received by the Durham County Soil and Water Conservation District's (Durham SWCD) Board and staff. Each year the North Carolina Association of Soil and Water Conservation District (NCASWCD) awards the "Conservation Technical District of the Year Award" to one of the 96 Soil and Water Conservation Districts across the state. This annual award recognizes a Soil and Water Conservation District for its outstanding achievements in delivering a technical program that has exceeded during the past year. This year the Durham Soil and Water Conservation District (SWCD) was named the 2018 "Conservation Technical District of the Year" for North Carolina.

Successes considered by NCASWCD in making this award included Durham SWCD's work in facilitating Community Conservation Assistance Program (CCAP) projects, primarily on private citizens' property using grant funding. Additionally, the Impaired Stream Improvement Program (ISIP) has assisted local disadvantaged citizens with conservation projects on their property that they would otherwise not be financially able to complete. Other accomplishments noted were the district's completion of Phase I and Phase II of the Southern High stormwater and stream restoration projects while securing further grants for funding three future stream restoration projects. Finally, the district's work via the Agriculture Water Resources Assistance Program (AgWRAP) assisted various landowners by means of pond construction, dredging and irrigation systems. The award was presented during this year's NCASWCD Annual Meeting held January 7th-9th.

**Alignment with Strategic Plan:** This program aligns with Goal 4 Environmental Stewardship and Community Prosperity and Goal 5 Accountable Efficient and Visionary Government.

**Resource Persons:** Chris Hogan, President NCASWCD, Bryan Evans, Executive Director NCASWCD, Talmage Layton Chairman Durham SWCD, Eddie Culberson Director Soil and Water, Lisa Marochak, Senior Administrator Officer, Jennifer Brooks, Natural Resources Coordinator, Heather Dutra, Watershed Conservationist, Mike Dupree, Ag Development and Environmental Services Manager

**County Manager's Recommendation:** The County Manager recommends that the Board recognize the Durham SWCD Board and staff for receiving the 2018 Conservation Technical District of the Year award for North Carolina.

**18-0619** Resolution - Opposing a Change from the Election of Judges to the

**Selection of Judges**

**Agenda Text:** The Board is requested to approve a resolution opposing a change from the current election of judges to the selection of judges. The resolution has been approved by other counties and is being circulated throughout all 100 counties for support and approval by each county.

**Alignment With Strategic Plan:** Goal 5 - Accountable and visionary government

**Resource Persons:** Wendy Jacobs, Chair

**County Manager's Recommendation:** The County Manager recommends that the Board approve the resolution and direct staff accordingly.

**Attachments:** [Resolution - Opposing Change to How Judges are Selected Resolution](#)

**18-0629****Resolution - Draft Durham County NACo Resolution**

**Agenda Text:** The Board is requested to review a Draft resolution regarding the preservation and expansion of affordable housing.

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

**Resource Persons:** Wendy Jacobs, Chair

**County Manager's Recommendation:** The County Manager recommends that the Board discuss the item and direct staff accordingly.

**Attachments:** [Resolution - NACo Affordable Housing](#)

**6. Consent Agenda (15 min)****18-0598****Approval of Contract with Phoenix Business Consulting, Inc. in the Amount of \$71,080 for Specialized on-demand Contracting Services to Support the Ongoing Operation of the SAP Enterprise Resource Planning System**

**Agenda Text:** The Board is requested to authorize the County Manager to enter into a contract with Phoenix Business Consulting in the amount of \$71,080 to support the ongoing operation of the SAP Enterprise Resource Planning system.

IS&T's SAP Division supports the County's ERP system which processes the core Finance, Budget, and HR business processes including but not limited to processing payroll, time management, budget preparation, general ledger, procurement, and accounts payable. While two key positions are unfilled, the volume and complexity of work has continued to increase as the Finance, HR, and Budget departments continue to improve business processes.

The contract will be used to complete outstanding and ongoing work requests that have not been addressed because of the absence of resources. This will enable the ERP support team to regain stability during the current fiscal year. The value of approving this contract is to ensure existing work requests, across our human

resources, budget, and financial area, are completed in a timely manner - consistent with Durham County's Strategic Plan Goal 5.1A - provide prompt response to the internal customers, in order to not jeopardize service delivery to our external stakeholders.

There should be no impact to the proposed action on the current or future year because the funding will come from current operating FY18 funding.

**Alignment with Strategic Plan:** Efficient and effective operations of business applications supporting citizens across our County departments aligns with Goal 5 (Accountable, Efficient and Visionary Government) of the Strategic Plan

**Resource Persons:** Greg Marrow, Chief Information Officer

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to execute the contract with Phoenix Business Consulting, Inc. for the amount of \$71,080.

**Attachments:**

[AAF Supplemental Document - Contract Approval PBC Jan 2018](#)

[PB Contract](#)

**18-0592**

**Extension of the 2018 Listing Period for Business Personal Property**

**Agenda Text:**

The Board is requested to delegate authority to the Tax Assessor to grant individual extensions for the listing of business personal property upon written request showing good cause that an extension should be granted. Extensions would extend the listing period until no later than April 16, 2018.

Under G.S. 105-307, the period during which property is to be listed for taxation each year shall begin on the first business day of the month of January, and, unless extended as provided by statute, shall continue through the month of January. The Board of Commissioners shall grant individual extensions of time for the listing of personal property upon written request and for good cause shown. The request must be filed with the Tax Assessor no later than the ending date of the regular listing period. The Board may delegate the authority to grant extensions to the Tax Assessor.

**Alignment with Strategic Plan:** Goal 5, Accountable, Efficient, and Visionary Government. Requested action ensures the county complies with North Carolina General Statutes and ensures we are accountable to our citizens. 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 delegate authority to the Tax Assessor to grant extensions until no later than April 16, 2018 to taxpayers required by North Carolina General Statutes to list business personal property., who request an extension during the month of January and show good cause.

**18-0593****Appointments to the Criminal Justice Advisory Committee****Agenda Text:**

The Board is requested to appoint the following individuals to two-terms in statutory positions on the Criminal Justice Advisory Committee:

- Vernetta Alston, Councilor, to serve as the designee for Mayor Steve Schewel
- Ben Rose, Director of the Durham County Department of Social Services
- Tara Blackley, Deputy Public Health Director, to serve as the designee for Gayle Harris, Director of Public Health and General Manager
- Major Don Baker, Office of the Sheriff, to serve as the designee for Sheriff Mike Andrews

The Durham County Criminal Justice Advisory Committee was established in 2012 to develop a comprehensive continuum of services for the adult criminal justice system, identify gaps and develop intervention strategies.

**Alignment with Strategic Plan:** The Criminal Justice Advisory Committee aligns with Goal 3 of the County's Strategic Plan

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

**County Manager's Recommendation:** The County Manager recommends that the Board appoint Vernetta Alston, Councilor; Ben Rose, Social Services Director; Tara Blackley, Deputy Public Health Director; and Major Don Baker, Office of the Sheriff to serve two-year terms in statutory positions on the Criminal Justice Advisory Committee.

**18-0606****Property Tax Releases and Refunds for December 2017****Agenda Text:**

The Board is requested to approve the Releases & Refunds for the month of December 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 December 2017.

Releases and Refunds for 2017 total \$311,220.59. Prior year's (2015-2016) releases and refunds for November 2017 are in the amount of \$72,180.33. The current year and prior year's releases and refunds amount to \$383,400.92.

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

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

**County Manager's Recommendation:** The County Manager recommends that the Board accept the property tax release and refund report for December 2017 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

**Attachments:** [Release & Refunds-Backup-December 2017-January 22, 2018](#)  
[Releases and Refunds Backup Detail-December 2017-January 22, 2018](#)  
[Refund Report 201711](#)

### **18-0608** Property Tax Releases and Refunds for November 2017

**Agenda Text:** The Board is requested to approve the Releases & Refunds for the month of November 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 November 2017.

Releases and Refunds for 2017 total \$36,514.48. Prior year's (2012-2016) releases and refunds for November 2017 are in the amount of \$18,243.21. The current year and prior year's releases and refunds amount to \$54,757.69.

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

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

**County Manager's Recommendation:** The County Manager recommends that the Board accept the property tax release and refund report for November 2017 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

**Attachments:** [Release & Refunds-Backup-November 2017-January 22, 2018](#)  
[Releases and Refunds Backup Detail-November 2017-January 22, 2018](#)  
[NCVTS 201710 Refunds](#)

### **18-0614** Appointment - Workforce Development Board

**Agenda Text:** The Board is requested to appoint Department of Social Services Director, William Rose to serve an unexpired two-year term in the Barriers to Employment position on the Workforce Development Board.

The Durham Workforce Development Board (DWDB) was established by the Workforce Investment Act of 1998 and is a consortium agreement between the City

and County of Durham. The purpose of the board is to facilitate, plan and coordinate workforce development resources to maximize the efforts of government, business, and education. Through collaborative partnerships, the board is the local policy organization responsible for the planning, oversight and coordination of workforce development initiatives that help support economic development in Durham. It provides leadership to the local workforce system by promoting a responsive workforce development system, providing guidance and exercising independent oversight regarding activities under the Workforce Investment Act and programs within the Durham JobLink Career Center system. By law, the majority of board members must represent the private sector, with the balance of the board being comprised of representatives from educational, rehabilitation, public assistance and economic development agencies, community-based organizations, organized labor and the employment service.

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

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

**County Manager's Recommendation:** The County Manager recommends that the Board appoint Department of Social Services Director William (Ben) Rose to serve on the Workforce Development Board.

#### **18-0618**

#### **Contract with Smith Moore Leatherwood, LLP**

**Agenda Text:**

The Board is requested to approve a contract with Smith Moore Leatherwood, LLP in an amount up to \$100,000 for legal services.

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

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

**County Manager's Recommendation:** The County Manager recommends that the Board approve the contract for execution by staff.

## **7. Public Hearings**

#### **18-0615**

#### **Public Hearing to Consider allocating Economic Development Investment Funds to Corning, Incorporated**

**Agenda Text:**

The Board is requested to hold a public hearing to consider allocating a total of up to \$2,700,000 in Economic Development Investment funds over a period of 7 years to Corning, Incorporated (Corning). Corning is a world-class company specializing in material science innovations, including various high-end glass products, for over 166 years.

The company currently has facilities located in the Treyburn Industrial Park in Durham County. Corning now wishes to expand their facilities to provide development and production of new specialty glass products to serve the healthcare markets. The

company plans to invest an estimated \$189,000,000 in real and business personal property and to create approximately 317 new jobs, of which an estimated 269 of the jobs will be in manufacturing and logistics. The company has advised the wage scale for the proposed jobs will meet and/or exceed similar positions in the Durham-Chapel Hill MSA and also that healthcare will be provided for these new, full-time positions proposed. On December 13, 2017, the State of North Carolina approved incentives through the Job Development Incentive Grant (JDIG) program for this project of up to \$3,215,250 over a period of 12 years, contingent on provision of a local match from Durham County as well as certain performance targets being met.

Staff is recommending that the County provide up to \$2,700,000 in Economic Development Investment funds subject to certain goals being met by Corning related to timing and amount of investment, employment creation, and maintaining of the created jobs by Corning.

This public hearing has been advertised as required by law.

**Alignment with Strategic Plan:** Goal 1 - Family and Community Prosperity; Goal 4- Environmental and Economic Stewardship; Goal 5 - Visionary Government

**Resource Persons:** Wendell Davis, County Manager; Jay Gibson, General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board conduct the public hearing and, if appropriate, approve the proposed total of up to \$2,700,000 in incentives for Corning.

### **18-0616**

### **Public Hearing to Consider Allocating Economic Development Investment Funds to Braeburn Pharmaceuticals, Incorporated**

**Agenda Text:**

The Board is requested to hold a public hearing to consider allocating a total of \$50,000 in Economic Development Investment funds to Braeburn Pharmaceuticals, Incorporated (Braeburn) utilizing funds provided as a donation to Durham County by Longfellow Real Estate Partners via the Chamber of Commerce. Braeburn focuses on the development and commercialization of medications for serious disorders of the central nervous system, including opioid addiction. The company was founded in 2012 and is headquartered in Princeton, New Jersey.

The company was seeking 50,000 square feet of space to establish a new Research and Development (R&D) center as well as manufacturing base. Following evaluation of sites in New Jersey and North Carolina, the company chose a site in Durham County at the intersection of Hopson Road and Davis Drive. The company plans to invest approximately \$19.9 Million in their facility and to hire 52 workers with an average wage of \$75,769. The company will provide healthcare for its employees. Braeburn also proposes that approximately 88% of the jobs will be in manufacturing. Additional funds will be invested by the property owner. When determined the project did not specifically meet County guidelines for direct investment of County funds, the Chamber

staff facilitated an alternative approach that has been approved by the State of North Carolina. This approach, utilizing a private match donation, will secure the company locating in Durham County and also provide a pathway for matching funds from the State. The OneNC Fund will provide a 1:1 match in the amount of \$50,000 and the North Carolina Biotechnology Center will also provide a \$50,000 grant.

Staff is recommending that the County provide up to \$50,000 in Economic Development Investment funds utilizing the provided private match subject to certain performance goals being met by Braeburn related to timing and amount of investment, employment creation, and maintaining of the created jobs by Braeburn.

This public hearing has been advertised as required by law.

**Alignment with Strategic Plan:** Goal 1 - Family and Community Prosperity; Goal 4- Environmental and Economic Stewardship; Goal 5 - Visionary Government

**Resource Persons:** Wendell Davis, County Manager; Jay Gibson, General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board conduct the public hearing and, if appropriate, approve the proposed total of up to \$50,000 in incentives for Braeburn.

## 8. Board and Commission Appointments (10 min)

### [18-0613](#)

#### Board and Commission Appointments

**Agenda Text:**

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

- Adult Care Home Community Advisory Committee
  - Christopher Fisher
  - Christopher Jones
  - Jennifer Melvin Pifer
  - Kimberly Robertson
- GoTriangle Transit Citizen Advisory Committee
  - Philip Azar
  - Edward C. Harrison
  - Nicolas Norboge
  - Jacob Rogers
  - Monique Velasquez
- Historic Preservation Commission
  - Matt Bouchard
  - Ricky Hart
  - Anthony Reevy
- Women's Commission
  - Aquaris Anderson
  - Tonya Jackson

- Jessica Jones
- Kimberly Robertson
- Denise Lipman-Thompson
- Tamika McRae
- Jacqueline Wigfall
- Dianne Thorne
- Nikita Watts

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

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

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

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

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

## **10. Adjournment**