



Durham County

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

Meeting Agenda Board of County Commissioners

Michael D. Page, Chair
Brenda A. Howerton, Vice Chair
Fred Foster, Jr., Commissioner
Wendy Jacobs, Commissioner
Ellen W. Reckhow, Commissioner

Monday, March 23, 2015

7:00 PM

Commissioners' Chambers

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 pm Regular Session

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

[15-329](#) 2015 STATE OF THE COUNTY ADDRESS

Agenda Text:

The Board is requested to receive the 2015 State of the County Address from Chairman Michael Page. Chairman Page will address the County on the accomplishments over the past year as well as the goals and challenges the County faces in the upcoming year.

ALIGNMENT WITH STRATEGIC PLAN: Chairman Page will address how the State of the County aligns with all of its strategic goals.

RESOURCE PERSONS: Michael D. Page, Chair, Durham Board of County Commissioners

2. Agenda Adjustments (5 min)

3. Announcements (5 min)

[15-230](#) Announcements

- Agenda Text:**
- 1) "In Touch with Durham County," the Durham County Television show, airs daily on Durham Television Network (DTN) Channel 8 or 97-5 at 10 a.m., 3:30 p.m. and 6:30 p.m. Our County Commissioners' meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m. Kaaren Johansson, Crop Walk Coordinator and Tammy Baggett, Library Director are the current guests.
 - 2) Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a difference in our community. Contact the Clerk's Office at 919-560-0025, visit the County's website, or email Clerk@dconc.gov <<mailto:Clerk@durhamcountync.gov>> for more information. Please note that all City and County taxes must be current at the time of application.
 - 3) "Living Healthy," the Durham Diabetes Coalition Television show, airs daily on Cable TV Channel 8 or 97-5 at 7 p.m. Each episode features Durham County resources and residents successfully living with diabetes. This is also an initiative that supports Durham County's strategic goal Health and Well-being for All.
 - 4) As Chair of the Board of County Commissioners, I will hold office hours for citizens each Wednesday from 2:00 pm to 5:00 pm. Appointments can be made by calling me at (919) 949-4022.

4. Minutes (5 min)

[15-204](#) Minutes

Attachments: [Regular Session - March 9, 2015.pdf](#)

5. Ceremonial Items

[15-313](#) Proclamation - March 21-28, 2015 as Creek Week in Durham County

Agenda Text: The Board is requested to proclaim the week of March 21-28, 2015 as "Creek Week in Durham County" in recognition of the importance our creeks and other waterways play in our community and environment.

Citizens are encouraged to participate in the many activities that are planned for Creek Week, including stream clean-ups, hikes, tours of the Triangle Waste Water Treatment Plant, canoe trips, and more. Information on all the activities can be found at www.DurhamCreekWeek.org.

ALIGNMENT WITH STRATEGIC PLAN: This item aligns with Strategic Plan Goal 4 (Environmental Stewardship) by improving water quality and

changing behaviors to achieve environmental quality.

RESOURCE PERSONS: Tobin L. Freid, Sustainability Manager; Tania Dautlick, Executive Director of Keep Durham Beautiful

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board proclaim March 21-28, 2015 as "Creek Week in Durham County."

Attachments: [Proclamation-Creek Week.doc](#)

[15-257](#)

Resolution Honoring the Life of Attorney B. B. Olive

Agenda Text:

The Board is requested to issue a resolution honoring the life of Attorney B. B. Olive. This highly respected, longtime Durham Attorney passed on December 4th. His law firm, Olive & Olive, was the first private intellectual property firm in the Triangle. This "renaissance" man also made history when his firm hired female and African American attorneys, making it the only integrated intellectual property law firm in North Carolina for many years. In addition to his contributions to the legal community, Mr. Olive co-founded the Triangle Land Conservancy and worked to protect Duke Forest, and New Hope Creek.

ALIGNMENT WITH STRATEGIC PLAN: Goal 5: Accountable, Efficient and Visionary Government

RESOURCE PERSONS: Chairman Michael D. Page

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve this resolution and present it to the family of Attorney B. B. Olive, along with sincere sympathies and in recognition of the outstanding contributions he made in Durham and beyond.

Attachments: [B. B. Olive Resolution-.doc](#)

[15-324](#)

Recognition - Sheriff Mike Andrews Receives NAMI 2015 Award

Agenda Text:

The Board is requested to recognize Sheriff Mike Andrews who received the 2015 NAMI (National Alliance on Mental Illness) Outstanding Law Enforcement Executive of the Year Award. The award was presented to Sheriff Andrews for being a law enforcement leader who has advanced and supports Crisis Intervention Team (CIT) within their agency and our state.

He has influenced other municipalities to adopt CIT, and has advocated to divert persons with mental illness who are in crisis away from the criminal justice system into treatment.

ALIGNMENT WITH STRATEGIC PLAN: The award aligns with Goal 3, Safe and Secure Community

RESOURCE PERSONS: Chairman Michael D. Page

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board congratulate Sheriff Mike Andrews for this significant and outstanding honor.

6. Consent Agenda (15 min)

[15-272](#)

Property Tax Releases and Refunds for Fiscal Year 2014-2015 - January

Agenda Text:

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, 2015.

Releases & Refunds for 2014 Taxes

Real Property	\$ 89,607.55
Personal Property	\$15,156.26
Solid Waste Fee	<u>\$ 227.00</u>
Total for 2014 Taxes and Fees	\$104,990.81

Prior year's (2007 -2013) releases and refunds for January 2015 are in the amount of \$1,201.12. The current year and prior year's releases and refunds amount to \$106,191.93.

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 2015 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments:

[BackUp-Releases Refunds-January 2015-March 23 2015](#)

[15-294](#)

Budget Ordinance Amendment No. 15BCC000046 - 2014 Emergency Management Performance Grant (EMPG)

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 15BCC000046. Durham County Emergency Management received \$62,500 in grant funding for the completion of the 2014 Emergency Management Performance Grant Program (EMPG). This funding is part of a Federal program passed down to North Carolina Emergency Management. This program allows local Emergency Management agencies some funding to

supplement Durham's Comprehensive Emergency Management Program for planning, training, and response. Emergency Management's primary function is to plan for, respond to, recover from, and mitigate against disasters, whether man-made or natural.

No local match is required and the grant does not require any County Funding.

ALIGNMENT WITH STRATEGIC PLAN: The Emergency Management Performance Grant Program (EMPG) meets Durham County Strategic Goal #3 - Safe and Secure Community. EMPG allows for planning, training, and response to disasters that will affect the preservation of life and property.

RESOURCE PERSONS: Jeffrey L. Batten, Fire Marshal/Emergency Management Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 15BCC000046, recognizing and applying \$62,500 in grant funds to Durham County Emergency Management.

Attachments:

[EMPG Cost Report 1.pdf](#)

[AAF-46 Legal Form EMPG Grant funds \(\\$62500\).pdf](#)

15-297

Budget Ordinance Amendment No. 15BCC000047 to Recognize Revenue to the Cooperative Extension Program (Project BUILD) Budget from a Durham County Juvenile Crime Prevention Council Grant

Agenda Text:

The Board is requested to recognize revenue in the amount of \$14,880.00 in increased funding from the Durham County Juvenile Crime Prevention Council. This funding is an increase above the prior year's level of funding. The funds are to hire a part-time bilingual outreach worker to expand gang prevention and intervention services to youth between the ages of 12-17 for Hispanic/Latino youth, and to cover other associated programmatic costs.

ALIGNMENT WITH STRATEGIC PLAN: The grant funding and contract align with Goal 1 (Community and Family Prosperity and Enrichment) and Goal 3 (Safe and Secure Community) by providing educational and social support for middle school youth who are at high risk of dropping out of school and involvement in criminal activity and gangs.

RESOURCE PERSONS: Michelle Young, Director, Project BUILD and Delphine Sellars, Director, Cooperative Extension Service

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 15BCC000047 to recognize revenue in the amount of \$14,880.00 in increased funding from the Durham County Juvenile Crime Prevention Council.

Attachments: [Budget for AAF - JCPC Funding](#)
[JCPC Program Agreement](#)
[AAF-47 Legal Form CES Project BUILD - Recognize additional revenue](#)

15-298 Property Tax Releases and Refunds for Fiscal Year 2014-2015 - February

Agenda Text: The Board is requested to Board accept the property tax release and refund report for February, 2015 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report. 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 February, 2015.

Releases and Refunds for 2014 total equals \$33,017.39. Prior year's (2010-2013) releases and refunds for February 2015 are in the amount of \$269,505.24. The current year and prior year's releases and refunds amount to \$302,522.63.

ALIGNMENT WITH STRATEGIC PLAN: This action aligns with Goal 5, Accountable, Efficient and Visionary Government by ensuring the county complies with North Carolina General Statutes. The Board of E&R ensures accountability for tax revenues collected from citizens.

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 February, 2015 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Sponsors: Board of County Commissioners

Attachments: [BackUp-Releases & Refunds-Feb. 2015-March 23, 2015](#)
[BackUp-Releases & Refunds Details-February 2015-March 23, 2015](#)
[NCTVS Tax Refund Interface-BackUp-Release & Refunds-February 2015-Marc](#)

15-299 Budget Ordinance Amendment No. 15BCC000048 - Recognize Revenue to the Cooperative Extension Program (Durham County ACCESS) Budget from Grant Awards/Allocations from the Following Programs: 5310: Elderly and Disabled Program, 5316: Job Access, Reverse Commute (JARC) Program and the Bus Rail Improvement Program (BRIP)

Agenda Text: The Board is requested to approve Budget Ordinance No. 15BCC000048 and recognize \$528,490.38 in revenue for the Durham Cooperative Extension Durham County ACCESS budget from: Section 5310 Elderly & Disabled Program Grant: \$271.694.38; Bus Rail Improvement Program (BRIP):

\$33,700.00; and Section 5316: Job Access Reverse Commute Program: \$223,096.

These funds represent allocations that were awarded and not included in the FY14-15 budget. The local share for these funds were approved by the County Board and made available through transfers of funds from the Rural Operating Assistance Program (ROAP). All funds are available for reimbursement following documentation of expenditures. All grant funds will provide purchase of service transportation for the elderly, disabled, job access, transportation disadvantaged and special needs of Durham County residents in compliance with the eligibility criteria designated by each grant. BRIP funds will provide services for unmet transportation needs.

- 1. Section 5310 Elderly and Disabled** funds were awarded by NCDOT in FY12 in the amount of \$464,188.00. This represented a Federal Share of 80% (\$371,350.00) State Share of 10% (\$46,418.00) and a local share of 10% (\$46,420.00 - ROAP fund transfer). Due to the late execution of the contract (October 2013), the State approved a period of performance extending the grant through June 30, 2015-in essence making the grant a multi-year grant. The total grant representing both years of the 5310 program were included in the FY13-14 budget. The FY14-15 budget did not include funds for the 5310 program. Durham County ACCESS seeks the County Board of Commissioners approval to amend the budget to include the 5310 Program funds in the amount of **\$271,694.38.00 in the FY14-15 budget.**
- 2. Bus Rail Improvement Program (BRIP).** These local funds were awarded to Durham County in FY13-14. BRIP provides 100% funding for new service. \$33,700.00 was awarded in FY13. No funds were expended. The original budget called for these funds to be used for the Farmers' Market project and for gap funding for transportation service for unmet needs. The guidelines on these funds allows for the balance of these funds to be carried over to future fiscal years. In FY2014-2015 a portion of these funds will be used for the originally proposed projects. The FY14-15 budget includes the recent allocation of \$88,100. Durham County ACCESS seeks the County Board of Commissioner's approval to amend the budget by **\$33,700.00** -bringing the total of the BRIP budget to \$121,800.00.
- 3. Section 5316 Job Access/Reverse Commute (JARC)** grant. This grant was awarded by the Durham, Chapel Hill Carrboro Metropolitan Planning Organization (DCHC-MPO) in January 2012 in the amount of \$73,900 (50% Federal and 50% Local shares). An intergovernmental agreement for the pass-through for the allocation and disbursement of

these funds was developed in July 2012 and executed by Durham's City Manager December 4, 2013 and by the Durham County Manager November 5, 2013. This grant also was approved as a multi-year grant, with a period of performance of June 30, 2015. The FY13-14 budget included the JARC allocation in the amount of \$37,950 within the 5311 Community Transportation Line. However, in FY14-15, the unexpended funds and the awarded allocation for the JARC program were not included in the budget. Durham County ACCESS seeks the County Board of Commissioner's approval to amend the budget to include the unexpended FY13-14 funds of \$21,188.00 and the remaining grant award of \$37,950 for a total of **\$59,138.00**.

In addition to these funds, in March of 2014, the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) approved and awarded an additional \$163,958 in JARC funds to Durham County for Durham County ACCESS to provide additional work-related trips to Durham County and the City of Durham residents. These funds became available due to a withdrawal of a previously funded project. To preserve the use of these funds, the City agreed to provide the required 50% non-federal match \$81,979.

An amendment to the original City of Durham and Durham County Pass-Through Agreement for the Allocation, Disbursement and Accounting of the Section 5316, Job Access Reverse Commute (JARC) was proposed incorporating this change. Durham County will not be responsible for providing any matching funds for this new allocation. Durham County ACCESS will provide employment related transportation service to County residents commuting between the County and the City and residents commuting between the City and the County. Durham County ACCESS will continue to implement the grant and submit request for reimbursements to the MPO/City of Durham in accordance with the agreement. Durham County ACCESS seeks approval of the Durham County Board of Commissioners to amend the FY14-15 budget to include **\$163,958** in JARC funds --Federal share: \$81,979.00 and City of Durham Share: \$81,979.00, total JARC amendment: \$223,096.00

ALIGNMENT WITH STRATEGIC PLAN: Durham County ACCESS provides service that aligns with Goals 1 & 2 of the Strategic Plan. In providing demand response transportation to Durham County's elderly, disabled and residents with transportation needs, ACCESS is able to enhance the overall mobility and access to venues such as medical, social and educational and employment and training destinations. In addition, ACCESS vans are accessible and are able to accommodate the needs of seniors and disabled citizens unable to ride on the general transit system. ACCESS seeks to provide

excellent customer service and efficient and safe transportation. Our service result in improved mobility and access to destinations that enhance the health, work, economic position and quality of life for Durham County residents.

RESOURCE PERSONS: Linda Thomas, Transportation Program Manager, Durham County ACCESS

COUNTY MANAGER'S RECOMMENDATION: The County manager recommends that the Board approve Budget Ordinance No. 15BCC000048 to recognize revenue in the amount of \$528,490.38 for the Durham Cooperative Extension Durham County ACCESS budget from the Section 5310 Elderly & Disabled Grant, the Bus Rail Improvement Program (BRIP) and the 5316 Job Access/Reverse Commute Program Grant.

Attachments: [Durham County Cooperative Extension-Durham County ACCESS Budget Amer Grant Award Letters- 5310 -5316-BRIP](#)
[Durham County ACCESS Budget Amendment FY14-15](#)
[AAF-48 Legal Form Coordinated Transportation \(Recognize additional revenue\)](#)

15-300

Domestic Water Booster Pump Replacement at the Durham County Detention Center

Agenda Text: The Board is requested to authorize the County Manager to execute a contract with Comfort Engineers to replace the existing booster pump package at the Durham County Detention Center for the amount of \$49,685.00. Controls for the booster pump are malfunctioning and replacement parts are rare and hard to locate due to the age of the system. Also, the tank is beginning to rust through on the bottom. The replacement of the booster pump will assure the Detention Facility's water system is running at optimal performance and assist in the efficiency of water consumption for the facility.

ALIGNMENT WITH STRATEGIC PLAN: This contract and its execution will align with Strategic Goal #4- Environment.

RESOURCE PERSONS: Motiryo Keambiroiro, Director of General Services; Shawn Swiatocha, Interim Assistant Director of General Services; David Alpaugh, Building Maintenance Supervisor.

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board authorize the execution of the contract to Comfort Engineers for the replacement of the Domestic Water Booster Pump at Durham County Detention Center, in the amount of \$49,685.00.

Attachments: [Attachment 1 - Contract](#)
[Attachment 2 - Scope of Services](#)
[Attachment 3 - Comfort Air Proposal](#)
[Attachment 4 - Lee Air Proposal](#)
[Attachment 5 - Brown Borthers Proposal](#)

[15-302](#)

Approve Contract with Pearson Appraisal Services, Inc. in the Amount of \$100,000.00

Agenda Text:

The Board is requested to approve a contract with Pearson Appraisal Services, Inc. to provide up to four (4) NC Department of Revenue Certified Appraisers to assist the county with field data collection for improved real property in an amount not to exceed \$100,000.00.

Pearson Appraisal Services, Inc. is an appraisal firm that provides varying levels of high quality and comprehensive appraisal solutions to counties. The individuals who will be assigned to Durham County are certified by the NC Department of Revenue as contract Appraisers. Individuals are specialized in the field of mass appraisal and will assist us in preparation of real property reviews and appraisals for the 2016 revaluation.

ALIGNMENT WITH STRATEGIC PLAN: Goal 5, Accountable, Efficient, Visionary Government. By providing collaborative leadership, exceptional customer service, innovation, transparency and fiscal responsibility allowing the county to ensure that the most accurate information is used for the 2016 county-wide revaluation.

RESOURCE PERSONS: Kimberly H. Simpson, Tax Administrator

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the contract with Pearson Appraisal Services, Inc. to provide qualified appraisers to assist the county with field data collection for improved real property in an amount not to exceed \$100,000.00.

Attachments: [Pearson Appraisal Contract Scope of Services](#)
[Pearson Appraisal Service Contract](#)

[15-303](#)

Interlocal Cooperation Agreement between the County of Durham and City of Durham for the Purchase and Storage of Sodium Chloride

Agenda Text:

The Board is requested to approve the Interlocal Cooperation Agreement between the County of Durham and City of Durham for the purchase and storage of Sodium Chloride for fiscal year 2014-2015. The County agrees to purchase the salt from the City at a cost of \$160.00 per ton of consumption up to a maximum of 300 tons. The City will acquire, store and dispense the sodium chloride during inclement weather.

The City has the appropriate facilities to acquire, store and dispense road salt. A

joint agreement negotiated by staff allows the County General Services Department to address snow and ice conditions at County facilities, parking lots and walkways. This agreement will be reviewed annually to adjust for sodium chloride cost fluctuations.

The General Services Department has funds in its Miscellaneous Contracted Services line to cover costs associated with this agreement.

ALIGNMENT WITH STRATEGIC PLAN: This agreement aligns with Goal 3: Safe and Secure Community by partnering with the city to prevent and address unsafe conditions, protect life and property and respond to emergencies.

RESOURCE PERSONS: Motiryo Keambiroiro, Director of General Service

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the Interlocal Cooperation Agreement between the County of Durham and City of Durham for the purchase and storage of Sodium Chloride for fiscal year 2014-2015 at a cost of \$160. 00 per ton of consumption up to a maximum of 300 tons.

Attachments: [10194 AGREEMENT FOR THE PURCHASE OF SODIU 361017 611405](#)
[Interlocal Cooperation Agreement - Durham County](#)
[15-0015 Sodium Chloride Bid Tab](#)

15-317 Approval of FY2015 Annual Audit Contract for FY2015 Audit

Agenda Text: The Board is requested to approve a contract (attached) with Cherry Bekaert LLP to perform the County's external audit for FY2015. The charge for the audit is \$100,000 (FY2014 fee was \$97,000). The Local Government Commission (LGC) requires that the date of approval by the BOCC be documented in the contract. This is a new requirement effective with the FY2015 audit. The contract is standard and produced by the LGC for all North Carolina government entities.

ALIGNMENT WITH STRATEGIC PLAN: This request aligns with Goal 5 of the Strategic Plan, 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 this contract.

Attachments: [FY2015 Audit Contract](#)

15-322 Approve the Final Budget for the Blalock Farm Conservation Easement and Capital Project Amendment No. 15CPA000013__ - Decreasing the Open Space & Farmland Preservation Capital Project \$125,550 and Budget Amendment No. 15BCC000049 Transferring \$125,550 to the

General Fund to Support the Purchase of the Blalock Farm Conservation Easement

Agenda Text:

The Board is requested to approve the final budget for the Blalock Farm Conservation easement and Capital Project Amendment No. 15CPA000013 decreasing the Open Space & Farmland Preservation capital project \$125,550 and Budget Ordinance Amendment No. 15BCC000049 transferring \$125,550 from the capital project account to the General Fund to support the easement purchase. Blalock Farm is a 64.3 acre farm, owned by Barry and Donna Blalock in the Rougemont area that was previously approved by the Board of County Commissioners (Board) for a conservation easement (shown on Attachments 1 and 2). The Blalock easement is being accomplished with funding from a federal Farm and Ranchland Protection Program (FRPP) grant which pays for 50 percent of the easement cost. Due to changes in financial reporting for conservation easements such as this one, the Finance Department, Budget Department, and Engineering Department are recommending to budget the funds for this and future easement purchases in a different manner that allows for more concise “end of year” accounting of assets purchased by the County.

Since conservation easement values are derived using fair market values of the farms as a starting point, the lower market values for land in the triangle since the recession has resulted in decreased appraised values for the conservation easements. Attachment 3 explains how easement values are derived. The federal appraised value for the easement is \$251,550, which is significantly less than the \$426,000 that was originally budgeted.

The federal funds contributed towards this easement will be \$125,550 based on the 50 percent payment, with these funds paid directly to the owner at closing. The budget in Attachment 4 summarizes the total cost for this easement. The Durham County portion of this easement purchase will be \$125,550 for the remaining land cost. The County funds for this project were previously authorized by the Board out of the Open Space & Farmland Preservation capital project funds, so no new funding is needed. The County Manager was also previously authorized to execute the final easement documents.

ALIGNMENT WITH STRATEGIC PLAN: The purchase of this 64.3 acre farmland conservation easement supports Goal 4 Environmental Stewardship, and specifically helps to implement Outcome Measure 4 “Number of total acres of open space and farmland that have been protected/influenced by Durham County.”

RESOURCE PERSONS: Jane Korest, Open Space and Real Estate Manager; Gudrun Parmer, Interim Director of Engineering and Environmental Services; and Keith Lane, Senior Budget Analyst

COUNTY MANAGER’S RECOMMENDATION: The County Manager

recommends approval of the final purchase price for the conservation easement with Barry and Donna Blalock for a total of \$251,550 for 64.3 acres, and approval of Capital Project Amendment No. 15CPA000013 decreasing the Open Space & Farmland Preservation capital project \$125,550 and Budget Ordinance Amendment No. 15BCC000049 transferring \$125,550 from the capital project account to the General Fund to support the purchase of the Blalock Farm Conservation Easement.

Attachments: [Blalock Easement Final Budget Attachments 1-4](#)
[AAF-49 Legal Form Open Space Funding for Blalock Farm Conservation Easen](#)
[CPA-13 Legal Form Open Space Capital Project Decrease Related to Blalock F](#)

15-325 Amendment to the Minority/Women Business Enterprise (M/WBE) Ordinance

Agenda Text: The Board is requested to approve an amendment to the Minority/Women Business Enterprise (M/WBE) Ordinance (see attached) to extend the County's M/WBE program expiration date to December 31, 2015 in order to allow sufficient time for the staff and the Board to review and discuss the findings and recommendations of the disparity study. The existing ordinance will expire on March 31, 2015.

On February 2, 2015, the Board received a brief presentation overview of the findings and recommendations of a joint disparity study that was conducted by Griffin & Strong, P.C. to review the effectiveness of the County and City of Durham's programs for contractual awards in construction, goods, and services. A complete copy of the disparity study report has been provided to the Board and posted on the County of Durham's website under the Finance Department\Business Development Program. Staff is expected to report back to the Board at a later date for further discussion of the findings and recommendations for the implementation of a revised M/WBE Ordinance and approval prior to December 31st.

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

RESOURCE PERSONS: Jacqueline Boyce, Procurement Manager; George K. Quick, Chief Financial Officer

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the amendment to the Minority/Women Business Enterprise (M/WBE) Ordinance to extend the County's M/WBE program expiration date to December 31, 2015.

Attachments: [AAF Attachment to MWBE Ordinance Extension .docx](#)

[15-331](#)

Consideration of Revised Public-Private-Partnership (PPP) Agreement Related to Whitted School Redevelopment

Agenda Text:

The Board is requested to consider changes to the Public-Private Partnership Agreement related to the redevelopment of Whitted School. The Board of Education's Administrative Services Committee directed DPS Staff to make changes to the agreement during their meeting on March 16, 2015. These changes are substantive in nature and will require the Board of Commissioners' consideration.

As way of review, staff from the County, DPS, the City and Integral Development prepared a PPP Agreement for Whitted School, to be executed by the County, the Durham Public Schools Board of Education and Integral Development LLC (the "PPP Agreement"). The PPP Agreement sets out the broad framework of the agreements among the key parties to the redevelopment of Whitted School, including the following: formation of legal entity and expected control of that entity over time; funding sources for construction, process of and control over construction; allocation of space and operating responsibility between the Public Pre School and the senior affordable housing; use of state historic tax credit funds should that law be reinstated; funding for operation of Public Pre-School; use of the gymnasium; requirement for use of local contractors whenever possible; community engagement.

The actual, definitive legal arrangements involved will be drafted based on the principles agreed to in the PPP Agreement, subject to the final terms of the construction agreement and requirements of the tax credit investor, which will affect the terms of the partnership agreement and payment of development fees, among others.

The Board of Commissioners reviewed the first version of the agreement during its March 2, 2015 Worksession. On March 9, 2015, the Board of Commissioners authorized the County Manager to execute the agreement. On March 16, 2015, DPS staff presented the agreement to the Board of Education's Administrative Services Committee. At that meeting, the Committee directed DPS staff to make substantive changes to the document, which now require consideration again by the Board of County Commissioners.

The new version of the agreement, being presented to the Board of Commissioners for consideration contains the following changes from the version approved at the BOCC's March 16, 2015 meeting:

- Section 2 - A non-substantive grammatical correction was made.
- Section 4a. - Clarifies the meaning of "nominal" and the sharing of operational costs.
- Section 4c. - DPS has changed their initial position on control of the gym. They now would like the County to control the gym, which fulfills

the Commissioners interest in making the space as available as possible to the community.

- Section 4e. - Clarifies operating costs further and the role of the County and DPS with respect to operating costs.

ALIGNMENT WITH STRATEGIC PLAN: The redevelopment of Whitted School is an initiative under Goal 1 of the Strategic Plan.

RESOURCE PERSONS: Lee Worsley, Deputy County Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board authorize the County Manager to execute the revised PPP Agreement.

Attachments: [Revised Durham Whitted PPP Agreement Track Changes](#)
[Revised Durham Whitted PPP Agreement Clean Version](#)

[15-334](#)

Approval of Rehab Contract and Contracting Authority for 2013 Single Family Rehab Grant

Agenda Text:

The Board is requested to approve the attached rehabilitation contract and grant the County Manager authority to approve any additional Single Family Rehabilitation (SFR) contracts.

The County receives a Single Family Rehabilitation (SFR) grant every three years from the North Carolina Housing Finance Agency. The current grant is for \$170,000 which, after administrative costs, is enough to finance three rehabilitation projects. If we work quickly, we get access to additional funds.

With the 2010 SFR grant, the County Commissioners granted the County Manager authority to execute all grant-related contracts. Staff have not done this year for the 2013 SFR grant, so along with approval of a pending SFR rehab contract (which slightly exceeds \$40,000), staff are requesting this broader authority to execute contracts (which cannot exceed \$45,000) within this broader housing grant program.

ALIGNMENT WITH STRATEGIC PLAN: Using these grant funds to help Durham County residents with housing rehabilitation facilitates prosperity (Goal 1), better health and safety (Goals 2 and 3), and through a variety of energy efficiency upgrades associated with every project, decreased utility usage serves Goal 1 (through savings) and Goal 4 (Environment) with greater energy efficiency.

RESOURCE PERSONS: Drew Cummings, Assistant County Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the attached rehabilitation contract and grant the County Manager authority to approve any additional Single Family

Rehabilitation (SFR) contracts.

Attachments: [Gattis SFR rehab contract](#)

15-315

Sheriff's Office - Approve Contract to Further Education Initiative at the Detention Facility

Agenda Text:

The Sheriff desires to further his commitment to improve outcomes for disconnected youth. In particular, the Sheriff is endeavoring to continue to offer Adult Basic Education (ABE), General Educational Development (GED) preparation, and job readiness services for youth confined in the Detention Facility. In 2014, the Sheriff's Office reached out to several organizations, obtained proposals to provide these services, and contracted with the Literacy Council of Wake County and the Durham Literacy Center to implement a six month pilot program. Based on the results of the successful pilot program and with prior permission from Purchasing to not engage in any additional formal solicitation, the Sheriff desires to execute a 12 month contract with the Durham Literacy Center to provide education and job readiness skills to youth in the Durham County Detention Facility, which will be funded by the Inmate Welfare Fund.

ALIGNMENT WITH STRATEGIC PLAN: This initiative seeks to improve outcomes for disconnected youth. *Goal 3: Objective 2.*

RESOURCE PERSONS: Brian Jones, Director of Operations and Development

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board accept Sheriff Andrews' recommendation to approve the contract with the Durham Literacy Center to provide education and job readiness skills to youth in the Durham County Detention Facility.

Attachments: [Durham Literacy Center Service Contract FY15 \(April 2015 to March 2016\).pdf](#)

15-342

Write Off Housing Loan for William C. Hogan and Iris C. Hogan1207 Morehead Avenue

Agenda Text:

The Board is requested to allow the Chief Financial Officer to write off a loan to William C. and Iris C. Hogan with an unpaid balance of \$38,833.31. This loan has been past due since February 2005. The property has an estimated value of less than \$25,000 and has taxes, fees and other cost due the City and County totaling \$12,720. A Tax Foreclosure sale was scheduled for March 10th but pulled because of the fear of no bidders. A beginning bid of \$51,000 would be required to satisfy all liens.

It is requested that the County write the loan off and accept the balance of the sale, after taxes, fees and other costs associated with the tax foreclosure sale of the property.

RESOURCE PERSONS: George K. Quick, Chief Financial Officer

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve this request and appoint the Chief Financial Officer to execute the required documents.

7. Public Hearings

[15-319](#)

Advance Public Comments on the FY 2015-2016 Budget

Agenda Text:

The Board is requested to hold an Advance Public Comment session to receive public comments for the FY 2015-2016 Budget. As county staff begins the preparation of the fiscal year 2015-2016 budget, public input is being solicited on issues which may need to be addressed during the budget process.

The County Manager's Recommended FY 2015-2016 Budget will be presented to the Board of Commissioners on Tuesday, May 26, 2015, with individual budget work sessions with the Board to be scheduled for the period May 27-June 12, 2015. Final adoption of the FY 2015-2016 Budget Ordinance is scheduled for Monday, June 22, 2015.

ALIGNMENT WITH STRATEGIC PLAN: This request aligns with Strategic Plan Goal #5 Accountable, Efficient and Visionary Government.

RESOURCE PERSONS: Claudia O. Hager, Director of Budget and Management Services

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board hold the Advance Public Comment session on the Fiscal Year 2015-2016 Budget.

[15-287](#)

Public Hearing - Zoning Map Change -Wetrock Farm (Z1400036)

Agenda Text:

The Board is requested to approve a request for a zoning map change for a 38.52 acre portion of a site located at 109 Orange Factory Road and 7001 North Roxboro Road, north of Mason Road.

Request: RS-20 to RR

First Motion To:

Conduct a public hearing and receive comments and to adopt a consistency statement as required by GS 153A-341.

Staff Determination: staff determines that this request is consistent with the Comprehensive Plan and other adopted policies and ordinances as presented in the staff report.

Planning Commission Recommendation and Vote: Approval, 12-0 on January 13, 2015. The Planning Commission finds that the ordinance request is consistent with the adopted *Comprehensive Plan*. The Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

Second Motion To:

To adopt an ordinance amending the Unified Development Ordinance to change the zoning designation from Residential Suburban - 20 (RS-20) to Residential Rural (RR) zoning for the property;

RESOURCE PERSONS: Patrick O. Young, AICP, City-County Assistant Planning Director and Scott Whiteman, Zoning Supervisor

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board conduct a public hearing on the proposed zoning map change and approve it, if appropriate, based on the comments received.

Attachments:

[Z1400036_staffreport_BOCC.docx](#)

[Attachment 1 - Context.pdf](#)

[Attachment 2 - Future Land Use Map.pdf](#)

[Attachment 3 - Aerial.pdf](#)

[Attachment 4 - Application.pdf](#)

[Attachment 5 - History.pdf](#)

[Attachment 6 - Little River Corridor.pdf](#)

[Attachment 7 - Owners Acknowledgement.pdf](#)

[Attachment 8 - PC Comments.docx](#)

[Attachment 9 - Ordinance.docx](#)

[Attachment 11 - Consistency Statement.docx](#)

8. Board and Commission Appointments (10 min)

[15-330](#)

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:

- Alcoholic Beverage Control Board
- Audit Oversight Committee
- Community Child Protection Team/Child Fatality Prevention Team
- Historic Preservation Commission
- Juvenile Crime Prevention Council
- Nursing Home Community Advisory Committee

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)

Closed Session (To be held at: X:00 pm)

[15-314](#)

Closed Session

Agenda Text:

The Board is requested to adjourn to Closed Session to pursuant to G.S. 143-318.11(a)(5) concerning the acquisition of real property for wastewater treatment system improvements at three contiguous properties with the following addresses: 6001 NC Hwy 55, 451 TW Alexander Road, 6026 S Alston Avenue, and owned by 55 Alexander Associates LLC.

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board adjourn to Closed Session and direct staff accordingly.

10. Adjournment