



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 28, 2016

7:00 PM

Commissioners' Chambers

"Public Charge"

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

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

7:00 pm Regular Session

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

[16-899](#)

STATE OF THE COUNTY ADDRESS

[16-956](#)

Advance Public Comments on the Fiscal Year 2016-2017 Budget

Agenda Text:

The Board is requested to hold an Advance Public Comment session to receive citizen input on the Fiscal Year 2016-2017 Budget. As county staff begins preparation of the FY 2016-2017 budget, public input is being solicited on issues which may need to be addressed during the budget process.

The County Manager's Recommended FY 2016-2017 Budget will be presented to the Board of Commissioners on Monday, May 23, 2016, with individual budget work sessions with the BOCC to be scheduled for the period of May 26-June 16, 2016. There will be a Public Hearing at the Commissioners' Regular Meeting on June 13 at 7:00 pm. Final adoption of the FY 2016-2017 Budget Ordinance is scheduled for Monday, June 27, 2016.

Additionally, comments can also be e-mailed to commissioners@dconc.gov.

Alignment with Strategic Plan: The Advance Public Comment session aligns with Goal 5: Accountable, Efficient and Visionary Government by soliciting citizen input to inform FY 2016-2017 budget priorities.

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

County Manager's Recommendation: The County Manager recommends that the Board hold an Advance Public Comment session on the Fiscal Year 2016-2017 Budget.

3. Agenda Adjustments (5 min)

4. Announcements (5 min)

16-902

Announcements

Agenda Text:

- 1) The Durham County Board of County Commissioners affirms our commitment to equal protection under the law and access to equal rights in all areas, including housing, employment and accommodations, for all people in our society, regardless of sexual orientation and gender identity. We affirm our commitment to Durham County being a place that prides itself on tolerance, respect for the equal rights of all people and that celebrates diversity as the foundation of a vibrant, thriving prosperous economy and community. The Durham County Board of Commissioners reaffirms our belief that local government is best able to make decisions and provide services to meet the needs of our citizens at the local level.
- 2) Please contact the Clerk's Office at 919-560-0025 or clerk@ddconclg.gov to find out about opportunities to serve on one of our volunteer boards or commissions.
- 3) As we begin to work on the FY16-17 budget, we want to hear from you. If you missed the opportunity to make public comments at tonight's meeting, you may email your comments to commissioners@ddconclg.gov.
- 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.ddconclg.gov for more information.
- 5) The Chair will hold office hours for citizens on Wednesdays by appointment. Please call 919-949-4022 to schedule an appointment.

- 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)

16-903

Minutes

Attachments: [Budget Retreat Minutes - Feb 29, 2016](#)
[Worksession Minutes - March 7, 2016](#)
[Regular Session - March 14, 2016](#)

6. Ceremonial Items

16-947

Resolution Celebrating the 85th Anniversary of the Durham Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

Agenda Text: The Board is requested to congratulate the members of the Durham Alumnae Chapter of Delta Sigma Theta Sorority, Inc, for its 85th Anniversary and influential years of service in the Durham community. Durham County commends the international organization for its promotion of sisterhood, scholarship and service.

Alignment with Strategic Plan: This resolution aligns with Goal 1 of the Durham County Strategic Plan that focuses on the empowerment of citizens to select strategies that improve their quality of life.

Resource Persons: Michael D. Page, Chairman of the Durham Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board congratulate the members of the Durham Alumnae Chapter of Delta Sigma Theta Sorority, Inc. for 85 years of service in the Durham community.

Attachments: [Resolution - Delta Sigma Theta 85th Anniversary](#)

16-949

Proclamation - American Diabetes Alert Day

Agenda Text: The Board is requested to recognize American Diabetes Alert Day. Although this day was actually celebrated on March 22nd, it is important for Durham's residents to recognize the importance of preventive health screenings and innovative efforts to building a culture of health. Diabetes is the sixth leading cause of death in Durham County.

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

Resource Persons: Michael D. Page, Chair;

County Manager's Recommendation: The County Manager recommends that the Board read the proclamation recognizing American Diabetes Alert Day.

Attachments: [Proclamation Diabetes Alert Day 2016](#)

16-966

Resolution Opposing Immigration and Customs Efforts to deport Durham Public School Students

Agenda Text:

The Board is requested to approve the attached resolution that has been drafted in support of ending the pursuit of students by U. S. Immigration and Customs Enforcement in an effort to deport them. Durham Public Schools' student Wildin Acosta was arrested on his way to school earlier this year and held by ICE officials who were planning to deport him back to his home country of Honduras. Thanks to the intervention of U. S. Congressman G. K. Butterfield, the deportation was stayed so that an appeal can be filed to allow him to stay. Durham County was asked to approve this resolution to demonstrate its support for suspending such actions against our local students.

Alignment with Strategic Plan: This item aligns with Goal 1: Community and Family Prosperity and Enrichment

Resource Persons: Chairman Michael D. Page

County Manager's Recommendation: The County Manager recommends that the Board approve the attached resolution and forward a copy to Congressman G. K. Butterfield).

Attachments: [Resolution Opposing ICE Actions Against Durham Public School Students](#)

7. Consent Agenda (15 min)

16-885

Property Tax Releases and Refunds for January 2016

Agenda Text:

The Board is requested to approve the Releases & Refunds for the month of January 2016. 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 2016.

Releases and Refunds for 2015 total equals \$26,971.85. Prior year's (2011-2014) releases and refunds for January 2016 are in the amount of \$1,143.37. The current year and prior year's releases and refunds amount to \$28,115.22.

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 2016 as

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

Sponsors: Board of County Commissioners

Attachments: [Backup Detail-Releases & Refunds-January 2016-March 28, 2016](#)
[Backup-Releases & Refunds-January 2016-March28, 2016](#)
[VTS Refunds-January 2016-March 28, 2016](#)

16-926

Approve Contract Amendment between Diana Phillips Consulting and the County of Durham

Agenda Text: The Board is requested to approve a contract amendment between Diana Phillips Consulting and the County of Durham in the amount of \$30,000.00.

On July 1, 2015 the County and Diana Phillips Consulting entered into a contract for the provision of Professional services and consulting work on the Register of Deeds Real Estate Conversion Project of the Cott Indexes. This project consist of converting the old handwritten records into an electronic format. The contract was initially approved in the amount of \$15,000.00. This contract was increased on August 27, 2015 to include an additional \$20,000.00.

The County on behalf of the Register of Deeds desires to amend the terms to include additional services concerning the Cott Project. Once the documents are imported into our Software solutions, additional documents will need to be back filed to complete the index. The additional services are estimated to be \$30,000.00. The funds utilized for the additional services were appropriated in the 2015/2016 budget cycle and approve by the Board in June 2015.

Alignment With Strategic Plan: Accountable, Efficient and Visionary government. By converting the index to an electronic format, the citizens of Durham will be able to view the indexes in a more efficient format.

Resource Persons: Sharon A. Davis, Chief Assistant, Register of Deeds

County Manager's Recommendation: The County Manager recommends that the Board approve the contact extension in the amount of \$30,000, not to exceed \$65,000.00

16-931

Property Tax Releases and Refunds for February 2016

Agenda Text: The Board is requested to approve the Releases & Refunds for the month of February 2016. 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 2016.

Releases and Refunds for 2015 total equals \$134,036.65 and for 2016 equals \$235.19. Prior year's (2011-2014) releases and refunds for February 2016 are in the amount of \$1,106.75. The current year and prior year's releases and refunds amount to \$135,378.59.

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 February 2016 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Sponsors: Board of County Commissioners

Attachments: [AAF-Tax Release and Refunds-February 2016-March 28, 2016](#)
[Backup Detail-Releases & Refunds-February 2016-March 28, 2016](#)
[Backup-Releases & Refunds-February 2016-March 28, 2016](#)
[NCVTS Refunds-Releases & Refunds-February 2016-March 28, 2016](#)

16-939

Approve the Final Budget for Phase I Development of the Hollow Rock Nature Park and Approve Capital Project Amendment No.16CPA000013 increasing the Hollow Rock/New Hope Capital Project (4730DC86) by \$165,271 to acknowledge Grant Funds from the N.C. Recreational Trails Program

Agenda Text: The Board is requested to approve the final budget for the Phase I site development of the Hollow Rock Nature Park and approve Capital Project Amendment No.16CPA000013 increasing the Hollow Rock/New Hope Capital Project by \$165,217 to acknowledge revenues to be received by the State from the N.C. Recreational Trails Program (RTP) grant awarded to Durham County to support the site development of parking lot and trails at Hollow Rock Nature Park. Orange and Durham Counties are sharing the site development for this jointly owned park, in accordance with the Hollow Rock Interlocal Agreement that was approved by the Board in June 2015.

The RTP grant was awarded to Durham County in 2013 to assist with the phase I site development of the Hollow Rock Nature Park, consisting of four bridges needed for the nature trails, parking lot, driveway, and directional signage. The grant was awarded for up to \$200,000 of direct costs on a reimbursement basis. The budget for this initial phase totals \$264,087, with the grant providing \$165,271, and Orange and Durham Counties splitting the remaining costs for the grant match and additional costs not eligible under the grant, totaling \$49,408 each, as shown on Attachment 1. The construction costs for the parking lot, driveway and entrance signage were paid for initially by Orange County, and the bridge construction was paid for by Durham County. Durham County will reimburse Orange County for its proportional share of the grant funds since they will be paid directly to Durham County as the primary grant recipient on behalf of the two entities. No new county funding is needed for this project since the county's share is coming from existing funds in the Hollow Rock/New

Hope capital project previously set aside by the Board for site development at the joint park. A joint opening celebration with Orange County is planned for Saturday, May 21, 2016.

With Phase I development of Hollow Rock Nature Park nearing completion, planning is underway for the next phase of site development. Orange County will take the lead on Phase 2 site development since the majority of the planned improvements will be located within the portion of the park in Orange County. Orange County, with input from Durham County staff, has submitted another Recreational Trails Program (RTP) grant for this next round of improvements. The pre-application was due in February, with notification in May if the project has advanced to the next round. Phase 2 development includes an accessible walking trail loop, two educational platform overlooks, renovations to the existing barn facility, and a permanent restroom facility. The preliminary budget for this next phase is \$210,000, of which \$100,000 is hoped to be funded by this next RTP grant (this year's maximum grant amount). The remaining \$110,000 of Phase 2 costs would be split equally between the two Counties, with Durham County responsible for \$55,000. The funding for Durham's share of this proposed next phase is already in the capital project account.

Alignment With Strategic Plan: The Hollow Rock Nature Park helps to implement Strategic Plan Goal 4, "Environmental Stewardship", by increasing the amount of open space that has been protected by Durham County and made available for public enjoyment, and Goal 5 "Accountable, Efficient and Visionary Government" by stretching Durham County's funds with grant sources and partnerships.

Resource Persons: Jane Korest, Division Head for Open Space and Real Estate; Brendan Moore, Open Space Land Manager, Jay Gibson, Director of Engineering and Environmental Services

County Manager's Recommendation: The Board is requested to approve the final budget for the Phase 1 site development of the Hollow Rock Nature Park, and approve Capital Project Amendment No.16CPA000013 increasing the Hollow Rock/New Hope Capital Project (4730DC86) by \$165,217 to recognize grant funds to be received from the N.C. Recreational Trails Program grant.

Attachments:

[CPA-13 Legal Form Hollow Rock Capital Project Getting Grant Funds from NC](#)

[Attach 1 Hollow Rock Nature Park Site Development Budget](#)

[Attach 2 Hollow Rock Nature Park Site Plan](#)

16-940

Budget Ordinance No. 16BCC000045 to Recognize Grant Funds in the amount of \$114,400 from the NC Division of Waste Management for the Acquisition of a New Brush Hawg C-Model Grapple Loader

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment 16BCC000045 to recognize \$114,400.00 in grant funds from the NC Division of Waste Management for the purchase of a new Brush Hawg C-Model Grapple Loader from Public Works Equipment and Supply, Inc. The loader will be used

at the County's four solid waste and recycling convenience sites to assist with the management of white goods appliances delivered to the sites and the collection of illegally dumped items, especially white goods, along County of Durham roads and properties. The cost of the loader is \$153,725.00. The North Carolina Division of Waste Management approved a Capital Improvements Grant in the amount of \$114,400 for the purchase. The final cost to the County after reimbursement will be \$39,325.00. Additional revenue (\$42,502 received as of March 9, 2016) in excess of the budgeted amount in FY 2016 Solid Waste Decal Fee will cover the County's portion of the cost.

Alignment with Strategic Plan: The Solid Waste Management Division of the General Services Department is responsible for properly managing and disposing of the solid waste and recyclable materials generated in the unincorporated areas of Durham and disposed of at its four solid waste and recycling convenience sites in a safe, efficient and cost-effective manner. These responsibilities align with Strategic Plan Goal 4 - Environmental Stewardship and Goal 5 - Accountable, Efficient and Visionary Government.

Resource Persons: Motiryo Keambiroiro, Director General Service; Brian S. Haynesworth, Solid Waste Program Manager; Ozzie Day, Litter Control Investigator; and Claudia Hager, Budget Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment 16BCC000045 to recognize \$114,400.00 in grant funds from the NC Division of Waste Management for the purchase of a new Brush Hawg C-Model Grapple Loader from Public Works Equipment and Supply, Inc.

Attachments:

[Copy of Durham County Brush Hawg Stock Unit Quote](#)

[Durham Co Capimp knuckleboom 2016](#)

[AAF-45 Legal Form Grant Funds from NC Div Waste Mngmt and Solid Waste F](#)

16-943

Capital Project Amendment No. 16CPA000014- Appropriating \$1,435,000 of Public School Building Capital Fund Lottery Funds for the Southwest Elementary Roof Replacement Capital Project (SH233)

Agenda Text:

The Board is requested to approve Capital Project Amendment No. 16CPA000014 appropriating \$1,435,000 of DPS allocated Lottery Funds to the Southwest Elementary Roof Replacement Capital Project. The Public School Building Capital Fund provides capital funds for each Local Educational Agency. The Board of Education approved the application for the Southwest Elementary Roof Replacement project at its regular meeting on May 28, 2015, totaling \$1,500,000. The Design Services funding portion of the project was approved by the BOCC on June 1, 2015, totaling \$65,000.

In February 2016, the North Carolina Department of Public Instruction (NCDPI) completed a Repair (construction) phase fund transfer from the North Carolina Educational Lottery Fund, through the Public School Building Capital Fund

(PSBCF). These funds are designated to the Roof Replacement project at Southwest Elementary School in the amount of \$1,435,000. Repair funds are released once the designs have been submitted and approved by NCDPI.

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

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

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No. 16CPA000014 appropriating \$1,435,000 of DPS allocated Lottery Funds to the Southwest Elementary Roof Replacement Capital Project.

Sponsors: Lane

Attachments: [CPA-14 Legal Form DPS capital project \(Southwest Elementary Roof Replacer](#)

16-945

Budget Ordinance Amendment No. 16BCC000046 to Recognize \$49.00 in 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. 16BCC000046 to recognize funds in the amount of \$49.00 from the NC Communicable Disease Branch, Division of Public Health.

Funds will be used to purchase condoms for persons at high risk for HIV and STDs in the STD program in order to reduce the spread of STDs and HIV.

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. The health department shall serve as a health care provider when local needs and authority exist, and the agency capacity and resources are available

Resource Persons: Gayle Harris, MPH, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000046 to recognize funds in the amount of \$49.00 from the NC Communicable Disease Branch, Division of Public Health to support the STD/HIV program in Durham County.

Attachments: [610 - STD Prevention-R2](#)

[AAF-46 Public Health NC DHHS Funds to Support the STD-HIV Program \(\\$49\)](#)

16-950

Budget Ordinance Amendment No. 16BCC000047 and Capital

Project Ordinance Amendment No. 16CPA000015 - Appropriating \$1,217,222 of Available General Fund fund balance to Support the Third and Final Payment for the 800 MHz Interlocal Agreement (2nd Amendment) 800 MHz Radio System Upgrade Capital Project

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000047 appropriating \$1,217,222 of available unassigned General Fund fund balance and Capital Project Ordinance Amendment No. 16CPA000015 accepting those funds to support the phase III (final) payment for the 800 MHz Interlocal Agreement (2nd Amendment) for the 800 MHz Radio System Upgrade Capital Project (412DC100). This project has been overseen by the City of Durham.

<u>Capital Project</u>	<u>Current Budget</u>	<u>Incr./Decr.</u>	<u>Revised Budget</u>
800 MHz Radio System Upgrade Project	\$5,147,450	\$1,217,222	\$6,364,672

Using available existing funds eliminates the need to issue debt to fund the final payment of this interlocal agreement.

Alignment with Strategic Plan: This request relates to the following elements of the Durham County Strategic Plan: Safe and Secure Community and 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. 16BCC000047 appropriating \$1,217,222 of available unassigned General Fund fund balance and Capital Project Ordinance Amendment No. 16CPA000015 accepting those funds to support the phase III (final) payment for the 800 MHz Interlocal Agreement (2nd Amendment) for the 800 MHz Radio System Upgrade Capital Project (412DC100).

Attachments:

[AAF-47 Legal Form Appropriating General Fund fund balance to Support the Tr](#)
[CPA-15 Legal Form Appropriating General Fund fund balance to Support the Tr](#)

16-951

Reappointment to the Alliance Behavioral Healthcare Area Board

Agenda Text:

The Board is requested to approve the reappointment of Curtis O. Massey to the Area Board of Alliance Behavioral for a three-year term.

Mr. Massey is the Chairman of Alliance's Policy Committee. Mr. Massey is recommended for his law enforcement and legal experience. Alliance Behavioral Healthcare Board of Directors voted unanimously to recommend Mr. Massey for reappointment.

Alignment with Strategic Plan: Mr. Massey's reappointment will enhance

Alliance's efforts to improve the quality of life for Durham citizens through management of behavioral health services as referenced in Durham County's Health and Well-being for All goal.

Resource Persons: Rob Robinson, Alliance Behavioral Healthcare CEO

County Manager's Recommendation: The County Manager recommends that the Board approve the reappoint of Curtis O. Massey to the Area Board of Alliance Behavioral Healthcare.

16-953

Budget Ordinance Amendment No.16BCC000048 Appropriating \$30,000 in The Engineering and Environmental Services Department's Stormwater and Erosion Control (S&E) Division Budget for the Purchase of One Replacement Inspection Vehicle

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 15BCC000048, appropriating \$30,000 in The Engineering and Environmental Services Department's Stormwater and Erosion Control (S&E) Division budget for the purchase a new truck to replace an aging and inefficient vehicle used for inspections.

The Engineering and Environmental Services Department's Stormwater and Erosion Control (S&E) Division utilizes vehicles to perform erosion control inspections on construction sites almost daily. Stormwater and Erosion Control staff need reliable vehicles that are compatible with the construction environment. Currently, the S&E vehicle fleet includes a 2002 Chevy Blazer. The Blazer has experienced various mechanical issues in recent months leading to costly repairs and is currently in need of more work. It also only averages approximately 15 miles per gallon fuel efficiency. Replacement of this vehicle with a new truck would improve fuel efficiency and reliability. The planned purchase of a 2016 Ford F-150 four-wheel drive pickup truck with an estimated 18/25 miles per gallon fuel efficiency and would meet the Division's needs for inspection capabilities. The new truck would also be available for use by other divisions within the department when needed for carrying supplies and materials for events such as tree plantings, environmental expos, and others.

General Services has reviewed this request and has confirmed that it meets the County vehicle replacement policy criteria based on the age of the vehicle and repair costs and has recommended replacement of the vehicle.

The S&E division's FY2016 revenues are expected to exceed \$800,000 which is approximately 74% greater than the approved budgeted revenue of \$459,000. This additional revenue more than adequately covers the cost of a new vehicle, and the improvement in fuel efficiency and reliability should reduce long-term costs.

Alignment with Strategic Plan: This request aligns with Strategic Plan Goal #2 (Health and Well-being for All); Goal #4 (Environmental Protection); and

Goal #5 (Accountable, Efficient and Visionary Government).

Resource Persons: Ryan D. Eaves, Interim S&E Division Manager, Engineering and Environmental Services, Kim Connally, Budget Analyst

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000048 appropriating \$30,000 in The Engineering and Environmental Services Department's Stormwater and Erosion Control (S&E) Division budget for the purchase a new truck to replace an aging and inefficient vehicle used for inspections.

Attachments: [Attachment 1 - PU-LD Specification](#)
[AAF-48 Legal Form Truck replacement for Engineering S&E Division](#)

16-957 **Budget Ordinance Amendment No. 16BCC000049 to Recognize \$21,250 from the Medicaid and Medicare Electronic Health Record (EHR) Meaningful Use Incentive Program**

Attachments: [AAF-49 Legal Form Public Health funds from the Centers for Medicare & Medicaid](#)

16-958 **Approve the Offer to Purchase Property Located on the Little River Owned by Mrs. Marie Fields at 8520 South Lowell Road for \$2,400**

Agenda Text: The County Manager recommends that the Board approve the acquisition of 5.6 acres owned by Marie Fields at 8520 South Lowell Road for \$2,400 (Parcel ID # 190062) and to authorize the Manager to execute any related documents. The property is strategically located along the Little River and includes one-quarter of a mile along the Little River (1300 linear feet). Mrs. Fields has owned the property with her late husband since 1980, and she is interested in seeing the property remain as open space. The proposed purchase price of \$2,400 equates to approximately \$427.80 per acre. The owner will use the funds received at closing to pay for closing related expenses, including deed preparation, appraisal and taxes owed.

The Little River Open Space Plan was adopted by the Board of County Commissioners in 2001. It provides a long range vision for protection of the water quality of the Little River Reservoir, a drinking water supply for the majority of Durham residents. The plan focused on protection of the major river and streams within the watershed, as well as habitat protection and provision of recreation where feasible. To date, Durham County has protected 849 acres of open space in the Little River watershed, including 612 acres acquired by the county, and another 230 acres protected with conservation easements. The Open Space Committee of the Durham Open Space and Trails Commission reviewed the property at their meeting in January 2016 and recommended support for the acquisition. Additional information on the property is attached.

The purchase price of \$2,400 is needed to cover Mrs. Field's anticipated closing costs so that she does not have out-of-pocket expenses in order to transfer

ownership to Durham County. This type of sale is referred to as a “bargain sale” meaning that the owner is receiving some payment so it is not considered a full donation, but the amount paid is low enough that there is a partial donation of the property’s value. There is sufficient funding in the existing open space & farmland preservation capital project to pay for this acquisition so no new funding is needed.

Alignment with Strategic Plan: The proposed acquisition helps to implement Strategic Plan Goal 4, “Environmental Stewardship”, by both increasing the amount of open space that has been protected by Durham County, as well as preserving land that has strong water quality protection benefits.

Resource Persons: Jane Korest, Division Head for Open Space and Real Estate; Jay Gibson, Director of Engineering and Environmental Services

County Manager’s Recommendation: The County Manager recommends that the Board approve the acquisition of the property at 8520 South Lowell Road (parcel #190062) owned by Mrs. Marie Fields for \$2,400, and to authorize the County Manager to execute any necessary documents.

Attachments: [Attachments Little River-Marie Fields Acquisition](#)

16-959

Budget Ordinance Amendment No. 16BCC000052 to Recognize \$20,000 from North Carolina Central University (NCCU) as Partners of their Minority Serving Institutions (MSIs) Partnerships with Community-Based Organizations (CBOs) Grant

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000052 to recognize funds in the amount of \$20,000 from North Carolina Central University (NCCU) as partners of their Minority Serving Institutions (MSIs) Partnerships with Community-Based Organizations (CBOs) grant. Public Health staff and the Partnership for a Healthy Durham will develop the Durham Knows Campaign which aims to decrease the stigma of getting tested for HIV and encouraging everyone to know his or her status.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment with Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All. It is important for community members to know their HIV status and be linked to medical care.

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. 16BCC000052 to recognize funds in the amount of \$20,000 from North Carolina Central University (NCCU) as partners of their Minority Serving

Institutions (MSIs) Partnerships with Community-Based Organizations (CBOs) grant to develop the Durham Knows Campaign.

Attachments:

[BNF_NCCU](#)

[OAF1_NCCU](#)

[OAF2_NCCU](#)

[AAF-52 Legal Form Public Health NCCU Funds to Develop Durham Knows Car](#)

16-960

Budget Ordinance Amendment No. 16BCC000051 to Recognize \$42,190 from Lincoln Community Health Center as partners of their Community Focused Eliminating Health Disparities (CFEHD) Grant

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000051 to recognize funds in the amount of \$42,190 from Lincoln Community Health Center as partners of their Community Focused Eliminating Health Disparities (CFEHD) grant. Staff from the Health Education Division will provide diabetes education and evidence-based classes to Lincoln patients to improve health outcomes among diabetics.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment with Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All. Management of chronic health conditions such as diabetes improves the quality and longevity of the lives of Durham residents.

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

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BCC000051 to recognize funds in the amount of \$42,190 from Lincoln Community Health Center to provide diabetes education and evidence-based classes to Lincoln patients to improve health outcomes among diabetics.

Attachments:

[AAF-51 Legal Form Public Health Lincoln Community Health Center Funds for I](#)

16-961

Budget Ordinance Amendment No. 16BCC000050 to Recognize \$20,217 from the NC Department of Health and Human Services Division of Public Health for the Health Education Division and CAPUS / Safe Spaces

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 16BCC000050 to recognize funds in the amount of \$20,217 from the NC Department of Health and Human Services Division of Public Health for Safe Spaces.

Safe Spaces is an intervention that reaches minority MSM who are newly or previously diagnosed with HIV to assist them in reducing their viral load.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment With Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All. Individuals with HIV will better manage their chronic condition through an intervention that links them to group support.

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

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 16BC000050 to recognize funds in the amount of \$20,217 from the NC Department of Health and Human Services Division of Public Health for Safe Spaces.

Attachments:

[AAF-50 Legal Form Public Health DHHS Funds for CAPUS-Safe Spaces \(\\$20,2](#)

8. Public Hearings

[16-912](#)

Public Hearing - Unified Development Ordinance Text Amendment, Omnibus Changes 9 (TC1500001)

Agenda Text:

The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment, Omnibus Changes 9 (TC1500001); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 1, General; Article 2, Review Authority; Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; Article 11, Sign Standards; Article 12, Infrastructure and Public Improvements; Article 14, Nonconformities; Article 15, Enforcement; and Article 16, Definitions.

Summary. Text amendment TC1500001 proposes necessary technical revisions and minor policy changes to various provisions of the Unified Development Ordinance (UDO). The amendments are grouped into five categories:

- Amendments necessary to reflect a change to the name of the State Division of Water Quality;
- Amendments to Section 2.5, Historic Preservation Commission, to remove duplicative standards with the rules of procedure or interlocal agreement as similarly done with the Board of Adjustment and Planning Commission, and Sec. 3.16, Historic District or Landmark Designation, to revise the district

initiation process and remove unnecessary plan requirements;

- Amendments identified as necessary corrections, clarifications, re-organization, or other minor changes to more accurately comply with the intent of the regulations or codify interpretations of regulations;
- Amendments that reflect minor policy changes and are not solely technical in nature; and
- Additional changes to the standards for wireless communication facilities (WCFs) (paragraph 5.3.3N) as discussed through the adoption process of text amendment TC1200013.

Attachments: Attachment A, An Ordinance to Amend Provisions of the Unified Development Ordinance (TC1500001)

Attachment B: Statement of Consistency Pursuant to NCGS § 153A-341

Attachment C: Planning Commission Comments

Attachment D: CAHT Proposed Text

Attachment E: BPAC letter City Council and Board of Commissioners

The Planning Commission recommended approval, 10-1, of the text amendment on November 10, 2015. The Planning Commission determined that the Ordinance request is consistent with the adopted Comprehensive Plan and that the request is reasonable and in the public interest based on comments received at the public hearing and the information in the staff report. The recommendation also included some minor corrections, and the request to add specific text to the UDO regarding equitable and affordable development standards.

Alignment with Strategic Plan: The text amendment emphasizes Goal 1 by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 by maintaining a transparent government and welcoming public input.

Resource Persons: Michael Stock, AICP, Senior Planner, and Steven L. Medlin, AICP, City-County Planning Director

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments:

[BOC3-28-16TC1500001 Memo-final](#)

[Attachment A TC1500001BOC3-14-16_final](#)

[Attachment B - TC1500001 BOCC Consistency Statement](#)

[Attachment C TC1500001 Planning Commission Written Comments](#)

[Attachment D UDO text amendment CAHT](#)

[Attachment E BPAC Letter UDO TC1500001 121715](#)

16-965**Conduct Public Hearing and Consider the Resolution for the Removal of Land from RTP Service District - 15 min****Agenda Text:**

The Board is requested to hold a public hearing pursuant to NCGS 153A-314.1 (c) before considering adopting a resolution reducing the boundaries of a service district. Bald Eagle Land Development LLC ("Bald Eagle") owns property located in Durham County (off So-Hi Drive and Ellis Road) and a small portion of the property is located in the Research and Production Service District. Bald Eagle is developing the land for residential purposes and 2.04 acres no longer requires the services of the District. The Board must hold a public hearing prior to considering removal of the parcel from the Service District. Staff reports that Bald Eagle has met all the prerequisites outlined in NGGS 153A-314.1.

Alignment with Strategic Plan: The Public Hearing aligns with Goal 5 Accountable, Efficient and Visionary Government.

Resource Persons: Willie S. Darby, Senior Assistant County Attorney and Joseph B. Bass, III, Attorney with Manning & Fulton

County Manager's Recommendation: The County Manager recommends that the Board conduct the public hearing and consider passing the Resolution for Removal.

Attachments:

[ATTACHMENT 1. RTP REMOVAL](#)

[Attachment 2 Notice of Hearing RTP Removal](#)

[ATTACHMENT 3 NOTICE TO BALD EAGLE](#)

[ATTACHMENT MAP OF PARCEL TO BE REMOVED](#)

[ATTACHMENT DESCRIPTION](#)

[ATTACHMENT RTP REMOVAL RESOLUTION](#)

[Executed - Verified Petition Bald Eagle Development](#)

9. Board and Commission Appointments (10 min)**16-911****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
- Animal Services Advisory Committee
- Boxing and Wrestling Commission
- Nursing Home Community Advisory Committee
- Public Health Board

The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees, and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards;

two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from these term limits.

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

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

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

10. ITEMS PULLED FROM CONSENT AGENDA (20 min)

11. Closed Session

16-964

Closed Session

Agenda Text:

The Board is requested to adjourn to Closed Session pursuant to G.S. 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Alignment with Strategic Plan: Goal 4 - Protect our environment through planned growth

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

12. Adjournment