



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, August 8, 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. Agenda Adjustments (5 min)
3. Announcements (5 min)

16-1205

Announcements

Agenda Text:

- 1) On August 9th from 9am - 11am, Durham County DSS joins the NC DHHS Division of Aging and Adult Services to host a community-wide listening session on the needs of our aging population. This event will be held in the Commissioners' Chambers on the 2nd Floor of 200 E. Main Street. Durham County is one of only nine (9) counties to host one of these listening sessions. These sessions will focus on Adult Protective Services and Guardianship, as these are the services most directly impacted with protecting older and disabled adults' rights. For more information please call 919-560-8038.
- 2) We are pleased to announce a new communications tool. Check out the **Durham This Week Online e-newsletter!** Look for weekly up-to-date information on Durham County events, happenings & much more! To

sign-up to receive the newsletter go to dconc.gov/CountyCommunications and click the Sign-up button.

- 3) Durham residents who are clients of the Department of Social Services can now apply, change their information, or get recertified for benefits all by a mobile app. The DSS mobile app, known as DSS-MAP, is a first for the state. DSS-MAP is available free of charge on Google Play and is coming soon to Apple's iTunes store. It can be found by searching for 'Durham County Social Services.'
- 4) Please contact the Clerk's Office at 919-560-0025 or clerk@dconc.gov to find out about opportunities to serve on one of our volunteer boards or commissions.
- 5) We invite you to tune in to Cable TV Channel 8 or 97-5 to see rebroadcasts of tonight's meeting as well as other Durham County programming that may be of interest to you. Please contact the Public Information Office at 919-560-0008 or our website www.dconc.gov for more information.
- 6) 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)

16-1207

Minutes

Attachments:

[Regular Session - January 11, 2016](#)

[Regular Session - January 25, 2016](#)

[Regular Session - July 11, 2016](#)

5. Consent Agenda (15 min)

16-1085

Approval of Interlocal Cooperation Agreement between the County of Durham and Orange County

Agenda Text:

The Board is requested to approve the attached Interlocal Agreement between Durham County and Orange County.

The purpose of this Interlocal Agreement is to allow Durham County, through its General Services Department, to assist Orange County in providing road signage graphic services as necessary to maintain road side designation for Orange County until such time as Orange County constructs their sign shop. Durham County will be fully compensated by Orange County for providing road signage fabrication services in accordance with the fee schedule outlined in attachment 1 of the contract.

Alignment with Strategic Plan: This Interlocal Agreement closely aligns with Strategic Goal #5. Accountable, Efficient and Visionary Government: An effective organization committed to the pursuit of excellence through: collaborative leadership, exceptional customer service, innovation, transparency and fiscal responsibility.

Resource Persons: Motiryo Keambiroiro, General Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve the attached Interlocal agreement between Durham County and Orange County.

Attachments: [Interlocal Cooperation Agreement, Durham - Orange Sign Production](#)

16-1159 **Budget Ordinance Amendment No. 17BCC000002 to Recognize \$5,000 from NC DHHS, Division of Public Health to Support Public Health Preparedness Planning and Operational Readiness for Ebola, Zika, and Other High Consequence Pathogens**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000002 to recognize \$5,000 from the NC DHHS, Division of Public Health to support response system planning, adaptability, and response to agents of disease.

The funds are to be used to enhance public health emergency preparedness planning and operational readiness for high consequence pathogens such as Ebola and Zika virus disease.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This aligns with Strategic Goal 2: Health and Well-being for All. It is imperative to deploy a response system that is able to respond quickly when symptoms of high consequence pathogens are detected in order to protect the public

Resource Persons: Gayle Harris, MPH, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000002 to recognize \$5,000 from the NC DHHS, Division of Public Health to support response system planning, adaptability, and response to agents of disease.

Attachments: [AAF-02 Legal Form Public Health NC DHHS Funds for Viral Disease Planning \(](#)

16-1166 **Budget Ordinance Amendment No. 17BCC000001 Recognize \$3,118 HIV-STD Services fund and \$16,000 STD Prevention fund Increases from NC DHHS, Division of Public Health Communicable Disease Branch to support HIV/STD Programs in Durham County**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000001 to recognize funds in the amount of \$3,118 and \$16,000 from the NC Division of Public Health Communicable Disease Branch.

Funds will be used to (1) 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 and (2) partially support two STD program grant funded positions. This award supplements funding already received for this program in FY 2016-17 and in sum exceeds the amount awarded in the previous fiscal year to support the two positions.

The Board of Health has approved this amendment.

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. 17BCC000001 to recognize funds in the amount of \$3,118 and \$16,000 from the NC Division of Public Health Communicable Disease Branch.

Attachments: [AAF-01 Legal Form Public Health NC DHHS Funds for HIV-STD Services and F](#)

16-1172

Durham County Juvenile Crime Prevention Council Appointments

Agenda Text:

The Board is requested to appoint the following individuals to statutory positions to serve in a two-year term on the Juvenile Crime Prevention Council:

- Angela Nunn, Durham County Youth Home Director;
- Stephanie Williams, Community Relations Supervisor, to serve as the designee for Rob Robinson, Alliance Behavioral Health Care Director;
- Corporal Frederick Kearns, Durham Police Department, to serve as the designee for Durham Chief of Police, Cerelyn Davis

To receive funding for juvenile court services and delinquency prevention programs from the North Carolina Department of Public Safety, the Board of County Commissioners must appoint a Juvenile Crime Prevention Council. The Council includes the local school superintendent(s), a chief police, the local sheriff, the district attorney, chief court counselor, the director of the area mental health, the director of the county department of social services, the county manager, a substance abuse professional, a member of the faith community, a county commissioner, two persons under the age of 18, a juvenile defense attorney, the chief district court judge, a member of the business community, the local health director, a representative from the United Way or other nonprofit agency, a local parks and recreation program, youth home director, and up to six members of the public to be appointed by the County

Board of Commissioners. The statute allows for some of the listed public agency heads to designate a representative from their agency for the Council.

Alignment with Strategic Plan: This appointment aligns with the County's Strategic Plan Goal 3: Safe and Secure Community.

Resource Persons: Nicole Jimerson, Chair of the Juvenile Crime Prevention Council; Gudrun Parmer, Criminal Justice Resource Center Director

County Manager's Recommendation: The County Manager recommends that the Board appoint the above named individuals to serve in a two-year term on the Juvenile Crime Prevention Council.

16-1175

Durham County Criminal Justice Advisory Committee Appointments

Agenda Text:

The Board is requested to appoint the following individuals to statutory positions to serve in a two-year term on the Durham County Criminal Justice Advisory Committee:

- Jodi M. Miller, Durham County General Manager to serve as the designee for County Manager, Wendell Davis;
- Charlie Reece, At Large Council Member to serve as the designee for Mayor William V. Bell;
- Major Adam Clayton, Sheriff Department to serve as the designee for Sheriff Mike Andrews;
- Eric Ireland, Deputy Public Health Director to serve as the designee for Gayle Harris, Director of Public Health;
- Michael Becketts, Director of Durham County Department of Social Services

The 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: This appointment aligns with the County's Strategic Plan Goal 3: Safe and Secure Community.

Resource Persons: Gudrun Parmer, Criminal Justice Resource Center Director

County Manager's Recommendation: The County Manager recommends that the board appoint Jodi M. Miller, Durham County General Manager; Charlie Reece, At Large Council Member; Major Adam Clayton, Sheriff Department; Eric Ireland, Deputy Public Health Director; Michael Becketts, Director of Durham County Department of Social Services to serve in a two-year term on the Criminal Justice Advisory Committee.

16-1179

Budget Ordinance Amendment No. 17BCC000003 to Recognize

\$15,000 from SHIFT-NC to implement the Maternal Child Health Initiative and All Together Now

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000003 to recognize additional funds in the amount of \$15,000 from SHIFT-NC to implement activities for the Maternal Child Health (MCH) Initiative and All Together Now. This initiative will lead to improved birth outcomes, improved overall health status of children ages 0 to 5, a lowering of the infant mortality rate and teen pregnancy rate in the Durham community.

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. Birth outcomes and the infant mortality rate are a marker of the overall health of a community.

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. 17BCC000003 to recognize additional funds in the amount of \$15,000 from SHIFT-NC to implement activities for the Maternal Child Health (MCH) Initiative and All Together Now.

Attachments: [AAF-03 Legal Form Public Health SHIFT-NC Funds for the Maternal Child Health Initiative and All Together Now](#)

16-1184**Grant Offer for the Raleigh-Durham International Airport**

Agenda Text: The Board is requested to approve a grant offer from the Federal Aviation Administration (FAA) for the Raleigh-Durham Airport. The grant, in the amount of \$1,306,945, will be applied to consulting services for the rehabilitation of Taxiways A and F.

Alignment with Strategic Plan: Provide access to educational, vocational, economic and cultural opportunities

Resource Persons: Ron Jewett, RDUAA Vice President Facilities Asset Management

County Manager's Recommendation: The County Manager recommends that the Board approve the grant offer from the FAA in the amount of \$1,306,945 to be applied to consulting services for the rehabilitation of Taxiways A and F.

Attachments: [2016 RDU Grant Offer](#)

16-1185**Budget Ordinance Amendment No. 17BCC000004 to Recognize an additional \$54,214 from NC DHHS, Division of Public Health for the Positive Parenting Program (Triple P)**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000004 to recognize additional funds in the amount of \$54,214 from NC

DHHS, Division of Public Health for the Positive Parenting Program (Triple P).

Triple P is an evidenced-based parenting education and support program focusing on parents of young children ages 0 - 5 years old. The goals of the program are to promote the independence and health of families through the enhancement of parents' knowledge, skills, confidence and self-sufficiency; to promote the development of non-violent, protective nurturing environments for children; to reduce out-of-home placements; to reduce emergency departments visits related to abuse and neglect; and to reduce out of child care/school suspensions related to behavioral issues.

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. Triple P benefits children, parents and families, and health care providers with resulting positive public health outcomes and cost savings.

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. 17BCC000004 to recognize additional funds in the amount of \$54,214 from NC DHHS, Division of Public Health for the Positive Parenting Program (Triple P).

Attachments: [AAF-04 Legal Form Public Health NC DHHS Funds for the Positive Parenting P](#)

16-1187 **Settlement of 2015 Property Taxes and the Charge of 2016 Property Taxes to the Tax Collector**

Agenda Text: The Board is requested to approve the 2015 Tax Settlement and Charge the Tax Collector with the 2016 taxes.

As required by G.S. 105-373, the Tax Administrator is herewith submitting the settlement report of 2015 property taxes.

G.S. 105-373 (h) further authorizes the Board of County Commissioners to relieve the Tax Collector of the charges of taxes on classified motor vehicles that are one year or more past due.

Additionally, the General Statutes bar use of any remedies for collection enforcement that is not instituted within 10 years of said taxes becoming due.

Furthermore, pursuant to G.S.105-321 (b), the Board of County Commissioners charges the Tax Collector with the 2016 Property Tax Receipts.

The Tax Administrator requests authorization to relieve charges of taxes that are beyond the statute of limitation of 10 years and those vehicles that are more than two (2) years past due. This request is consistent with last year's settlement, which was authorized by the Board.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina Statutes ensures we are accountable to our citizens. The actions of the tax department 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 receive and approve the 2015 Property Tax Settlement Report. Charge the Tax Collector with 2016 Property Taxes. Authorize the relieving of taxes that are more than 10 years past due and motor vehicles taxes that are more than 2 years past due.

Sponsors: Board of County Commissioners

Attachments: [2015 Annual Tax Settlement](#)
[2016 Tax Collector Charge](#)
[RESOLUTION APPROVING 2015-2016 FY Annual Tax Settlement](#)

16-1189

Perimeter Park Sanitary Sewer Deed Amendment

Agenda Text: The Board is requested to accept a sanitary sewer deed amendment for the development of the Sorrel at Perimeter Park. The County has an existing easement agreement that provides a variable width easement on this property. Durham County has maintained a gravel path in this easement to the Slater Road pump station. As part of the development of the site, the developer is providing a revised easement which provides an area to off-load odor control chemicals and to turn around the chemical trucks. This access improvement will be paved by the developer as part of the development project.

Alignment with Strategic Plan: Goal 4, Environmental Stewardship: Providing a better route for chemical deliveries will reduce the risk of environmental harm due to chemical spills.

Resource Persons: Joe Pearce, PE, Deputy Director-Engineering; Kyle Manning, Project Manager; and Marie Inserra, Senior Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board accept the sanitary sewer deed amendment for Sorrel at Perimeter Park.

Attachments: [Existing Agreement](#)
[Perimeter Park Deed Amendment](#)

16-1198

Approval of \$304,060 Annual Non-Profit Service Contract with Urban

Ministries of Durham**Agenda Text:**

The Board is requested to approve the FY2016-2017 annual non-profit service contract with Urban Ministries of Durham.

Urban Ministries of Durham (UMD) has served as Durham's primary emergency homeless shelter for several decades. Its shelter and case management operations are partially supported through a service contract with the County. The \$74,620 increase in operating support this year (from \$229,440 to \$304,060) covers additional security coverage at UMD, coverage which is needed now and which will be needed even more when the Main Library is shut for renovations.

Attached are the proposed contract, scope of work, UMD's 2015 annual report, and the contractual end-of-year report for FY15-16.

Alignment with Strategic Plan: Provision of emergency housing and case management services helps our community avoid many other costs associated with homelessness and helps people move towards being able to support themselves.

Resource Persons: Sheldon Mitchell, Executive Director (UMD); Drew Cummings, Chief of Staff

County Manager's Recommendation: The County Manager recommends that the Board approve the FY2016-2017 annual non-profit service contract with Urban Ministries of Durham.

Attachments:

[UMD Service Contract FY17](#)

[UMD 2015AnnualReport Online](#)

[ATTACHMENT 1 - UMD FY16-17 Scope of Work](#)

[UMD Durham County Full year 2015-16 report FINAL](#)

6. Public Hearings**16-1162****Public Hearing - 2016 General Obligation Refunding Bonds****Agenda Text:**

The Board is requested to adopt the attached Resolution providing for the issuance of General Obligation Refunding Bonds series 2016 and to hold a Public Hearing.

Normally we do not hold a Public Hearing when Bonds are being refunded, however, in this case some of the bonds being refunded are Bond Anticipation Notes (\$36.1M) and we are extending their maturity. When maturities are extended a Public Hearing is required.

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

Resource Persons: George K. Quick, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board adopt the Resolution and hold the Public Hearing.

Attachments: [8808751 v3 Durham County NC - Proceedings of Board of Commissioners on 8881915 v1 Durham County NC - Bond Order as Adopted for Publication](#)
[8912713 v1 Durham County NC Escrow Deposit Agreement](#)

16-1165

Public Hearing - 2016 General Obligation Bond Referendum

Agenda Text: The Board is requested to hold a Public Hearing on the issuance of an amount not to exceed \$170 million in General Obligation Bonds as follows:

Library	\$ 44,725,000
Community College Bonds	\$ 20,195,000
School Bonds	\$ 90,870,000
Museum Bonds	\$ 14,210,000

The Board is also requested to approve the attached Bond Order Authorizing the issuance of the above bonds.

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

Resource Persons: George K. Quick, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board hold the Public Hearing and approve the Bond Order.

Attachments: [Public Hearing - Schools](#)
[Public Hearing - DTCC](#)
[Public Hearing - Library](#)
[Public Hearing - Museum](#)
[Proceedings of Board of Commissioners on 8-8-16.DOCX](#)
[Notice of bond Referendum for Publication.DOCX](#)

16-1188

Public Hearing to Amend Allocation of Economic Development Investment Funds to Fidelity Global Brokerage Group, Inc. and Approve Proposed Incentive Agreement

Agenda Text: The Board is requested to hold a public hearing to consider reducing its previous allocation of economic development investment funds to Fidelity Investments (Fidelity) from \$450,000.00 to \$150,000.00 and to authorize the County Manager to execute an economic development incentive agreement with Fidelity Global Brokerage Group, Inc. in an amount not to exceed \$150,000.00.

On November 9, 2015, the Board approved an allocation of up to \$450,000.00 in economic investment funds to Fidelity for its commitment to create 600 new

jobs and to invest approximately \$22,000,000.00 in real and personal property to expand its campus in Research Triangle Park and at Danbury Hall on Page Road in Durham, North Carolina. The company has 10 other regional centers located throughout the US and was considering several other sites for this expansion, including Colorado, Florida and Utah.

Fidelity has been growing incrementally since its location in our community and is expanding its Durham campus by adding 600 new workers by the end of 2018. The new jobs will primarily be technologists with a projected average income exceeding \$100,000.00 per employee. These technical positions will work to support the company enterprise-wide.

On October 27, 2015, the State of North Carolina through the Economic Development Partnership of North Carolina approved a \$15.5M Job Development Investment Grant (JDIG) as an incentive for the company to expand in North Carolina, along with \$1.14M for customized training. House Bill 117 requires that the local government participate in offered JDIG incentives in a manner appropriate to the project.

Subsequent to the Boards' original approval of allocating incentive funds, the company indicated that its capital investment would not be \$22,000,000.00, but rather \$10,000,000.00. Consequently, staff is recommending that the Board reduce its incentive award from \$450,000.00 to \$150,000.00. \$50,000 would be tied to completion of \$10 million in capital investments on the expansion. Fidelity could earn additional incentives of \$1,000 training reimbursements for each Durham resident hired in this proposed expansion, up to a maximum of \$100,000.00. Funds would be paid from the general fund and furnished over a five (5) year period through an economic development incentive fund performance contract.

This public hearing was advertised on July 28, 2016 as required by law.

Alignment with Strategic Plan: This project aligns with Goal 1: Community and Family Prosperity and Enrichment by supporting the retention of existing jobs and the creation of new jobs for a net job gain.

Resource Persons: Marqueta Welton, Economic Development Officer; Jay Gibson, General Manager/County Engineer

County Manager's Recommendation: The County Manager recommends that the Board conduct the public hearing and, if appropriate, approve reducing its previous allocation of economic development investment funds to Fidelity Investments (Fidelity) from \$450,000.00 to \$150,000.00 and to authorize the County Manager to execute an economic development incentive agreement with Fidelity Global Brokerage Group, Inc. in an amount not to exceed \$150,000.00.

Attachments: [ED - Fidelity Agreement Final 7-19-16.pdf](#)
[ED - Fidelity Workforce Plan Exhibit B.pdf](#)
[ED - Fidelity Durham-Based Business Plan Exhibit C.pdf](#)
[ED - Fidelity Iran Divestment Act Certification Exhibit D.pdf](#)

16-1204 **Public Hearing and Award of Franchise to Provide Ambulance Service**

Agenda Text: The Board is requested to conduct a public hearing, as required by ordinance, in order to grant an ambulance franchise for North State Medical Transport to provide the following services within Durham County: non-emergency and inter-facility transportation at the advance life support level; back-up emergency ambulance service at the request of the County; and special events coverage at the request of the County. North State Medical Transport has fulfilled the requirements for an ambulance franchise set forth in Chapter 12, Article 2, Division 2 of the Durham County Code of Ordinances.

The franchise application and a copy of the public hearing advertisement are provided. The public hearing was advertised in The Herald-Sun July 24-August 8, 2016.

Alignment with Strategic Plan: These requests align with Strategic Goal #2: Health and Well-being for All; Strategic Goal #3: Safe and Secure Community; and Strategic Goal #5: Accountable, Efficient, and Visionary Government.

Resource Persons: Skip Kirkwood, Director of EMS

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing and, if appropriate based on the comments received during the hearing, award an ambulance franchise to North State Medical Transport.

Attachments: [SKMBT C284e16061416500](#)
[Class Liner Ad Ambulance Franchise](#)
[Public Hearing Notice](#)

7. ITEMS PULLED FROM CONSENT AGENDA (20 min)

8. Adjournment