



Durham County

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

Meeting Agenda Board of County Commissioners

Wendy Jacobs, Chair
James Hill, Vice Chair
Heidi Carter, Commissioner
Brenda A. Howerton, Commissioner
Ellen W. Reckhow, Commissioner

Monday, December 12, 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)

16-1423 Announcements

Agenda Text:

- 1) The Board of County Commissioners wishes all citizens a safe and happy holiday season. The Board's next regular meeting will be held Tuesday, January 3, 2017 at 9:00 am.
- 2) Join Bull City United in setting a non-violent tone for 2017. Support a week of peace events designed to raise awareness of gun violence and encourage people to stop shooting. Each event will last approximately 60 minutes and will begin January 1 - January 7. For more information, visit Bull-City-United on Facebook; [twitter@BullCityUnited](https://twitter.com/BullCityUnited); and visit the Announcement page on our website for a complete list of activities.
- 3) Help us update Durham County's Strategic Plan. Please go to

tinyurl.com/durhamcountyplan to share your vision for what Durham County should be doing in the areas of community prosperity, health, safe and secure community, the environment and visionary government. This online community forum, which only takes a few minute to complete, will be live now through the end of the year. We greatly value your feedback as we refresh our Strategic Plan and plan for the future of Durham County.

- 4) Please contact the Clerk's Office at 919-560-0025 or clerk@dconc.gov <<mailto:clerk@dconc.gov>> to find out about opportunities to serve on one of our volunteer boards or commissions.
- 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 <<http://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)

16-1396

Minutes

Attachments: [Regular Session - November 14, 2016](#)
 [Regular Session - November 28, 2016](#)

5. Ceremonial Items

16-1410

Proclamation Durham County ACCESS Champions in Transportation Week- December 12- 18, 2016

Agenda Text: The Board is requested to approve the attached Proclamation recognizing December 12-18 as Champions in Transportation Week in Durham County. The purpose of the Proclamation is to bring greater awareness to the public of the demand response services available to the community and to recognize the customers, partners and leaders with awards for their commitment and service. Additionally Durham County ACCESS staff and members of the Transportation Advisory Board will participate in activities during that week designed to thank customers for their support and ridership.

Alignment With Strategic Plan: This effort supports Goal 1: Community and Family Prosperity and Enrichment. Durham County ACCESS transportation through the door to door serve provides greater access and mobility as well as strengthens the quality of life for the elderly, disabled and transportation advantage. ACCESS service provides a vital link to citizens to travel to medical

appointments, jobs and other destinations to meet their daily needs that ultimately enriches the rider and the community. During this week not only will there be an increased effort to engage the community by sharing information, but it also provides an opportunity for Durham County Staff and members of the Transportation Advisory Board to ride along with the customers and to personally thank the customers for their ridership and support of the Durham County ACCESS programs.

Resource Persons: Linda Thomas, Transportation Program Manager, Durham County ACCESS; Morris White, Interim Director, Durham County Cooperative Extension

County Manager's Recommendation: The County Manager recommends that the Board approve the Proclamation making the week of December 12-18-2016 - Durham County ACCESS Champions in Transportation Week.

Attachments: [Proclamation - Champions in Transportation Week](#)

16-1413

Resolution Honoring the 2016 Champion in Transportation Passenger of the Year

Agenda Text:

The Board is requested to adopt the attached resolution honoring Durham County Access rider, Arlana Bass and to present a copy of the resolution and the 2016 Champion in Transportation Passenger of the Year Award. This annual award is presented to an exemplary rider of the ACCESS system that due to the service is able to access and participate in meaningful daily activities that enrich their daily life skills and quality of life.

Alignment with Strategic Plan: This Resolution aligns with Strategic Plan Goal #1: Community and Family Prosperity and Enrichment by recognizing the contribution and impact a rider has on the ACCESS program and community. This effort also supports Goal #2 Health & Well Being by recognizing the effort made by Ms. Bass to utilize a service that provides dependable and safe transportation to a community service that serves to enhance her quality of life.

Resource Persons: Linda Thomas, Transportation Program Manager, Durham County ACCESS; Morris White, Interim Director, Durham County Cooperative Extension.

County Manager's Recommendation: The County Manager recommends that the Board adopt the resolution and present a copy of the resolution along with the 2016 Champion in Transportation Passenger of the Year Award.

Attachments: [Resolution - Transportation Champion of the Year](#)

16-1414

Resolution Champion in Transportation Senior Citizen of the Year Award

Agenda Text:

The Board is requested to approve the attached Resolution and present Charlotte Wood with a copy of the resolution and the 2016 Champion in Transportation Senior Citizen of the Year Award.

Alignment with Strategic Plan:: This Resolution aligns with Strategic Plan

Goal #1: Community and Family Prosperity and Enrichment by recognizing the contribution and impact a rider has on the ACCESS program and community. This effort also supports Goal #2: Health & Well Being by recognizing the effort made by Ms. Wood to utilize a service that provides dependable and safe transportation to medical appointments that serves to assist in her health care needs.

Resource Persons: Linda Thomas, Transportation Program Manager, Durham County ACCESS; Morris White, Interim Director, Durham County Cooperative Extension

County Manager's Recommendation: The County Manager recommends that the Board approve the Resolution and present the resolution and the 2016 Champion in Transportation Senior Citizen of the Year Award to Ms. Wood.

Attachments: [Resolution - Transportation Champion-Senior Citizen](#)

16-1420

Thank You to 2016 Bond Referendum Committee

Agenda Text:

The Board is requested to thank the 2016 Bond Referendum Co-Chairs Farad and Michael Goodman. The two community leaders led a highly successful effort which resulted in the passage of all Four Bonds included in the \$170 million dollar bond vote as part of the November 8th election. The package consisted of the following:

\$90 million for Durham Public Schools
\$44.2 million for Durham County Main Library
\$20 million for Durham Technical Community College
\$14 million for Museum of Life and Science

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

Resource Persons: Farad Ali and Michael Goodman

County Manager's Recommendation: The County Manager recommends that the Board receive the final report and graciously thank Mr. Ali and Mr. Goodman for their laudatory efforts in leading a successful marketing effort that led to the passage of all Bonds included in the 2016 Bond Referendum.

16-1435

Proclamation - HIV Cure Research Day

Agenda Text:

The Board is requested to proclaim December 14, 2016 as HIV Cure Research Day in Durham and to bring awareness about HIV cure research happening in North Carolina and across the world; to increase community buy-in for HIV cure research; to empower community members to engage in critical discussion about the social and ethical concerns about HIV cure research; and to mobilize community members to coordinate prevention and treatment efforts toward the future of HIV cure in the Triangle region of North Carolina, nationally, and globally. As the 3rd highest county for HIV infection and prevalence rates and 9th in the country for AIDS-related deaths, Durham, NC is disproportionately

affected by the HIV/AIDS epidemic, both on a state and national level. African Americans and Latinos represent the majority of those affected by the epidemic, yet are underrepresented in HIV clinical trials aimed at innovating prevention, treatment, and cure methods that could benefit them.

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

Resource Persons: Dr. Allison Mathews, Founder & Director of 2BeatHIV and Postdoctoral Researcher at UNC-Chapel Hill's Global Health & Infectious Disease Institute

County Manager's Recommendation: The County Manager recommends that the Board read the proclamation and encourage citizens to become engaged in the HIV Cure Research Day activities.

Attachments: [Proclamation - HIV Cure Research Day](#)

6. Citizen Comments (30 min)

[16-1393](#)

Citizen Comments

Agenda Text:

The Board of County Commissioners will provide a 30-minute comment period at a meeting once a month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the meeting to allow an opportunity for research prior to the meeting. **All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

Alignment with Strategic Plan: Citizen engagement aligns with all five of the strategic goals by allowing the Board to receive comments and concerns from the community related to important issues in Durham County.

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

County Manager's Recommendation: The County Manager recommends that the Board receive citizen comments and direct staff to respond, as deemed appropriate.

7. Consent Agenda (15 min)

[16-1349](#)

Ratify Election of Chair and Vice Chair of Board of County Commissioners

Agenda Text:

The Board is requested to ratify action taken on December 5, 2016 to elect Wendy Jacobs as Chair and James Hill as Vice Chair of the Board of County

Commissioners.

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

Resource Persons: Lowell L. Siler, County Attorney

County Manager's Recommendation: The County Manager recommends that the Board ratify action taken on December 5, 2016 to elect Wendy Jacobs as Chair and James Hill as Vice Chair of the Board of County Commissioners.

16-1370

Approval of Public Official Bonds

Agenda Text:

The Board is requested to ratify action taken on December 5, 2016 to approve the bonds of public officials. Following approval, the bonds will be recorded in the Register of Deeds Office and then sent to the Clerk of Superior Court for safekeeping.

Alignment with Strategic Plan: This request aligns with Goal #5 (Accountable, Efficient, and Visionary Government).

Resource Persons: Lowell Siler, County Attorney and David English, Risk Manager

County Manager's Recommendation: The County Manager recommends that the Board ratify the action to approve the bonds as they meet the statutory requirements.

16-1394

Approval of 2017 Board of County Commissioners' Meeting Schedule

Agenda Text:

The Board is requested to suspend the rules to approve its 2017 meeting schedule. The approved calendar will be published on the website within 48 hours.

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

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

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules to approve the 2017 Board of County Commissioners' meeting schedule.

Attachments:

[2017 BOCC Meeting Schedule](#)

16-1403

Approval of Budget Ordinance Amendment No. 17BCC000036 to Increase the Budget for the Rural Operating Assistant Grant in the Amount of \$18,825.00

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No.17BCC000036 to increase the Durham County ACCESS/Durham County Cooperative Extension FY16-17 budget by \$18,825.00 to reflect the actual Rural Operating Assistance Program (ROAP) Grant awarded by the North

Carolina Department of Transportation (NCDOT) - Public Transportation Division (PTD).

The Rural Operating Assistance Program (ROAP) is a state funded and formula based public transportation program administered by the NCDOT -PTD. It is 100% funded by the State and requires a 10% local match for the RGP Program, which is collected by charging a \$2.00 per trip fare. ROAP's three (3) program categories include:

1. Elderly and Disabled Transportation Assistance Program (EDTAP) which provides operating assistance for the transportation of Durham County's elderly and disabled citizens.
2. Employment and Transportation Assistance Program (EMPL) which provides service to DSS clients and those transitioning off Work First or Temporary Assistance for Needy Families. These funds also provide transportation to Workforce Development Program participants, transportation disadvantaged and the general public requiring travel to work, employment training and other employment related destinations.
3. Rural General Public (RGP) Program provides transportation services for individuals who reside in rural parts of Durham County. Requires a fare of \$2.00 per trip.

The amendment calls for an increase in the total program budget-inclusive of the RGP fares from \$230,566.00 to \$249,391.00 an increase of \$18,825.00, The budget changes are noted by program below:

1. Increase in the Elderly & Disabled Transportation Assistance Program (EDTAP) from \$114,644 to \$129,906, an increase of \$15,262.00.
2. Decrease in the Employment & Transportation Assistance (EMPL) Program from \$63,996.00 to \$63,259.00, a decrease of \$837.00.
3. Increase in the Rural General Public (RGP) Program from \$45,495.00 to \$51,206.00, an increase of \$5,711.00.
4. Adding the local fare funds required as match for the RGP Program results in a decrease in the total fares collected from \$6,431.00 to \$5,120.00, a decrease of \$1,311.00.

Alignment with Strategic Plan: This budget amendment request aligns with Strategic Plan Goal #5: Accountable, Efficient and Visionary Government.

Resource Persons: Linda Thomas, Durham County ACCESS; Morris White, Interim Durham County Cooperative Extension

County Manager's Recommendation: The County Manager recommends that the Board approve the Budget Ordinance No: 17BCC000036 to increase the Durham County ACCESS/Durham County Cooperative Extension FY16-17 Budget by \$18,825.00 to reflect the actual ROAP Grant Awarded by the NCDOT-PTD.

Attachments: [Durham County ACCESS Budget Amendment Request DCBOC Mtg. 12-12-20](#)
[AAF-36 Legal Form ACCESS Transportation ROAP Grant Increase](#)

16-1408 **Budget Ordinance Amendment No. 17BCC000037 to Recognize Funds in the Amount of \$1,100 from NC Department of Health and Human Services Division of Public Health to Support Public Health Preparedness Planning and Operational Readiness**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000037 to recognize \$1,100 from the NC DHHS, Division of Public Health Epidemiology/PH Preparedness & Response Branch to support system planning and response to agents of disease.

The funds are to be used to enhance public health emergency preparedness planning, operational readiness, and educational efforts relative to high consequence pathogens such as Ebola, Zika and others.

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 quickly when symptoms of high consequence pathogens are detected in addition to educating the public in effort to prevent outbreaks before they start.

Resource Persons: Gayle Harris, MPH, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000037 to recognize \$1,100 from the NC DHHS, Division of Public Health Epidemiology/PH Preparedness & Response Branch to support system planning and response to agents of disease.

Attachments: [AAF-37 Legal Form Public Health NC DHHS Funds for Preparedness Planning](#)

16-1409 **Refund of Overpayment of Tax/Revenues Stamps pursuant to N.C. General Statute 105-228.37**

Agenda Text: The Board is requested to refund the overpayment of Tax/Revenue Stamps pursuant to N. C. General Statute 105-228.37 for \$178.00. The statute states: “(a) A taxpayer who pays more tax than is due under this Article may request a refund of the overpayment by filing a written request for a refund with the Board of County Commissioner of the county where the tax was paid. The request must be filed within six months after the date the tax was paid and must explain why the taxpayer believes a refund is due.”
On October 26, 2016, a NC General Warranty Deed was electronically recorded with incorrect excise stamps. The excise stamps recorded reflected \$866.00, however the correct amount of excise stamps should be \$688.00; a difference of \$178.00 (see attachments)

Alignment with Strategic Plan: Goal 5 Accountable, Efficient, Visionary Government. In the compliance with the aforementioned statute, we must be accountable and return the funds requested when an overpayment occurs.

Resource Persons: Sharon A. Davis, Register of Deeds

County Manager's Recommendation: The County Manager recommends that the Board approve the refund of \$178.00 for the overpayment of excise tax to Smith Debnam Attorneys.

Attachments: [Smith Debnam Supporting Documents.pdf](#)
[Smith Debnam Refund Request.docx](#)

16-1411

Budget Ordinance Amendment No. 17BCC000040 to Recognize Funds in the Amount of \$2,722 from UNC-Chapel Hill to Implement the Chronic Disease Self-Management Program (SmartLife)

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000040 to recognize funds in the amount of \$2,722 from UNC-Chapel Hill to implement Chronic Disease Self-Management Program to participants enrolled in the Smart Life Study.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

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

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

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 17BCC000040 to recognize funds in the amount of \$2,722 from UNC-Chapel Hill to implement Chronic Disease Self-Management Program to participants enrolled in the Smart Life Study.

Attachments: [AAF-40 Legal Form Public Health UNC-Chapel Hill Funds for Smart Life Study \(](#)

16-1412

Budget Ordinance Amendment No. 17BCC000039 to Recognize Funds in the Amount of \$179,960 From the Office of Juvenile Justice and Delinquency Prevention to Support Bull City United (Cure Violence)

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000039 to recognize funds in the amount of \$179,960 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support Bull City United (Durham's Cure Violence program). These funds will hire and train support 2.0 FTE violence interrupter positions and a contract to support the Durham Police Department to hire and train 1.0 FTE data analyst position to specifically track violent crimes in Durham and specifically within the boundaries selected for Bull City United. These positions will stay active until

funding ends on 9/30/2018.

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 and Strategic Goal 3: Public Safety. Violence is a public health and safety concern and impacts 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. 17BCC000039 to recognize funds in the amount of \$179,960 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to support Bull City United (Durham's Cure Violence program).

Attachments: [AAF-39 Legal Form Public Health Juvenile Justice Funds for Bull City United an](#)

16-1416

Refund of Overpayment of Tax/Revenues Stamps pursuant to N.C. General Statute 105-228.37

Agenda Text:

The Board is requested to refund the overpayment of Tax/Revenue Stamps pursuant to N. C. General Statute 105-228.37 for \$1480.00. The statute states: "(a) A taxpayer who pays more tax than is due under this Article may request a refund of the overpayment by filing a written request for a refund with the Board of County Commissioner of the county where the tax was paid. The request must be filed within six months after the date the tax was paid and must explain why the taxpayer believes a refund is due."

On October 13, 2016, a NC General Warranty Deed was electronically recorded twice in error. The excise stamps and recording fees for the documents totaled \$1,480.00 (\$1,480.00 Excise Stamps), please see attached duplicate recorded documents supporting the claim. Therefore, Simplifile LC respectfully request a refund for the duplicate excise stamps associated with the recording.

Alignment with Strategic Plan: Goal 5 Accountable, Efficient, Visionary Government. In the compliance with the aforementioned statute, we must be accountable and return the funds requested when an overpayment occurs.

Resource Persons: Sharon A. Davis, Register of Deeds

County Manager's Recommendation: The County Manager recommends that the Board approve the refund of \$1480.00 for the overpayment of excise tax to Simplifile LC.

Attachments: [Simplifile Refund Supporting Documents.pdf](#)
[Simplifile Refund 112116.docx.pdf](#)

16-1426

Certification of the 2016 General Obligation Bond Referendum

Agenda Text: The Board is requested to approve the attached Resolution accepting the results of the 2016 General Obligation Bond Referendum and authorize the Publication of the Referendum results.

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

Resource Persons: George K. Quick, Chief Financial Officer

County Manager's Recommendation: The County Manager recommends that the Board approve the attached Resolution accepting the results of the 2016 General Obligation Bond Referendum and authorize the Publication of the results.

Attachments: [Bond Certification 028](#)
[9230562 v1 Durham County N C Proceedings of Board of Commissioners on](#)
[9230805 v1 Durham County N C Statement of results of referendum to be file](#)

16-1429

Receive and Schedule a Public Hearing on an Application to Provide Non-Emergent Ambulance Service in Durham County

Agenda Text: The Board is requested to receive and schedule a public hearing on the application of Jan Care Ambulance of McDowell County, Inc. dba Jan Care Ambulance Services Southeast, Inc., for a franchise to provide the following services within Durham County: non-emergency and inter-facility transportation at the Basic & 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. Jan Care Ambulance Services Southeast, Inc. has fulfilled the requirements for an ambulance franchise set forth in Chapter 12, Article 2, Division 2 of the Durham County Code Ordinances, concerning the franchise of ambulance service. The application is attached.

Alignment with Strategic Plan: These requests align with the County's 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 receive and schedule a public hearing on the application of Jan Care Ambulance Services Southeast, for an ambulance franchise.

Attachments: [SKMBT C284e16112813410](#)

16-1430

Approval of Contract with Tindol Ford to Purchase Three (3) 4x4 Ford Expeditions for Emergency Medical Services

Agenda Text: The Board is requested to authorize the County Manager to execute a contract in the amount of \$124,242 with Tindol Ford for the purchase of three (3) 4x4 Ford Expeditions for Emergency Medical Services. The purchase will replace two 2006 Ford Expeditions currently in the EMS fleet. The third SUV is to provide

additional capacity that EMS does not currently have with the fleet. The SUV's are used by the command staff to provide incident command and support during emergency responses. During inclement weather the units provide additional response capabilities and system capacity.

Funding for this purchase is included in the FY16/17 budget. Emergency Medical Services prepared Invitation For Bids (IFB #17-008) and Tindol Ford presented the most cost effective proposal. The business case discussion and RFP are attached.

Alignment with Strategic Plan: This request aligns with the County's Strategic Goal 2: Health and Well-Being For All, Goal 3: Safe and Secure Community, and Goal 5: Accountable, Efficient, and Visionary Government.

Resource Persons: Skip Kirkwood, EMS Director

County Manager's Recommendation: The County Manager recommends that the Board authorize the Manager to execute the contract with Tindol Ford, for the purchase of three (3) 4x4 Ford Expeditions totaling \$124,242.

Attachments:

[Tindol Ford Expedition Bid](#)

[SUV New Truck Capital Purchase Request FY17](#)

[SUV Replacement Truck Capital Purchase Request FY17](#)

16-1437

Capital Project Amendment No. 17CPA000011 - Closing One Project and Reducing One Project and 17BCC000038 Reducing the Transfer from the Capital Financing Plan Fund to the Debt Service Fund and Transferring those funds to the Pay-As-You-Go Capital Project Fund to fund the remaining project balances in the Main Library Upgrade Project and the EMS Station #1 Renovation Project

Agenda Text:

The Board is requested to approve the official closing of one capital project, the reduction in one capital project and is requested to change the funding source for two capital projects budgets. The capital project funds in which these projects reside (4004730000 2/3 GO Bonds 2008 and 400474000 09 COPS Financing) were closed out by BOCC action with Budget Amendment No. 17BCC000035 on November 28, 2016. The cash and cash equivalents associated with these four projects was transferred to the debt service fund. With this action, an approximate net equity of \$1,500,697.79 was transferred to the Debt Service Fund to service debt related to the projects or future capital projects. However, the EMS Station #1 Renovation Project and the Library Upgrade Project are still open projects. The Board is requested to authorize a reduction in the transfer from the Capital Financing Plan Fund to the Debt Service fund and redirect those funds to transfer the remaining balances in the projects to the Pay-As-You-Go Capital Project Fund in the amount of \$254,891.99 for the Main Library Upgrade Project and \$685,886.07 for the EMS Station #1 Renovation Project. The project budgets for these project will not change.

The closing of completed projects is a technical issue as completed (final) capital projects cannot become a final asset and begin depreciation until they are officially closed by the Board. In addition, because the projects are complete, the balance of monies remaining in the respective general ledger funds needs to be used to service the related debt or the County will be subject to arbitrage penalties for these monies as long as they remain in the capital project general ledger funds.

Alignment with Strategic Plan: This aligns with Goal 5 - Visionary and Efficient Government: By providing more efficient service delivery and better customer service within the organization.

Resource Persons: Keith Lane, Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No. 17CPA000011 approving the official closing of one capital project, the reduction of the budget in one capital project. The Board is requested to approve Budget Ordinance Amendment No. 17BCC000037 authorizing a reduction in the transfer from the Capital Financing Plan Fund to the Debt Service fund and redirecting those funds to transfer the remaining balances in the projects to the Pay-As-You-Go Capital Project Fund in the amount of \$254,891.99 for the Main Library Upgrade Project and \$685,886.07 for the EMS Station #1 Renovation Project. The project budgets for these project will not change.

Attachments:

[CPA-11 Legal Form Closing Capital Project in CJRC and Reducing Capital Proj](#)

[CPA-11 Closing Capital Project in CJRC and Reducing Capital Project Human S](#)

[AAF-38 Legal Form Reducing the transfer to the Debt Service Fund from the CF](#)

[Durham County Capital Projects - Chart](#)

16-1438

Contract Amendment for Westaff

Agenda Text:

The Board is requested to approve the amendment to the current contract with Westaff to increase the previously approved amount of \$40,000.00 to an amount not to exceed \$140,000.00.

Westaff is a temporary staffing agency used to assist during the annual listing period for Business Personal Property and in preparation of the 2019 General Reappraisal data entry project that requires the relisting of 110,000 parcels.

The Tax Administration Office requests approval to amend the current contract with Westaff for an additional \$100,000.00; for a total not to exceed \$140,000.00.

Alignment with Strategic Plan: Kimberly H. Simpson, Tax Administrator

Resource Persons: Goal 5, Accountable, Efficient, Visionary Government.

Westaff has placed several temporary staff within our organization. Several of those placements have previous tax office experience resulting in minimal downtime allowing us to be more efficient in our training efforts and data entry projects.

County Manager's Recommendation: The County Manager recommends that the Board amend the contract with Westaff for temporary staffing purposes and approve the Contract Amendment to increase the contract amount by \$100,000.00 to an amount not to exceed \$140,000.00.

Attachments: [Westaff Contract Amendment signed](#)

16-1439

Authorization to Execute the Temporary Lease Agreements with Northgate Mall, LLC. for the North Carolina Room Library Collection, Library Outreach and Maker's Space, and a Storage Agreement with Duke University for Book Storage during the Renovation of the Main Library

Agenda Text:

The Board is requested to approve the two leases with Northgate Mall, LLC. for the temporary leases as well as a storage agreement with Duke University for book storage associated with the closing of the Main Library during renovations (See Attachment 1, Page 1). The Durham County Library Main Library will close in January 2017 for a two year transformation, and these leases are necessary to provide continued services to the community during the renovation. Both leases would run for 26 months starting January 1, 2017 through February 28, 2019. Northgate Mall is located at 1058 West Club Blvd. The first lease with Northgate Mall is for space #832 comprised of 2,602 square feet located with an outside entrance for the NC Room Collection (See attachment 2, Pages 1-11). The second lease is for space #106 comprised of a 2,407 square feet space within the mall. The lease space is needed to provide office space for Library Outreach staff as well as room for public programs to include Storytime and Maker's Space events. The Library has used a temporary donated space at Northgate Mall for some of these outreach functions and has found that it works well for their purposes (See Attachment 3, Pages 1-11).

The lease rate for the NC Collection room would be \$3,667 per month, which includes the base lease rate and associated fees plus onetime fees of \$4,924.00 for the costs of the deposit, maintenance, inspections and Duke Energy. The total during the lease period would be \$100,266.00. The lease rate for the Maker's Space lease would be \$2,067 per month which includes the base lease rate plus associated fees plus onetime fees of \$3,924.00 for the costs of the deposit, maintenance, inspections and Duke Energy. The total during the lease period would be \$60,786. The funds for the leases are already budgeted within the Library operating budget, so no new funding is needed.

In conjunction with the library renovation, the Board is also requested to approve the storage agreement with Duke University to house the Main Library book collection during the renovation. The cost is estimated at \$173,607.48 for the duration of the agreement from January 1, 2017 to June 30, 2019, and

includes accessioning and deaccessioning of the collection, plus access to the books throughout the duration (See Attachment 4, Pages 1-4). The final billing will be based on the actual storage period.

Alignment With Strategic Plan: The leases at Northgate Mall and the Library Collection Storage support Goal 1 - “Community and Family Prosperity and Enrichment” by providing space for public programs during the Main Library transformation. The relocation of various departments into this facility also addresses Goal 5 - “Accountable, Efficient and Visionary Government” by providing more efficient service delivery and better customer service.

Resource Persons: Tammy Baggett, Director of Library; Sandra Lovely, Assistant Director of Library Planning and Facilities; Jay Gibson, General Manager; Jane Korest, Open Space & Real Estate Manager; Peri Manns, Deputy Director of Engineering; Brenda Hayes-Bright, Project Manager

County Manager’s Recommendation: The County Manager recommends that the Board authorize the County Manager to execute the two lease agreements with Northgate Mall, LLC. and the Storage Agreement with Duke University.

Attachments:

[Attach 1 Northgate Map showing Lease Locations](#)

[Attach 2 Northgate Library Lease NC Collection](#)

[Attach 3 Northgate Library Lease Makerspace #106](#)

[Attachment 4 - Durham County Library - 2017 - 2019 StorageFinal](#)

16-1440

Approval of Contract with Leonine Building Solutions, LLC to Upgrade the Youth Home Security System

Agenda Text:

The Board is requested to authorize the County Manager to enter into a contract with Leonine Building Solutions, LLC in the amount of \$99,999.99 to upgrade the Youth Home’s security system. The current system does not meet the security needs of the facility and replacement parts are no longer produced when repairs are needed. Funding for this project (\$105,000) was budgeted in the current fiscal year. Information on the bid process and the contract are attached.

Leonine Building Solutions, LLC, a locally owned and operated company in Durham (www.leoninebuildingsolutions.com/home), has an established relationship with Durham County Government providing service to Register of Deeds, the Youth Home, and the Sheriff’s Office. In addition, Leonine Building Solutions, LLC is a MWBE certified African-American Firm and will be utilizing 100% MWBE participation on this project.

Alignment with Strategic Plan: This request aligns with the County’s Strategic Goal 3: Safe and Secure Community and Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Angela G. Nunn, Youth Home Director

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute a contract with Leonine Building Solutions LLC for \$99,999.99 to replace the Youth Home's security system.

Attachments: Youth Home Scope of Services
RFP BIDS
Security System Contract.pdf

16-1441

Voting Delegate for 2017 Legislative Goals Conference

Agenda Text: The Board is requested to appoint Wendy Jacobs as voting delegate for the 2017 Legislative Goals Conference, which will be held January 12-13, 2017, at the Raleigh Marriott Crabtree Valley in Wake County.

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

Resource Persons: Wendy Jacobs, Chair; V. Michelle Parker-Evans, County Clerk

County Manager's Recommendation: The County Manager recommends that the Board appoint Wendy Jacobs as voting delegate to the 2017 Legislative Goals Conference.

16-1442

Reimbursement Resolution for 2016 GO Bonds

Agenda Text: The Board is requested to approve the attached Reimbursement Resolution for the 2016 General Obligation Bonds. This approval will allow the Bond projects to begin prior to all of the financing being in place and the County to reimburse itself from Bond proceeds, which is consistent with how we have done things in the past. We will be coming back to the BOCC to approve the interim financing during our third quarter.

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

Resource Persons: George K. Quick, Chief Financial Officer

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

Attachments: [9292345 v1 Durham County NC - Proceedings of Board of Commissioners re F](#)

8. Public Hearings (20 min)

16-1367

Public Hearing - Unified Development Ordinance Text Amendment, Historic Preservation and Other General Process Changes (TC1600004)

Agenda Text: The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment Historic

Preservation and Other General Process Changes (TC1600004); 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 2, Review Authority; Article 3, Applications and Permits; and all other articles as necessary regarding Part 5 of this Ordinance.

Summary. Text amendment TC1600004 is a text amendment initiated by the Planning Department to make corrections, clarifications, and re-organize sections of the *Unified Development Ordinance* (UDO) related to historic preservation, certificates of appropriateness, and review and notification procedures for various applications. (Attachment A).

Attachments:

Attachment A: An Ordinance to Amend the *Unified Development Ordinance* Regarding Historic Preservation, Application Procedures, and Notification Procedures (TC1600004)

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

Attachment C: Planning Commission Comments

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 Sara Young, AICP, City-County Assistant 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:

[BOCCMemo TC1600004 final](#)

[Attachment A TC1600004-ORDINANCE BOCC final](#)

[Attachment B TC1600004 BOCC Consistency statement](#)

[Attachment C Planning Commission Written Comments TC1600004](#)

16-1368

Public Hearing - Unified Development Ordinance Text Amendment, Technical Revisions to Wireless Communication Facilities Regulations (TC1600001)

Agenda Text:

The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Technical Revisions to Wireless Communication Facilities Regulations (TC1600001); 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 5, Use Regulations; and Article 16, Definitions.

Summary. Text amendment TC1600001 proposes technical amendments to paragraph 5.3.3N, Wireless Communication Facilities for Transmitting and Receiving Electronic Signals (WCFs), of the *Unified Development Ordinance* (UDO). Substantial revisions to the overall WCF regulations within paragraph 5.3.3N were approved by the City Council and the Board of County Commissioners in 2015. Since that time, staff has received applications for various WCF facilities and has monitored whether technical issues with the regulations have arisen to warrant corrections. Staff has identified a set of technical amendments necessary to maintain the policy direction established by adopting the new standards in 2015, and maintain compliance with applicable state and federal law. The proposed amendments are as follows:

1. Specify existing and intended service providers.
2. Revise the method for measuring setbacks for freestanding WCFs.
3. Revise the requirement to comply with setbacks in order to qualify as an “eligible facility request.”
4. Clarify the permissibility of freestanding, non-concealed WCFs in RS Districts and the allowable height for the RS-20 District.
5. Add the definition for “fall zone” and “geographic search ring.”

Attachments:

Attachment A: An Ordinance to Amend the *Unified Development Ordinance* Regarding Technical Revisions to Wireless Communication Facility Regulations (TC1600001)

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

Attachment C: Planning Commission Comments

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 Sara Young, AICP, City-County Assistant 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: [BOCCMemo TC1600001_WCF Technical changes_final](#)
[Attachment A TC1600001Ordinance BOCC final](#)
[Attachment B TC1600001 BOCC Consistency statement](#)
[Attachment C Planning Commission Written Comments TC1600001](#)

9. Other Business (60 min)

16-1328 **Adoption of Non-Binding Letter of Intent: Re: Durham to Orange County Light Rail Project**

Agenda Text: The Board is requested to adopt a non-binding letter of intent to assist GoTriangle in seeking additional revenue locally and from other community partners to make up a revenue shortfall created by the last General Assembly when it reduced the State Transportation Budget from 25% to 10% to cover pending light rail projects. GoTriangle will include this letter in its next application package due to the Federal Department of Transportation on December 30, 2016.

Alignment with Strategic Plan: This action aligns with Goals 1 and 5: Community and Family Prosperity and Accountable, Efficient and Visionary Government.

Resource Persons: Jeff Mann, CEO, GoTriangle

County Manager's Recommendation: The County Manager recommends that the Board adopt the non-binding letter of intent to assist GoTriangle in seeking additional revenue for the Durham-Orange Light Rail Project.

Attachments: [MOU FOR THE D-O LRT](#)

10. Board and Commission Appointments (10 min)

16-1404 **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
- Convention Center Authority
- Durham Open Space and Trails Commission
- Farmland Protection Advisory Board
- Juvenile Crime Prevention Council
- Transportation Advisory 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.

11. ITEMS PULLED FROM CONSENT AGENDA (20 min)

12. Adjournment