



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, March 27, 2017

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 Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to the public charge is observed.

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

7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

[17-0134](#) Announcements

Agenda Text: 1) Tax Administrator Kimberly Simpson wants to remind property owners that this year's deadline to appeal real property tax values will be April 17, 2017 at 5:00 p.m. "That is the date and time that the Durham County Board of Equalization and Review officially adjourns for the year, and state statutes remove the Board's authority to consider appeals filed after the adjournment."

4. Minutes (5 min)

[17-0135](#) Minutes

Attachments: [Legislative Agenda Breakfast-Feb 3, 2017](#)

5. Other Business (30 min)

[17-0119](#) Advance Public Comments on the Fiscal Year 2017-2018 Budget

Agenda Text:

The Board is requested to hold an Advance Public Comment session to receive citizen input on the Fiscal Year 2017-2018 Budget. As county staff begins preparation of the FY 2017-2018 budget, public input is being solicited on issues which may need to be addressed during the budget process.

The County Manager's Recommended FY 2017-2018 Budget will be presented to the Board of Commissioners on Monday, May 22, 2017, with individual budget work sessions with the BOCC to be scheduled for the period of May 23-June 15, 2017. There will be a Public Hearing at the Commissioners' Regular Meeting on June 12 at 7:00 pm. Final adoption of the FY 2017-2018 Budget Ordinance is scheduled for Monday, June 26, 2017.

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 2017-2018 budget priorities.

Resource Persons: Keith Lane, 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 2017-2018 Budget.

6. Ceremonial Items (30 min)

17-0120

Recognition of Budget and Management Services for Receiving the GFOA Distinguished Budget Presentation Award for the FY 2016-17 Budget

Agenda Text:

The Board is requested to recognize the Department of Budget and Management Services for receiving the GFOA Distinguished Budget Presentation Award for the FY 2016-17 budget.

In order to receive the Distinguished Budget Presentation Award, the budget document had to satisfy nationally recognized guidelines for effective budget presentation. These guidelines are designed to assess how well an entity's budget serves as: a policy document, a financial plan, an operations guide, and a communications device. Budget documents must be rated "proficient" in all four categories to receive the award.

The award reflects a significant commitment by the Board of County Commissioners and staff to meet the highest principles of governmental budgeting. This is the 20th time the county has won the award, and the 13th consecutive year.

The Government Finance Officers Association is a nonprofit association serving over 18,000 government finance professionals throughout North America. The

GFOA's Distinguished Budget Presentation Awards Program is the only national awards program in governmental budgeting.

Alignment with Strategic Plan: Goal 5 Efficient Government

Resource Persons: Keith Lane, Budget and Management Services Director

County Manager Recommendation: The County Manager recommends that the Board recognize the Department of Budget and Management Services for receiving the GFOA Distinguished Budget Presentation Award.

17-0136

Proclamation - Durham Crop Walk 2017

Agenda Text:

The Board is requested to approve a proclamation that has been requested by organizers of the 43rd Annual Durham Crop Hunger Walk Day. Each year, Durham comes together to support the local agencies that provide food to families and individuals in great need. Kaaren Johannson, Crop Walk Coordinator will provide remarks.

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

Resource Persons: Wendy Jacobs, Chair; Kaaren Johannson, Crop Walk Coordinator

County Manager's Recommendation: The County Manager recommends that the Board approve the proclamation and present to Ms. Kaaren Johannson, Crop Walk Coordinator.

Attachments:

[CROP Walk - 2017](#)

17-0137

Proclamation - Pauli Murray Family Home as a National Historic Landmark

Agenda Text:

The Board is requested to present a proclamation to celebrate the recent National Historic Landmark Designation of the Pauli Murray Family home, located at 906 Carroll Street. Pauli Murray was an African American civil rights activist, lawyer, feminist, educator, writer, Episcopalian priest and LGBTQ community member.

Alignment with Strategic Plan: Community and Family Prosperity and Enrichment

Resource Persons: Wendy Jacobs, Chair; Barbara Lau, Board Member, Pauli Murray Center for History and Social Justice

County Manager's Recommendation: The County Manager recommends that the Board read and present the proclamation celebrating the Pauli Murray Family Home as a National Historic Landmark.

Attachments:

[Pauli Murray Durham County Proclamation - March 2017](#)

17-0146

Proclamation - April 2017 is National County Government Month

Agenda Text:

The Board is requested to bring attention to Durham County residents that April is National County Government Month. Celebrated each April by the nation's counties, NCGM occurs annually to raise public awareness and understanding about the roles and responsibilities of county government. The 2017 theme is "Brilliant Ideas at Work." Throughout the month, Durham County Government will host activities for the public and employees. Residents are encouraged to take this time to learn more about what county government do and what resources are available to the community.

Alignment With Strategic Plan: By participating in National County Government Month, Durham County is supporting Goal One- Community and Family Prosperity and Enrichment: Empower citizens to select strategies that improve their quality of life, and Goal Five- Visionary Government: An effective organization committed to the pursuit of excellence through: collaborative leadership, exceptional customer service, innovation, transparency and fiscal responsibility

Resource Persons: Deborah Craig-Ray, Assistant County Manager and Dawn Dudley, Senior Public Information Specialist

County Manager's Recommendation: The County Manager recommends that the Board proclaim April 2017 as National County Government Month.

Attachments:

[National County Government Month - 2017](#)

7. Consent Agenda (15 min)

17-0076**Approval of Closed Session Minutes****Agenda Text:**

The Board is requested to approve Closed Session Minutes that the County Attorney has determined that public inspection would no longer frustrate the purpose of a closed session. The minutes have been sent to the Board under separate cover.

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 approve the Closed Session minutes as submitted under separate cover.

17-0102**Budget Ordinance Amendment No. 17BCC000062 to recognize \$10,795 from the Duke Health's Division of Community Health to support the Community Health Assessment Survey****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 17BCC000062 to recognize funds in the amount of \$10,795 from the Duke Health's Division of Community Health to support the Community Health

Assessment Survey.

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.

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. 17BCC000062 to recognize funds in the amount of \$10,795 from the Duke Health's Division of Community Health to support the Community Health Assessment Survey.

Attachments: [AAF-62 Legal Form Public Health Duke Health Funds for the Community Health](#)

17-0103

Budget Ordinance Amendment No. 17BCC000061 to Recognize \$522.73 in Donations from the Ekklesia Community Development Corp and Wepay to Support Project BUILD

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 17BCC000061 to recognize funds in the amount of \$522.73 in donations from the Ekklesia Community Development Corp and Wepay to support Project BUILD.

These donations (Ekklesia 500.00, and Wepay 22.73) will support Project BUILD in providing for identified needs of specific youth such as appropriate work clothing, winter coats and hygiene products.

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.

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. 17BCC000061 to recognize funds in the amount of \$522.73 in donations from Ekklesia Community Development Corp and Wepay to support Project BUILD.

Attachments: [AAF-61 Legal Form Public Health to Recognize Ekklesia and Wepay Donations](#)

17-0116

Property Tax Releases and Refunds for February 2017

Agenda Text: The Board is requested to approve the Releases and Refunds for the month of February 2017. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of February 2017.

Releases and Refunds for 2016 total equals \$102,423.68 and \$382.86 for 2017. Prior year's (2011-2015) releases and refunds for February 2017 are in the amount of \$6,331.55. The current year and prior year's releases and refunds amount to \$109,138.09.

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 2017 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Sponsors: Board of County Commissioners

Attachments: [NCVTS Pending Refund report 201701](#)

[Releases & Refunds-Backup-February 2017-March 27, 2017](#)

[Releases and Refunds Back Up Detail-February 2017-March 27, 2017](#)

17-0125

Budget Ordinance Amendment No. 17BCC000060 to Recognize a Decrease of \$60,034 from the NC Division of Public Health Epidemiology/Communicable Disease Branch for Safe Spaces

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 17BCC000060 to recognize a decrease in grant funds in the amount of \$60,034 from the NC Department of Health and Human Services Division of Public Health for Safe Spaces.

Care and Prevention in the United States (CAPUS) Safe Spaces is an intervention that reaches minority men who have sex with other men who are newly or previously diagnosed with HIV to assist them in reducing their viral load. The federal grant that supported these project deliverables ended and no replacement funding was secured.

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.

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. 17BCC000060 to recognize a decrease in grant funds in the amount of \$60,034 from the NC Department of Health and Human Services Division of Public Health for Safe Spaces

Attachments:

[894 - STD Drugs](#)

[901 - \(CAPUS\) Safe Spaces-R1](#)

[AAF-60 Legal Form Public Health Revenue Decrease of NC DHHS CAPUS Fur](#)

17-0126

Create One Full-Time Provisional FTE Health Education Specialist position Using Evidence Based-Strategies for Maternal and Child Health Using Previously Recognized SHIFT-NC Grant Funds

Agenda Text:

The Board is requested to approve the creation of one full time provisional FTE Health Education Specialist position using Evidence Based-Strategies for Maternal and Child Health using previously recognized SHIFT-NC grant funds.

These are three-year grants that end May 31, 2019. These grant funds have already been received and recognized for FY17. The MCH grant began in June 2016 and a full-time contract position has been in place since July. This position is responsible for coordinating a multi-agency and countywide project to implement four evidence-based interventions to improve birth outcomes, reduce infant mortality and improve the status of children ages 0-5. When the funding ends, this position will be eliminated.

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.

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

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve the creation of one full time provisional FTE Health Education Specialist position using Evidence Based-Strategies for Maternal and Child Health using previously recognized SHIFT-NC grant funds.

17-0127

Budget Ordinance Amendment No. 17BCC000059 to Create One Full-Time Provisional FTE Nutrition Specialist Position and Recognize Additional Funds in the Amount of \$71,412 from the Division of Social Services, NC Department of Health and Human Services for the Public Health Nutrition DINE SNAP-Ed Grant for the Position

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 17BCC000059 to create one full-time provisional FTE Nutrition Specialist and recognize additional grant funds in the amount of \$71,412 from the Division of Social Services, NC Department of Health and Human Services for the Public Health Nutrition DINE SNAP-Ed grant for the position.

The Nutrition Specialist will provide programming in two Durham Public Schools elementary schools and serve as the evaluation specialist for the entire DINE school program. Schools that the DINE program are in are determined by an application process each year prior to the beginning of the school year. This position is contingent upon continued DINE SNAP-Ed grant funding. Funding for the program is applied for annually and has been awarded to Durham County since 1999.

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. 17BCC000059 to create one full-time provisional FTE and recognize additional grant funds in the amount of \$71,412 from the Division of Social Services, NC Department of Health and Human Services for the Public Health Nutrition DINE SNAP-Ed grant for the position.

Attachments:

[AAF-59 Legal Form Public Health NC DHHS Funds to Create 1.0 FTE in DINE](#)

17-0130**Request to Appoint Members of the 2017 Board of Equalization and Review****Agenda Text:**

The Board is requested to appoint the members of the 2017 Board of Equalization and Review (BOER); to name the Chair of the BOER; and to set the rate of pay for members and the Chair, all in accordance with the Resolution adopted by the Board of January 23, 2017.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes and that we are accountable to our citizens. The BOER ensures that we are accountable and efficient, as tax reviews are impacted by the actions of the BOER.

Resource Persons: Kimberly H. Simpson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board appoint the members of the 2017 Board of Equalization and Review

(BOER); name the Chair of the BOER; and set the rate of pay for members and the Chair, all in accordance with the Resolution adopted by the Board of January 23, 2017.

Attachments: [2017 BOER Resolution.doc](#)
 [BOER 2017.docx](#)

17-0140 **Contract Amendment to add Engineering Services for Replacement of the Roof Top HVAC Unit at the CJRC Building**

Agenda Text: The Board is requested to authorize the County Manager to amend a contract with REI Engineers for the provision of including engineering services for rooftop HVAC equipment replacement at the CJRC Building. A design consultant contract for roof replacement services was entered into with REI on August 24, 2016 in the amount of \$49,400.00. After consideration of the processes required for installation of the new roof, it was determined that an existing HVAC unit would have to be removed to allow access to the area under the equipment. Instead of reinstalling the aging unit, it would be an opportune time for replacement. REI has submitted pricing in the amount of \$4,400.00 to provide additional engineering services to facilitate the design of the HVAC equipment replacement. If approved, the contract would be increased to an amount not to exceed \$53,800.00.

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

Resource Persons: Motiryo Keambiroiro, Director of General Services, Shawn Swiatocha, Assistant Director of General Services, Charles King, Project Facilitator, Joel T. Jones, Quality Control & Contract Specialist

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to amend REI's CJRC roof replacement design contract to provide additional engineering services for a total contract amount of \$53,800.00.

Attachments: [Contract Amendment, REI Engineers, CJRC Roof Replacement](#)
 [AAF Supplemental Document, Roofing Contract Amendment \(CJRC\)](#)
 [Design Consultant Contract, REI Engineers, CJRC Roof Replacement](#)

17-0141 **Appointment of Juvenile Crime Prevention Council - Alliance Behavioral Healthcare Representative**

Agenda Text: The Board is requested to appoint Jennifer Meade to a mandated position vacated by Stephanie Williams as the Alliance Behavioral Healthcare representative.

Alignment With Strategic Plan: Goal 2 - Health and Well-being for all

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

County Manager's Recommendation: The County Manager recommends that the Board appoint Jennifer Meade to fill the vacant seat on the Juvenile Crime

Prevention Council.

17-0144

Budget Ordinance Amendment No. 17BCC000058 - Appropriating \$350,000 of Debt Service Fund Fund Balance and Transferring \$4,250,000 of Available Funds to a New Capital Project and Capital Project Amendment No. 17CPA000016 - Appropriation of \$4,250,000 of County Contribution Funds to Create a New Capital Project for the W.G. Pearson/Student U Renovation Project (4120DC101)

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 17BCC000058 appropriating \$350,000 from the Debt Service Fund fund balance and transferring a total of \$4,250,000 to the County Contribution Capital Fund. The Board is also requested to approve Capital Project Amendment No. 17CPA000016 appropriating \$4,250,000 of County Contribution funds to a new W.G. Pearson/Student U. Project (4120DC101). These funds are budgeted as part of a public private partnership agreement approved by Commissioners on November 28, 2016 and signed on January 23, 2017 by the County Manager, Self Help Ventures, and Student U. County funds in this project will support a portion of the hard and soft costs of construction, including but not limited to site work, building shell renovations, windows, systems such as plumbing, mechanical and electrical, painting, building finishes, and lighting, but excluding property acquisition costs.

Current Budget:	\$0
Budget Addition:	\$4,250,000
Revised Budget:	\$4,250,000

Student U currently operates year-round comprehensive programming for over four hundred Durham students and their families and intends to expand this programming to serve hundreds more in the years ahead. Student U intends to make the W.G. Pearson Center its long-term home, honoring the building's historic and cultural importance in the community while redeveloping the site and two adjacent vacant lots as office and student programming space.

Alignment with Strategic Plan: Goal 1 Community and Family Prosperity and Enrichment: By approving this funding for the W.G. Pearson Center project, the Board will be supporting enhanced educational opportunities for Durham County youth.

Resource Persons: Drew Cummings, Chief of Staff; and Keith Lane, Budget Director.

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 17BCC000058 appropriating \$350,000 from the Debt Service Fund fund balance and transferring a total of \$4,250,000 to the County Contribution Capital Fund and Capital Project Amendment No. 17CPA000016 appropriating \$4,250,000 of County Contribution funds to a new W.G. Pearson/Student U. Project (4120DC101).

Attachments: [AAF-58 Legal Form Appropriating Debt Service Fund Balance and Available De](#)
[CPA-16 Legal Form W.G. Person Student U \(\\$4,250,000\)](#)

8. Board and Commission Appointments (10 min)

17-0142 **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
- Alliance Behavioral Healthcare Board of Directors
- Animal Services Advisory Committee
- City-County Appearance Commission
- Durham Hospital Corporation Board of Trustees
- Durham Open Space and Trails Commission
- Juvenile Crime Prevention Council
- Nursing Home Community Advisory Committee
- Raleigh-Durham Airport Authority
- 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.

9. ITEMS PULLED FROM CONSENT AGENDA (20 min)

10. Closed Session

17-0147 **Closed Session**

Agenda Text: The Board is requested to adjourn to Closed Session:

- 1) pursuant to G.S. 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes;
- 2) pursuant to G.S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; in the matter of Marqueta Welton vs. Durham County, Durham Board of County Commissioners, Wendell Davis, and Kathy Everett-Perry.

Alignment with Strategic Plan: Goal 5

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

11. Adjournment