



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, September 25, 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)

[17-0432](#)

Announcements

Agenda Text:

- 1) Mark your calendars and register for Durham's Annual **Big Sweep** clean up event on Saturday, October 7, 2017. Volunteer registration is now open at www.durhambigsweep.org <<http://www.durhambigsweep.org>> and everyone is encouraged help clean up Durham. "The trash collected during Durham Big Sweep will be properly disposed of and no longer will pose an environmental or health threat."
- 2) GoTriangle invites you to participate in an informational meeting to learn about updates to the Durham-Orange Light Rail Transit Project, Tuesday September 26, 2017. Drop in anytime between 4:00-7:00 pm at Hayti Heritage Center, 804 Old Fayetteville Street to get an update on this 17.7 -mile project that will provide over 26,000 trips per day to residents and

commuters taking advantage of employment, healthcare, and education opportunities in Durham and Chapel Hill. *Please note that no formal presentation is scheduled.*

- 3) Early Voting for the October 2017 municipal primary and election began this past Thursday and continues until 1:00 p.m. on Saturday, October 7th. The upcoming Election Day is Tuesday, October 10th. For more information, including early voting sites and schedules, visit www.dconc.gov/elect <<http://www.dconc.gov/elect>>.
- 4) The NC Department of Transportation will hold a public meeting on Thursday September 28 from 5 - 7 PM at Mount Sylvan United Methodist Church at 5731 N. Roxboro Road regarding proposed improvements at the intersection of N. Roxboro Road with Latta Road and Infinity Road.
- 5) One Month, One Book, One Community. Durham Reads Together strengthens the community through a bi-annual celebration of reading. By reading the same book, and attending programs around the theme, Durham's community is inspired to discuss important issues including race, family, identity, religion, faith, education, art, and culture. This year's book is the United States Constitution. Pick up a free copy of the Constitution at your library through the end of October, while supplies last. Read the US Constitution alongside your neighbors, start a conversation, and plan to attend this year's slate of programs. For more information go to <durhamreadstogether.org>.
- 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)

[17-0433](#)

Minutes

Attachments:

[BWS - May 25, 2017](#)

[BWS - May 30, 2017](#)

[BWS - June 13, 2017](#)

[Regular Session - Sept 11, 2017](#)

5. Ceremonial Items

[17-0306](#)

Proclamation - Rail Safety Week

Agenda Text:

The Board is requested to proclaim September 24-30, 2017 as Rail Safety Week in the County of Durham. North Carolina currently ranks 8th in the nation in the number

of trespass fatalities and 16th in the number of highway/rail incidents. Durham County has an active rail corridor and, unfortunately, has been the site of numerous incidents in the past. Operation Lifesaver, Inc., a national nonprofit rail safety organization, along with its partners the Federal Railroad Administration, the Federal Transit Administration, and the Federal Highway Administration, has proclaimed September 24-30, 2017, as National Rail Safety Week.

Alignment with Strategic Plan: Goals 3 and 4 (Safe and Secure Community and Environmental Stewardship)

Resource Persons: Margaret Cannell, NC Operation Lifesaver

County Manager's Recommendation: The County Manager recommends that the Board proclaim September 24-30, 2017 as Rail Safety Week.

Attachments: [Proclamation - Rail Safety Week](#)

17-0430

Proclamation to Recognize Minority Enterprise Development Week October 2-6, 2017

Agenda Text: The Board is requested to approve a Resolution recognizing October 2-6, 2017 as Minority Enterprise Development Week in Durham County.

On January 14, 2008, The Board of County Commissioners approved an ordinance to continue the County's Minority/Women Business Enterprise Program. As a part of the program promotion and continued efforts to enhance participation in governmental contract awards to minority and women businesses, it is hereby requested that October 2-6, 2017 be recognized as Minority Enterprise Development Week in the County of Durham, North Carolina.

Local and National Minority Enterprise Development programs provide assistance to minority and women groups who own or wish to start or expand their own businesses.

Alignment with Strategic Plan: To align with *Goal 1 Community and Family Prosperity and Enrichment* by increasing minority and women business participation. Create awareness and engagement by allowing minority and women businesses to learn about contracting opportunities, and events of the Durham County Minority and Women Business Enterprise (MWBE) program.

Resource Persons: George K. Quick, Chief Financial Officer; Jacqueline Boyce, Procurement Manager; Keisha J. Davis, MWBE Coordinator

County Manager's Recommendation: The Manager recommends that the Board approves the Resolution and recognize October 2-6, 2017 as Minority Enterprise Development Week in Durham County.

Attachments: [AAF MED Week Proclamation 2017](#)
[Durham MED Week Activities](#)

6. Consent Agenda (15 min)**17-0396****Budget Ordinance Amendment No. 18BCC000010 to Recognize a Decrease of \$1,500 from the NC Department of Health and Human Services (Division of Public Health)****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 18BCC000010 to recognize a decrease in funds in the amount of \$1,500 from the NC Department of Health and Human Services (Division of Public Health). This grant originally funded the distribution of naloxone in pharmacies and in the community and increase safer prescribing and dispensing of opioids among medical providers and pharmacists.

This year less federal funding was available and Durham was not selected as a high priority community for the remaining funds.

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. 18BCC000010 to recognize a decrease in funds in the amount of \$1,500 from the NC Department of Health and Human Services (Division of Public Health).

Attachments:

[AAF-10 Legal Form Public Health Decrease of NC DHHS Funds \(-\\$1,500\)](#)

17-0427**Property Tax Releases and Refunds for August 2017****Agenda Text:**

The Board is requested to approve the Releases and Refunds for the month of August 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 August 2017.

Releases and Refunds for 2017 total \$671,474.06. Prior year's (2015-2016) releases and refunds for August 2017 are in the amount of \$138,794.99. The current year and prior year's releases and refunds amount to \$810,269.05.

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

Sponsors: Board of County Commissioners

Attachments: [201707 Refunds](#)
[Releases & Refunds BackUp-August 2017-Sept. 25 2017](#)
[Releases & Refunds-BackUp Detail-August 2017-Sept. 25, 2017](#)

17-0435

FY2016-2017 Encumbrance Rollover - Budget Ordinance Amendment No. 18BCC000009

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 18BCC000009 for FY 2017-18, amending the budgets for the outstanding encumbrances at fiscal year-end FY 2016-17. Encumbrances outstanding at fiscal year-end represent obligations/commitments entered into by the County for either services not yet completed or performed, or goods not yet received. These moneys must be restricted in the fund balance within the equity section of the balance sheet for FY 2016-17 to honor these obligations/commitments once completed and/or received. These encumbrances outstanding at year-end do not represent expenditures or liabilities. These encumbrances outstanding are included in the amount reported as "Restricted Stabilization by State Statute" in the fund balance section of the Balance Sheet in the Comprehensive Annual Financial Report (CAFR).

According to generally accepted accounting principles (GAAP), governmental type funds are the only funds to record encumbrances in the CAFR. However, during the fiscal year, the County maintains encumbrances (purchase orders and service contracts) for all fund types (funds and sub-funds) to ensure funds are set aside for obligations and commitments appropriately at the time that they are ordered and/or entered into.

Because these encumbrances lapse at year-end and are re-appropriated in the subsequent fiscal year, they do not affect unassigned fund balance. It is merely a re-appropriation in the subsequent fiscal year of funds for obligations and commitments for goods and services already ordered but not yet received in the prior fiscal year. Encumbering these funds is a statutory requirement.

Therefore, authorization is requested to amend the following funds' budgets in FY 2017-18 to honor the outstanding purchase orders and service contracts as of the end of FY 2016-17:

General Fund (1001010000)	\$ 3,285,373.90
Risk Management Fund (1001020000)	\$ 132,205.95
Reappraisal Reserve Fund (1001050000)	\$ 176,325.31
Benefits Plan Fund (1001500000)	\$ 32,688.87
Sewer Utility Fund (6006600000)	\$ 215,342.07
Total	<u>\$ 3,841,936.10</u>

Alignment with Strategic Plan: This request relates to the following elements of the Durham County Strategic Plan: the effort aligns with Goal #5 (Accountable, Efficient, and Visionary Government).

Resource Persons: George K. Quick, Chief Financial Officer; Keith Lane, Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 18BCC000009.

Attachments: [AAF-09 Legal Form Encumbrance Rollover](#)

17-0439

Agricultural Lands Easement (ALE) Grant Award and Cooperative Agreement for Amed Tilley Farm

Agenda Text:

The Board is requested to approve a 2017 Cooperative Agreement between the County and the United States by and through the Commodity Credit Corporation (CCC), for \$83,525 to provide federal grant support towards the protection of the Amed Tilley farm in northern Durham with a permanent conservation easement. The CCC is the federal entity that disburses grant funds under the federal Agricultural Lands Easement Program (ALE). The grant funds are awarded to reimburse Durham County for 50% of the approved appraised value for the acquisition of a conservation easement on the Amed Tilley farm.

The Board of County Commissioners approved the acquisition of a conservation easement on the Amed Tilley farm on January 23, 2017, as well as the submission of a federal ALE grant proposal for the farm to help with the acquisition costs. The funding for the county's share of the conservation easement was approved from the open space and farmland capital project at that time. The attached federal cooperative agreement award for \$83,525 will pay for 50% of the cost of the appraised value of the easement at the time of closing. The federal ALE funds are distributed as a "pass through" to the state's Natural Resources Conservation Services (NRCS) offices, which administers the program and awards the grants. The funds are paid at the time the easement on each farm is conveyed. The county's matching funds for the easement was previously set aside from the open space and farmland capital project account when the option to purchase the easement was approved by the Board in January 2017, so no additional funding is needed for this easement.

Alignment With Strategic Plan: This conservation easement helps to implement Strategic Plan Goal 4, “Environmental Stewardship and Community Prosperity,” by increasing the amount of open space and farmland that has been protected by Durham County. The federal funds in this cooperative agreement supports Goal 5 “Accountable, Efficient and Visionary Government” by leveraging additional funding to stretch county open space funding.

Resource Persons: Jane Korest, Division Head for Open Space & Real Estate; Celeste Burns, Open Space Coordinator, Jay Gibson, General Manager

County Manager’s Recommendation: The County Manager requests that the Board approve the Cooperative Agreement between Durham County and Commodity Credit Corporation for the amount of \$83,525, to authorize the County Manager to execute the Cooperative Agreement, as well as the corresponding conservation easement on the Amed Tilley farm. A final budget for the farm easement will be brought back to the Board prior to closing.

Attachments: [AAF Supplemental Document - Coop Agreement for A. Tilley Farm](#)
[Attachments 1-5 Amed Tilley Farm Cooperative Agreement](#)

17-0440

Approval of the Annual Maintenance Contract for Our Record Management System between the Durham County Register of Deeds, and Manatron a Thomson Reuter Business

Agenda Text: The Board is requested to approve the annual maintenance contract between the Durham County Register of Deeds and Manatron a Thomson Reuter Business in the amount of \$149,621.76. This vendor provides maintenance and support for the Register of Deeds records management system. This request is aligned with the Master Agreement NC2016.001, section 15.2 Term of Maintenance and Support Services, which states the term of (36) months. The funds for the contract were included in the Register of Deeds Budget request for the fiscal year of 2017/2018.

Alignment with Strategic Plan: Goal 5 Accountable, Efficient, and Visionary Government. To ensure adherence to Durham County Contract Compliance policy and procedure.

Resource Persons: Sharon A. Davis, Register of Deeds

County Manager’s Recommendation: The County Manager recommends that the Board approve the Manatron a Thomson Reuter Business annual maintenance and support contract for 2017 in the amount of \$149,621.76

Attachments: [Manatron 2017 Contract Master](#)
[Manatron Agenda Action Supplemental Document 2017](#)

7. Board and Commission Appointments (10 min)

17-0438

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
- Audit Oversight Committee
- Community Child Protection Team/Child Fatality Prevention Team
- Historic Preservation Commission
- Juvenile Crime Prevention Council
- Nursing Home Community Advisory Committee
- Triangle J Water Resources Committee
- Women's Commission

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.

8. ITEMS PULLED FROM CONSENT AGENDA (20 min)

9. Closed Session

17-0442

Closed Session

Agenda Text:

The Board is requested to adjourn to closed session 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.

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 adjourn to closed session and direct staff as appropriate.

10. Adjournment