

**THE BOARD OF COUNTY COMMISSIONERS  
DURHAM, NORTH CAROLINA**

Monday, December 2, 2013

9:00 A.M. Worksession

**AGENDA**

**1. Election of Chairman and Vice-Chairman of the Board of County Commissioners  
(15 min)**

- 1) County Attorney Lowell L. Siler will preside over the election of the Board's Chairman. The newly elected Chairman will preside over the election of the Vice Chairman.

**2. Approval of Public Official Bonds (5 min)**

- 1) The Board of Commissioners is required to approve the bonds of public officials on the first Monday of December of each year. Following approval, the bonds will be recorded in the Register of Deeds Office and then sent to the Clerk of Superior Court for safekeeping.

**Resource Person(s):** Lowell L. Siler, County Attorney, and Cathy Whisenhunt, Risk Manager

**County Manager's Recommendation:** The Manager recommends that the Board suspend the rules to approve the bonds, as they meet the statutory requirements.

**2a. Special Presentation from Dr. Victor Dzau**

**3. Citizen Comments (30 min)**

- 1) The Board of County Commissioners will provide a 30-minute comment period at the beginning of its Worksession meeting on the first Monday of each 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 Worksession to allow an opportunity for research prior to the meeting. **All speakers shall have three minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

**Resource Person(s):** V. Michelle Parker-Evans, Clerk to the Board

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

**4. Budget Ordinance Amendment No. 14BCC000029 to Recognize Funds from the NC Department of Health and Human Services Division of Public Health for the Health Education Division (5 min)**

- 1) The Board is requested to approve Budget Ordinance Amendment No. 14BCC000029 to recognize funds in the amount of \$3,994 from the NC Department of Health and Human Services Division of Public Health to develop and implement policy and systems and environmental change interventions that improve local food systems, increase food security, promote active living through planning, reduce and prevent tobacco use, and prevent chronic diseases, violence and injury. Funds will be used as follows:

Expenditures:

5100621600 – 5200159500	\$3,994
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Revenue:

5100621600 – 4300326500	\$3,994
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- 2) The Board of Health has approved this amendment.
- 3) Please note that this amendment requires no additional County funds.

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

**County Manager’s Recommendation:** The County Manager recommends that the Board of County Commissioners suspend the Rules and approve Budget Ordinance Amendment No. 14BCC000029 to recognize funds in the amount of \$3,994 from the NC Department of Health and Human Services Division of Public Health to develop and implement policy and systems and environmental change interventions that improve local food systems, increase food security, promote active living through planning, reduce and prevent tobacco use, and prevent chronic diseases, violence and injury.

**5. Capital Project Amendment No. 14CPA000006 - Durham Public Schools 2007 General Obligation Bond Project Budget Adjustments (5 min)**

- 1) On November 21, 2013, the Durham Public Schools (DPS) Board of Education approved several adjustments to budgets for 2007 General Obligation (GO) bond capital projects. Pursuant to the Interlocal Agreement with DPS, as amended, the Durham County Board of County Commissioners is requested to consider and approve the transfer of funds between projects supported with 2007 GO bond funding.
- 2) The 2007 Bond Projects for Paving at Carrington Middle School, Paving/Tennis Court Replacement at Southern High School and Paving/Tennis Court Replacement at Jordan High School require additional funding for supplemental repairs identified during construction.
- 3) The 2007 Bond Project for Chewing Middle School requires additional funding due to unforeseen conditions during the renovation of this facility for the School for Creative Studies opened July 2013.

- 4) The 2007 Bond Project to renovate the 1983 Building at Mangum Elementary School recently bid. Additional funding is requested to select an alternate that will complete needed renovations to the administrative areas of this building.
- 5) The 2007 Bond Projects at Elementary 'E' (Sandy Ridge), R.N. Harris Elementary School, and Riverside High School are close to completion with costs under the budget.
- 6) The Board of Education requests the uncommitted funds from these three projects be transferred to the five 2007 GO Bond projects. The table below indicates funds reconciled by DPS and the County that are available for transfer.

**Resource Person(S)**: Hugh Osteen, Durham Public Schools, Chief Operations Officer; Tim Carr, Construction Program Manager.

**County Manager's Recommendation**: The Manager recommends that the Board suspend the Rules and approve Capital Project Amendment No. 14CPA000006 moving \$390,000 from three 2007 GO Bond funded DPS capital projects (New Elementary 'E', R.N. Harris Elementary School and Riverside High School) to five 2007 GO Bond funded DPS capital projects (Mangum Elementary School, Chewning Middle School, Jordan High School, Southern High School, and Carrington Middle School).

6. **Together for Resilient Youth (T.R.Y.) Substance Abuse Prevention Impact Summary and Strategic Action Plan 2013-2014 (15 min)**

- 1) The Board is requested to receive a presentation by Together for Resilient Youth (T.R.Y.) and communicate support through appropriate County Departments and citizens at large, through its communications networks, parts of the Strategic Action Plan presented. County Funds are not being requested.
- 2) T.R.Y. will present its current accomplishments and future plans regarding substance abuse prevention as a result of T.R.Y.'s White House Office of National Drug Control Policy Drug Free Community grant (Youth, Parents, Schools, Faith, Health Law Enforcement, etc).
- 3) Special attention during this session is focused two initiatives: Safe Home Initiatives (SH) "Talk it Up. Lock it Up! and Lock It! Drop It!" Where is the number one place that youth obtain alcohol and prescription drugs without a prescription? The answer is from their home or the home of a friend with or without a parent's knowledge. SH is a non-legally binding affirmation that is signed, electronically or on paper by an adult. The adult affirms that they will monitor alcohol to prevent access by minors - Talk it Up. Lock it Up! At the same time T.R.Y. is carrying out a county-wide prescription drug safe disposal campaign. Citizens will lock up or safely discard prescription drugs - Talk it Up. Lock it Up!
- 4) This effort is coordinated with The Durham County Sheriff's Department. T.R.Y. will purchase two permanent drop boxes for the Sheriff's Department. The campaign will also provide substance abuse information, lock boxes or disposal bags to the first 100 participants.

**Resource Persons**: Wanda Boone, Founder Together for Resilient Youth

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation by Durham T.R.Y. and direct staff, if appropriate.

**7. Status of the NC54/I-40 Corridor Study (20 min)**

- 1) The Board is requested to receive the report from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization about the status of the NC54/I-40 Corridor Study.
- 2) The Joint City-County Planning Committee requested that both governing boards be presented with a staff report on the NC54/I-40 Corridor Study. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) retained a consultant to conduct the NC 54/I-40 Corridor Study in 2009. The purpose of the study was to analyze land use and transportation issues along NC 54 between I-40 and Fordham Boulevard, evaluate opportunities and challenges for future development in the corridor, and recommend short and long-range solutions and strategies. The resulting Transportation-Land Use Master Plan employs several strategies to accomplish its objectives, including a land use and development concept, developing park and ride facilities, significant expansion of local transit service, bike and pedestrian improvements, and roadway improvements. Implementing the Master Plan will require the actions of many varied implementation partners over several decades.

**Resource Persons:** Mark Ahrendsen, Director, City Department of Transportation Director and Chair of the MPO Technical Coordinating Committee, 919-560-4366, x36410, [mark.ahrendsen@durhamnc.gov](mailto:mark.ahrendsen@durhamnc.gov) and Steven L. Medlin, AICP, Planning Director, 919-560-4137 x28223, [steve.medlin@durhamnc.gov](mailto:steve.medlin@durhamnc.gov)

**County Manager's Recommendation:** The County Manager recommends that the Board receive the report.

**8. Bus and Rail Update (30 min)**

**9. NC FAST Update (20 min)**

- 1) The Board is requested to receive an update from the Department of Social Services (DSS) on progress related to NC FAST and to receive new information that may lead to a request for additional County support.
- 2) The Department of Social Services is faced with significant challenges related to the new state computer system, NC FAST, as well as to provisions of the Affordable Care Act which has caused the Center for Medicaid and Medicare Services to create rules that will likely create a severe backlog of Medicaid re-certifications.
- 3) Social Services processes nearly 800 new Medicaid applications, 2000 Medicaid re-certifications, 1200 new Food and Nutrition Services applications, and 1900 Food and Nutrition Services re-certifications on average each month. The changes on the horizon for social services agencies across North Carolina may have a far reaching impact,

including delay in Medicaid and Food and Nutrition Services benefits for new and existing recipients, excessive use of Emergency Medical Services, unnecessary utilization of emergency rooms and health department clinics, Durham residents having to go without access to medicines and other medical therapies as well as mental health services. DSS staff would like to present these concerns to the BOCC with proposed methods of addressing them.

**Resource Persons:** Michael A. Becketts, DSS Director

**County Manager's Recommendation:** The County Manager recommends that the Board receive the update and new information from the Department of Social Services staff.

**10. Institution of a Commute Trip Reduction Program (15 min)**

- 1) The Board is requested to hear a presentation on how Durham Commute Trip Reduction (CTR) efforts will be take on new life as a voluntary program following repeal of the ordinance on October 28, 2013.
- 2) The Governor signed HB74 into law on September 23, 2013, prohibiting counties from enacting an ordinance, rule or regulation requiring employers to assume responsibility for the mitigation of the impact of his or her employee's commute or transportation to or from the employer's workplace in a way which might result in the employer being subject to any fine, fee or negative consequence. As a result, Durham County repealed its Commute Trip Reduction ordinance on October 28, 2013.
- 3) Staff met numerous times with Triangle Transit staff to discuss how this jointly administered and supported program could be adjusted to comply with the law. Because many companies participated happily in the program and believed commuter options and reduced congestion to be in their employees' interest and in the region's interest, staff concluded that continuing to offer the same programs and services with through a voluntary program was the way to go. Triangle Transit has agreed to provide for operational oversight and financial support of this program.
- 4) This program is strongly tied to the Strategic Plan through Goal 4 – Environmental Stewardship. This program was and will hopefully remain one way the County works to address vehicle miles travelled and greenhouse gas emissions. One of the Intermediate Measures in this goal is to increase the percentage of alternative transportation commute trips to largest employers.”

**Resource Person(S):** Stephanie Loyka, Triangle Transit; Tobin Freid, City-County Sustainability Manager

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation and provide direction to staff as appropriate.

**11. Durham County Local Priority List for Transportation Projects (10 min)**

- 1) The Board is requested to approve the list of transportation projects for submission by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization to the NC Department of Transportation's Prioritization 3.0 process.
- 2) The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) has requested that its member jurisdictions provide a list transportation projects to be considered for funding in the FY 2016-2022 Transportation Improvement Program (TIP). Development of the TIP is coordinated with the NC Department of Transportation (NCDOT) through a process called Prioritization 3.0. The DCHC MPO will be submitting a list of highway, transit, bicycle, pedestrian, and rail projects in January that will be scored by the State and the MPO based on a variety of transportation metrics by May 2014. The MPO will then apply local ranking points to projects by July 2014. The draft TIP is expected to be released by December 2014 with final approval by July 2015. The submission of projects is the first step in the process to develop the TIP.

**Resource Persons:** Ellen Beckmann, Transportation Planner, DCHC MPO; Meg Scully, Transportation Program Manager, Durham County

**County Manager's Recommendation:** The County Manager recommends that the Board approve the list of transportation projects for submission by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization to the NC Department of Transportation's Prioritization 3.0 process.

## **12. Review of November BOCC Directives (10 min)**

- 1) The Board is requested to review the previous month's directives for staff and make comments as necessary. This set of directives covers August, September, October and November of 2013.

**Resource Persons:** Michael Davis, Strategic Initiative Manager and Dionne Hines, County Intern

**County Manager's Recommendation:** The County Manager recommends that the Board review the November BOCC directives and make comments to staff as necessary.

## **13. Closed Session (30 min)**

- 1) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege and to discuss the case in the matter of Geraldine Robinson v. Joe Bowser et al.;
- 2) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege;
- 3) The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

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