



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, May 14, 2018

7:00 PM

Commissioners' Chambers

Regular Session

“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)

18-0812 Announcements

Agenda Text:

1. Aging Well in Durham is inviting citizens to attend a free community event and resource fair on Saturday, May 19, 2018. The event will be held at the Durham County Human Services Building located at 414 E. Main Street from 10:00 a.m. - 2:30 p.m. with participant check in starting at 9:00 a.m. This event is free of charge however, registration is limited and required. All citizens are asked to register by calling 919-560-7393 or by emailing seniors@dconc.gov <<mailto:seniors@dconc.gov>>.
2. Libraries ROCK - Summer Reading 2018.
Join Durham County Library for a spectacular summer reading kickoff at Northgate Mall, (on the plaza) 1058 W. Club Blvd on Saturday, June 9th from 10:00 a.m. - 2:00 p.m. There will be activities, performers, face painters and crafts planned during this event. For more information please visit <http://durhamcountylibrary.org/>

3. Durham Host 3rd Annual Tire Recycling Drive on June 2, 2018. If you have old or unused tires around your home, now is the time to get rid of them at no cost. Durham residents are encouraged to dispose of old tires at the City of Durham Waste Disposal and Recycling Center, 2115 E. Club Blvd., on Saturday, June 2 from 8:00 a.m. until noon. Tire disposal is free and open to the public.

4. Durham County's General Services Department will temporarily close the Rougemont Convenience Site, located at 108 Bill Poole Road, on Thursday, May 17, 2018, at 2 p.m. for maintenance. Additional convenience sites operated by the County will remain open during the Rougement Convenience Site temporary closure. Residents who normally use the Rougemont Site may visit any of the three open sites. Convenience site users are reminded that it is prohibited to leave trash, garbage or recyclables outside the gates of any closed convenience site.

The three convenience sites that will remain open are located at:

- Parkwood Site #1 - 5928 Highway 55
- Bahama Site # 2 - 9008 Quail Roost Road
- Redwood Site # 3 - 100 Electra Road

For more information regarding this closing, contact Solid Waste Program Manager for the Durham General Services Department Chrissie Koroivui, at (919) 560-0433 or via email at mkoroivui@dconc.gov <<mailto:mkoroivui@dconc.gov>>.

5. The Durham City-County Planning Department is hosting a public information meeting to discuss proposed revisions to Durham's sign regulations, and provide an opportunity to ask questions and provide comments. This event will take place on May 31, 2018 from 4:00 - 6:00 p.m. (a brief presentation will be made at 4:15 and then again at 5:15) in the City Council Chambers, 1st Floor of City Hall, 101 City Hall Plaza. For additional information please contact Michael Stock at 919-560-4137 ext. 28227

4. Minutes (5 min)

[18-0813](#)

Minutes

Attachments:

[PAC-1 Meeting - April 21, 2018](#)

5. Ceremonial Items

[18-0780](#)

Proclamation - Foster Care Awareness Month

Agenda Text:

The Board is requested to proclaim May as Foster Care Awareness Month...”It’s all Relative: Supporting Kinship Connections.”

Each year Foster Care Awareness Month is celebrated annually throughout the country in May. This month of acknowledgement increases the awareness, education and opportunities that members of our community can engage in to support children and families engaged in foster care services. This month also provides the opportunities to raise awareness and educate the community on the many ways to support families in the cause of foster care.

Alignment with Strategic Plan: This item aligns with Goal 3: Safe and Secure Community.

Resource Persons: Ben Rose, Director; Jovetta L. Whitfield, Assistant Director; and Sharyn Flood, Program Manager.

County Manager’s Recommendation: The County Manager recommends that the Board Proclaim May Foster Care Awareness Month.

Attachments:

[Proclamation - Foster Care Month](#)

[18-0785](#)

Proclamation - National Drug Court Month

Agenda Text:

The Board is requested to proclaim May 2018 as “National Drug Court Month.” For over two decades, the treatment court community nationwide has come together each May to shine a light on the unparalleled success of drug courts. This year, National Drug Court Month comes amid unprecedented interest in criminal justice reform as policymakers at all levels are seeking solutions that reduce substance abuse, crime and incarceration while saving lives and resources. No solution has been proven more effective than drug courts and other treatment courts. Durham’s Adult Drug Treatment Court is truly making a difference from reducing drug use and recidivism, to reuniting families and making our community safer.

Alignment with Strategic Plan: This item aligns with Strategic Goal 3: Safe Community and Goal 2: Health and Well-being for All

Resource Persons: Kamesha Falana, Adult Drug Treatment Court Coordinator; Judge Fred Battaglia, ADTC Presiding Judge, Roshanna Parker, Assistant Director Criminal Justice Resource Center and Drug Treatment Court Team Members

County Manager’s Recommendation: The County Manager recommends that the Board proclaim May 2018 as National Drug Court Month in Durham County.

Attachments:

[Proclamation - National Drug Court Month](#)

18-0792**Proclamation - Older Americans Month 2018****Agenda Text:**

The Board is requested to acknowledge May 2018 as Older Americans Month. Each year, Older American Month is celebrated throughout the country in May. This month of acknowledgement raises the awareness of growing needs facing older Americans and their contributions to our county, state and nation.

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

Resource Persons: Ben Rose, Director of the Department Social Services and Janeen S Gordon, Assistant Director, Aging and Adult Services for the Department of Social Services

County Manager's Recommendation: The County Manager recommends that the Board acknowledge May 2018 as Older Americans Month.

Attachments:

[Proclamation - Older Americans Month](#)

6. Other Business**18-0686****FY2018-2019 Manager's Recommended Budget Presentation****Agenda Text:**

Durham County Manager Wendell M. Davis will formally present the Recommended Budget for FY2018-2019 to the Durham County Board of Commissioners. This is in accordance with N.C.G.S. 159-12 of the Local Government Budget and Fiscal Control Act.

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

Resource Persons: Wendell M. Davis, Durham County Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation of the FY2018-2019 Recommended Budget.

Attachments:

[FY2018-19 County Manager Recommended Budget Presentation - Clerks Versi](#)

7. Consent Agenda (15 min)**18-0673****Contract Amendments for RND Architects and Progressive Contracting Co Inc.****Agenda Text:**

The Board is requested to approve an amendment to increase the current contracts with RND Architects and Progressive Contracting Inc. in the amounts of \$16,800 and \$341,550, respectively. This is for additional design services and construction related to the Detention Center Elevator Upgrade project. The additional fee of \$16,800 would be added to the previously approved contract amount of \$161,100, for a new total of \$177,900. While the additional construction cost of \$341,550 would be added to the previously approved contract amount of \$1,632,500, for a

new total of \$1,974,050.

RND is currently under contract to design the modernization of all six elevators within the Durham County Detention Facility, while Progressive Contracting is currently contracted to complete the construction of the modernization. In reviewing upcoming projects that the County is preparing for, 2 of them (replace automatic transfer switch for generators and the replacement of HVAC systems to elevator equipment room and elevator control center), directly relate to the elevators of this facility. In order to minimize impact to the operations of the Detention Facility, we would like to incorporate these two projects into RND's design contract and Progressive's construction contract. Performing these projects simultaneously will save money in mobilization costs and minimize interruptions to daily operations of the detention facility.

Alignment with Strategic Plan: This item aligns with Goal 5: Accountable, Efficient Visionary Government. Incorporating the proposed work will minimize interruptions at the Detention facility and provide more reliable infrastructure to the facility.

Resource Persons: Motiryo Keambiroiro, Director of General Services, Shawn Swiatocha, Assistant Director of General Services; and Joel Jones, Contract Compliance Officer/QAQC.

County Manager's Recommendation: The County Manager recommends that the Board approve an amendment to increase the current contract with RND Architects in the amount of \$16,800 for additional design services related to the detention center elevator upgrade project and increase the current contract with Progressive Contracting in the amount of \$341,550, for additional construction costs of the added design.

Attachments: [AAF Supplemental Document - RND- jail elevators](#)

[Request for Fee Amendment 02 09-2018 Durham Detention Elevator Upgrades](#)

18-0689

Request to Award Contract for Sole Source Purchase of Firefighter Protective Clothing

Agenda Text:

The Board is requested to provide approval for sole source exemption for the purchase of 52 sets of structural fire-fighting protective clothing in the amount of \$117,290 from Stevens Fire Equipment, Inc. This sole source request is for the compatibility and standardization of the existing Firefighter Protective Clothing that was originally purchased by Durham County Fire Rescue (DCFR). The purchase of this gear is consistent with the recommendations found in the National Fire Protection (NFPA) 1500 Safety, Health and Wellness Program. It is the identical gear currently issued to DCFR firefighters. Funding for the purchase is available in the current fiscal year budget.

Purchasing the 52 sets of gear ensures that each firefighter has a second set of gear immediately available to them should the first set of gear become contaminated during

firefighting or hazardous materials operations. The second set of gear can be immediately used while the contaminated gear is cleaned and decontaminated.

This agenda item has been reviewed by the Purchasing Division for compliance with the request for sole source exemption.

Alignment with Strategic Plan: This request aligns with Goal 3: Safe and Secure Community

Resource Persons: James E. Groves, Fire Marshal/Emergency Management Director and Reggie Villines, DCFR Fire Chief.

County Manager's Recommendation: The County Manager recommends that the Board approve the sole source exemption and authorize the County Manager to enter into a contract for the purchase of 52 sets of structural fire-fighting protective clothing from Stevens Fire Equipment, Inc. in the amount of \$117,290.

Attachments:

[AAF Supplemental Firefighter protective clothing](#)

[Est 1115 from Stevens Fire Equipment Inc. 5416](#)

[Stevens Sole Source approval](#)

[Durham County signed letter for Viking](#)

18-0751

Budget Ordinance Amendment No. 18BCC000035 - Recognize Durham County Library Grant Revenue: "LSTA EZ Edge Technology Grant"

Agenda Text:

The Board is requested to approve the Budget Ordinance Amendment No. 18BCC000035 to recognize \$8000 in grant revenue from the State Library of North Carolina.

Durham County Library has been awarded the LSTA EZ Edge grant specifically to purchase hardware that will make the Library's public computers accessible to customers with motor and dexterity impairments. Edge is a project from the Urban Libraries Council to help public libraries better serve their communities through improved public technology services. The State Library of North Carolina offers the LSTA EZ Edge grants to public libraries that have completed the Edge assessment to meet the public access technology needs identified in their Edge technology action plans.

This grant is made possible by funding from the federal Institute of Museum and Library Services (IMLS) under the provisions of the Library Services and Technology Act (LSTA) as administered by the State Library of North Carolina, a division of the Department of Natural and Cultural Resources (IMLS grant number LS-00-17-0034-17).

LSTA Hardware Budget (Library pays for any amount that exceeds \$8000):

All Library Locations:

BigKeys LX Assistive Keyboard: Multi-Color

\$153.47 each: 8 for \$1,227.76

BigKeys LX Keyguard

\$98.40 each: 8 for \$787.20

Kensington SlimBlade Trackball

\$150.50 each: 8 for \$1,204.00

Zoomax Butterfly Handheld Video Magnifier

\$259.50 each: 8 for \$2,076.00

Type Aid

\$23.95 each: 8 for \$191.60

All Regionals, Stanford L. Warren and Main:

n-ABLER Pro Joystick

\$451.00 each: 6 for \$2,706.00

Total: \$8192.56

Alignment with Strategic Plan: This aligns with Strategic Goal 5: Accountable, Efficient and Visionary Government, Customer Engagement and Responsiveness.

Resource Persons: Tammy Baggett, Library Director and Katherine Makens, Resources and Finance Officer.

County Manager's Recommendation: The County Manager recommends that the Board approve the Budget Ordinance Amendment No. 18BCC000035 to recognize \$8000 in grant revenue from the State Library of North Carolina.

Attachments:

[AAF Supplemental Form Library LSTA EZ Edge Grant](#)

[Durham County Library EZ Edge 2017-2018 agreement](#)

[Durham County Library EZ Edge Award Letter](#)

[AAF-35 Legal Form Recognize Library Grant revenue LSTA EZ Edge Technolo](#)

18-0752

Standard Non-Reimbursable Utility Contracts for the Extension of the County Sanitary Sewer System

Agenda Text:

The Board is requested to authorize the County Manager to execute four (4) Utility Contracts for the extensions of the County sanitary sewer system. These contracts are the County's Standard Non-Reimbursable Contract. Attached are the project location maps and copies of each non-reimbursable utility agreement.

1. West Brier Phase 1A - Contract with WBTH, LLC to extend the County

sewer system by connection of approximately 568 linear feet of 15-inch gravity sanitary sewer lines and 950 feet of 8-inch gravity sanitary sewer lines to serve the West Brier Phase 1A development of 27 single family homes.

2. West Brier Phase 1B - Contract with WBTH, LLC to extend the County sewer system by connection of approximately 1,416 linear feet of 8-inch gravity sanitary sewer lines to serve the West Brier Phase 1B development of 63 townhomes.
3. Trivium (previously known as Trilogy at Brier Creek) - Contract with Lennar Carolinas, LLC to extend the County sewer system by connection of approximately 394 linear feet of 8-inch gravity sewer lines to serve the Trivium development of 190 townhomes.
4. Bethpage Phase 3 - Contract with AVH Carolinas, LLC to extend the County sewer system by connection of approximately 7,618 linear feet of 8-inch gravity sanitary sewer lines to serve the Bethpage Phase 3 development of 188 single family homes.

The developers of these projects have remitted all sewer extension fees, and the North Carolina Department of Environmental Quality sewer extension approvals have been granted.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 1: Community and Family Prosperity and Enrichment, as these extension will serve multiple home sites.

Resource Persons: Jay Gibson PE, General Manager; Stephanie Brixey, Deputy Director of Engineering and Environmental Services; and Kyle Manning PE, Senior Project Manager

County Manager's Recommendation: The County Manager recommends the Board authorize the County Manager to execute four (4) Utility Contracts for the extension of the County sanitary sewer system.

Attachments:

[AAF Supplemental Document - Noncontract - Non-Reimbursable](#)

[UTIL CONTRACT 2018 revised - West Brier 1A](#)

[West Brier Phase 1A Area Map](#)

[UTIL CONTRACT 2018 revised - West Brier 1B](#)

[West Brier Phase 1B Area Map](#)

[UTIL CONTRACT 2018 revised - Trivium](#)

[Trivium Area Map](#)

[UTIL CONTRACT 2018 revised - Bethpage Phase 3](#)

[Bethpage Phase 3 Area Map](#)

18-0765

Capital Project Amendment No. 18CPA000009 - Appropriate \$500,000 of Collection System Rehabilitation Fund fund balance to Project SE051.

Agenda Text: The Board is requested to approve the appropriation of \$500,000 from the Collection System Rehabilitation Fund (6006690000) fund balance to the Collection System Rehabilitation Project SE051. These funds are needed to rehabilitate existing infrastructure in Durham County. The Durham County Wastewater Collection System includes 13 pump stations and approximately 100 miles of collection sewer.

Current Budget:	\$1,965,134.67
Budget Addition:	\$ 500,000.00
Revised Budget:	\$2,465,134.67

Alignment with Strategic Plan: This item aligns with Goal 4: Environmental Stewardship - By approving this balance transfer, the Board will be helping to maintain the wastewater collection system and reducing the risk of impaired water quality. This action is in accordance with the Durham County Strategic Plan Goal of Environmental Stewardship.

Resource Persons: Jay Gibson PE, General Manager; Stephanie Brixey, Deputy Director; Kyle Manning PE, Senior Project Manager; and Keith Lane, Budget Director.

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No. 18CPA000009 to appropriate \$500,000 of Collection System Rehabilitation Fund (6006690000) fund balance to Project SE051.

Attachments: [CPA-09 Supplement Form Appropriating Fund Balance to Project SE051 \(\\$500,000\)](#)
[CPA-09 Legal Form Appropriating Fund Balance to Project SE051 \(\\$500,000\)](#)

18-0793 **Durham County Juvenile Crime Prevention Council Recommendation for FY 2018-2019 DJJ Local Funding Plan**

Attachments: [FY 2018-2019 Funding Recommendations.docx](#)
[Durham JCPC F.Y. 2018-2019 RFP.xls](#)

18-0795 **Repair and Maintenance of Fire Apparatus**

Agenda Text: The Board is requested to authorize the encumbrance of an additional \$27,000 beyond the County Manager's approval level of \$40,000 for the current Interlocal contract with the City of Durham to repair DCFR fire apparatus. Due to unforeseen maintenance and repair of DCFR fire apparatus, the anticipated encumbrance will exceed the County Manager's authorized amount of \$40,000. This will make a total Interlocal contract encumbrance of \$67,000 through FY18. Funds are currently available in the DCFR budget to cover the additional encumbrance amount.

The significant repair costs has continued for the older DCFR vehicles that were not on a regular maintenance schedule prior to becoming part of DCFR several years ago. Four (4) out of the five (5) first line ladder trucks or engines (pumpers) that DCFR operates were manufactured prior to 1991. The National Fire Protection

Association 1911 (NFPA 1911) guideline states that apparatus manufactured prior to 1991 and over 25 years old should be placed in reserve status if properly maintained. NFPA 1911 further states that apparatus over 25 years old that were not manufactured to the applicable post 1991 standards should be removed from service.

Alignment with Strategic Plan: The agreement aligns the County's Strategic Goals 3: Safe and Secure Community and Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Jim Groves EM/FM Director.

County Manager's Recommendation: The Manager recommends the Board approve the additional encumbrance of \$27,000 for the current Interlocal contract with the City of Durham to repair DCFR fire apparatus, for a total encumbrance of \$67,000 for FY18.

Attachments: [AAF Supplemental Fire Apparatus Repair](#)

18-0798

Budget Ordinance Amendment No. 18BCC000036 to Recognize \$485,633 in Medicaid Cost Settlement Funds for Increased Funding for Public Health SFY 2013 Medicaid Cost Settlement Payback

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 18BCC000036 to recognize increased funding in the amount of \$485,633 for the SFY2013 Medicaid Cost Settlement Payback with the funding source being the recognition of a portion of Medicaid Cost Settlement funds received in current fiscal year 2018 above what was originally budgeted.

As a result of changes in rules governing the Medicaid Cost Settlement process, Durham County Department of Public Health is required to pay back \$485,633. The initial SFY2013 cost settlement received was based on old settlement rules which have now changed following a lawsuit which the Division of Medical Assistance (DMA) prevailed over local health departments. SFY2013 is the only period where an overpayment is applicable because DMA began applying the new settlement rules **prior** to cost settlement payments being made beginning in SFY 2014.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This item aligns with Goal 2: Health and Well-Being for All and Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Gayle Harris, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 18BCC000036 to recognize increased funding in the amount of \$485,633 for the SFY2013 Medicaid Cost Settlement Payback with the funding source being the recognition of a portion of Medicaid Cost Settlement funds received in current fiscal year 2018 above what was

originally budgeted.

Attachments: [AAF-36 Legal Form PH Recognize Additional Medicaid Cost Settlement Funds \(](#)

18-0800

Provide Additional Funding for Stadium Event Janitorial Services

Agenda Text:

The Board is requested to approve a contract amendment in the amount of \$7,000 to provide additional funding for Fredrick's Housekeeping Service to continue performing stadium event clean up. Funding will come from originally budgeted funds in FY2017-2018. Fredrick's Housekeeping has a standing contract with Durham County to provide janitorial services at multiple County facilities including the Memorial Stadium. Due to the fluid nature of events scheduled at the stadium, the present funding approved for janitorial services at the stadium (\$29,916) has been exhausted. As events are added throughout the year, the need for janitorial services is also increased. The \$29,916 that was approved previously by the Board, was based on historical numbers that are no longer adequate. Janitorial services are a critical part in maintaining the cleanliness and overall reputation of the facility. The additional funding will allow for growth in the stadium event schedule while maintaining a clean, welcoming environment.

Alignment With Strategic Plan: This item aligns with Goal 2: Health and Well-being for All and Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Motiryo Keambiroiro, Director of General Services and Joel Jones, Quality Control & Contract Specialist

County Manager's Recommendation: The County Manager recommends that the Board approve a contract amendment in the amount of \$7,000 to provide additional funding for Fredrick's Housekeeping Service to continue performing stadium event clean up.

Attachments: [AAF Supplemental Document Fredrick's Amendment #4](#)
[Memorial Stadium Rate Sheet - Fredrick's Housekeeping](#)
[Contract Amendment #4 Fredrick's Housekeeping Stadium Event Funding](#)

18-0802

Request to Appoint an Alternate Member to the Special Board of Equalization and Review

Agenda Text:

The Board is requested to appoint an alternate member to serve on the 2018 Board of Equalization and Review. The alternate member will attend meetings or training sessions at the request of the Board of Equalization and Review chairperson.

The Board of Equalization and Review resolution provides for the selection of two additional individuals to be presented to the Board of County Commissioners for consideration and appointment as alternate members. At its April 4, 2018 meeting, the Board of Equalization and Review selected one additional individual for

consideration and appointment.

This alternate member is held by the same standards as regular Board of Equalization and Review members. This member must be a Durham County real property owner; be a Durham County registered voter; be in current payment of all Durham City and County property taxes; be currently and actively employed as a real estate agent, broker, or appraiser, or as an attorney actively practicing in real estate transactions; and be familiar with the power and duties of the Board of Equalization and Review as set forth in the North Carolina General Statutes Section 105-322(g). The term of office will be one year and shall expire at the end of the term of the regular members. Alternate members shall be compensated for their service in the same manner as regular members.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes and to ensure we are accountable to our citizens. The Board of Equalization and Review 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 appoint an alternate member to the 2018 Board of Equalization and Review.

Attachments:

[Resolution for Special BoER](#)

[Appkication for Boards, Commissions, and Committees - George Scott](#)

18-0810

Additional Funding for Contract with Womble Bond Dickinson, LLP (formerly "Womble Carlyle Sandridge & Rice, LLP)

Agenda Text:

The Board is requested to approve a contract with Womble Bond Dickinson, LLP in an amount not to exceed \$61,346.36 for legal services.

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

Resource Persons: Lowell Siler, County Attorney

County Manager's Recommendation: The County Manager recommends that the Board approve the contract for execution by staff.

8. ITEMS PULLED FROM CONSENT AGENDA (20 min)

9. Adjournment

