



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, August 27, 2018

7:00 PM

Commissioners' Chambers

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### Regular Session

#### Closed Session (To be held at: 5:00 pm)

##### 18-0993 Closed Session

Agenda Text:

The Board is requested to adjourn to Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session per G.S.143-318.11(a)(6).

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

#### "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)

**18-0972****Announcements****Agenda Text:**

1. Durham County Employees' is conducting a Food Drive to benefit the Urban Ministries of Durham during the month of August. For more info contact Sheila Joyce at 919-560-0660.

**DROP OFF LOCATIONS:****HHS Building**

Main Lobby

Employee Entrance (Queen &amp; Main)

**Admin Complex**

Main Lobby

Employee Entrance (Loading Dock)

**Courthouse**

Main Lobby

Basement

2. N.C. 98 Corridor Study: You are invited to provide your comments on the draft plan for the N.C. 98 Corridor Study. The Board of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) released the draft plan on August 8 for a 30-day public comment period. The Board will conduct a public hearing and approve the draft plan at their meeting on September 12th. The public can provide comments at the hearing or submit comments on the website at:  
[http://nc98corridor.com/get\\_involved/comments](http://nc98corridor.com/get_involved/comments).

**Public Hearing**

Wednesday, September 12, 2018

9:00AM

Committee Room in Durham City Hall

101 City Hall Plaza

Durham, NC 27701

The N.C. 98 Corridor Study is 27-miles long, extending from U.S. 70 in Durham County through Wake County to U.S. 401 in Franklin County, North Carolina. This project evaluated safety and congestion, planned and existing roads, bicycle/pedestrian facilities and transit use of N.C. 98 to create short- and long-term recommendations to improve multimodal travel in the corridor. The draft plan is available at the Web site above.

Persons who speak Spanish and do not speak English, or have a limited ability to read, speak or understand English, may receive interpretive services upon request prior to the meeting by calling 704-342-5419.

Aquellas personas que hablan español y no hablan inglés, o tienen limitaciones para leer, hablar o entender inglés, podrían recibir servicios de interpretación si los solicitan antes de la reunión llamando al 919-560-4366, extensión 36419.

3. County Seeks Response to Request for Proposal for Restaurant Spaces in Admin II Building: Construction at the new building across the street from the Old Courthouse/County Administration Building I, now referred to as Admin II, is scheduled for completion in early September 2018. The County issued a Request for Proposal (RFP) on August 15th in search of well-qualified restaurant tenants to lease the available spaces. The RFP includes a detailed presentation of the restaurant concept, business operating plans and financial projections that demonstrate a solid plan for success.

Interested applicants seeking more information on how to prepare a response to the RFP will be able to access assistance through a partnership between Durham County Government and The Institute, the County's Minority and Women Business Enterprise program and North Carolina's Small Business and Technology Development Center at North Carolina Central University. More information about these resources can be found at <https://www.theinstitutenc.org/> and at <http://www.sbtcd.org/>.

The RFP and required documentation for submission can be downloaded from the Durham County Government website at <http://www.dconc.gov/government/departments-f-z/finance/bid-opportunities>. Submissions should be mailed or hand delivered to the County of Durham Purchasing Division, 4th Floor, Administrative Building, 200 E. Main St., Durham, NC 27701, no later than October 22nd.

All inquiries concerning the proposal submission requirements or procurement procedures should be directed to Senior Procurement Specialist Hilda W. Williams at (919) 560-0054 or [purchasinggroup@dconc.gov](mailto:purchasinggroup@dconc.gov) <mailto:purchasinggroup@dconc.gov>.

4. 2018 "I Voted" Sticker Design Contest: We've received a tremendous response to our call for entries for a Durham-specific "I Voted" sticker. Now, it's your turn to help us decide the winning design! Check out the 30 designs above and pick your favorite at this survey link: <https://www.surveymonkey.com/r/J7QB5JP>. You can only vote for one

design. Voting will be open until Friday, August 31st (5:00 p.m.) to select the top three finalists.

The Board of Elections will select the winning design at its Board meeting on Thursday, September 13th. The winning design will be on all "I Voted" stickers handed out in the November 6th General Election and beyond! Mark your calendars - early voting begins on Wednesday, October 17th! Thank you to all of our participants!

5. The Durham Chapel-Hill Carrboro Metropolitan Planning Organization is updating the five-year plan for coordinated human services and public transportation in the region. A planning workshop is scheduled for non-profits, human service agencies, transit providers, and the public at the following locations:

Orange County Seymour Center, 2551 Homestead Rd in Chapel Hill on Tuesday September 18, 2018 from 9:00am - 11:30pm and Durham County Cooperative Extension, 721 Foster Street in Durham on Thursday, September 20, 2018 from 9:00am - 11:30am.

Please RSVP by September 4, 2018 to Robert Jahn at [robert.jahn@durhamnc.gov](mailto:robert.jahn@durhamnc.gov)

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This information can also be found on our Durham County Website:

[www.dconcc.gov](http://www.dconcc.gov) <<http://www.dconcc.gov>>

These announcements along with additional details 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)

[18-0990](#) Minutes

Attachments: [Regular Session - August 13, 2018](#)

#### 5. Ceremonial Items

**18-0905****Proclamation for National Recovery Month - September 2018****Agenda Text:**

The Board is requested to issue a proclamation declaring September 2018 National Recovery Month in Durham County. The goal of the proclamation is to urge all residents of Durham County to celebrate that there are millions of Americans whose lives have been transformed through recovery. Since these successes often go unnoticed by the broader population, Recovery Month provides a vehicle for everyone to celebrate these accomplishments. Recovery Month highlights the achievements of individuals who have reclaimed their lives in long-term recovery and honors the treatment and recovery service providers who make recovery possible. Recovery Month also promotes the message that recovery in all its forms is possible and encourages citizens to take action to help expand and improve the availability of effective prevention, treatment, and recovery services for those in need.

The Recovery Month observance continues to work to improve the lives of those affected by mental and/or substance use disorders by raising awareness of these diseases and educating communities about the prevention, treatment, and recovery resources that are available. This year's recovery theme is "Join the Voices for Recovery: Invest in health, home, purpose and community".

**Alignment With Strategic Plan:** This agenda item aligns with the County's Strategic Plan Goal 2: Health and Well-being for All as well as Goal 3: Safe Community.

**Resource Persons:** Representatives of Recovery Community of Durham and Gudrun Parmer, CJRC Director

**County Manager's Recommendation:** The County Manager recommends that the Board issue a proclamation declaring September 2018 National Recovery Month in Durham County.

**Attachments:**

[Proclamation - National Recovery Month - August 2018](#)

**6. Consent Agenda (15 min)**

**18-0915 Settlement of 2017 Property Taxes and the Charge of 2018 Property Taxes to the Tax Collector****Agenda Text:**

The Board is requested to approve the 2017 Tax Settlement and Charge the Tax Collector with the 2018 taxes.

As required by General Statutes (G.S.) 105-373, the Tax Administrator is herewith submitting the settlement report of 2017 property taxes.

G.S. 105-373 (h) further authorizes the Board of County Commissioners to relieve the Tax Collector of the charges of taxes on classified motor vehicles that are one year or more past due.

Additionally, the General Statutes bar use of any remedies for collection enforcement that is not instituted within 10 years of said taxes becoming due.

Furthermore, pursuant to G.S. 105-321 (b), the Board of County Commissioners charges the Tax Collector with the 2018 Property Tax Receipts.

The Tax Administrator requests authorization to relieve charges of taxes that are beyond the statute of limitations of 10 years and those vehicles that are more than two (2) years past due. This request is consistent with last year's settlement, which was authorized by the Board.

**Alignment With Strategic Plan:** This item aligns with Goal 5: Accountable, Efficient and Visionary Government. Compliance with North Carolina General Statutes ensures we are accountable to our citizens. The actions of the tax department impact all strategic goals due to the revenues needed.

**Resource Persons:** Kimberly Simpson, Tax Administrator

**County Manager's Recommendation:** The County Manager recommends that the Board receive and approve the 2017 Property Tax Settlement Report; Charge the Tax Collector with 2018 Property Taxes and Authorize the relieving of taxes that are more than ten (10) years past due and motor vehicles taxes that are more than two (2) years past due.

**Attachments:**

[2017 Annual Tax Settlement.pdf.docx](#)

[Collections-2017 Charge of Taxes.docx](#)

[RESOLUTION APPROVING 2017-2018 \(1\).docx](#)

**18-0971 Property Tax Releases and Refunds for July 2018****Agenda Text:**

The Board is requested to approve the Releases and Refunds for the month of July 2018. 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 July 2018.

Releases and Refunds for 2018 total \$23,912.54. Prior year's (2012-2017) releases and refunds for July 2018 are in the amount of \$12,858.23. The current year and prior year's releases and refunds amount to \$36,770.77.

**Alignment With Strategic Plan:** This item aligns with Goal 5: Accountable, Efficient and Visionary Government. To ensure the county complies with North Carolina General Statutes ensures 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 accept the Property Tax Release and Refund Report for July 2018 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

**Attachments:**

[Backup-Tax Release and Refunds-July 2018-August 27, 2018](#)

[Releases and Refunds Backup Detail-July 2018-August 27, 2018](#)

[NCVTS Pending Refund report](#)

**18-0983****Contract Amendment for Tanner Valuation Group LLC****Agenda Text:**

The Board is requested to approve Tax Administration Office request for Employment of Experts as indicated under North Carolina General Statutes 105-299 for contracted services by Tanner Valuation Group through fiscal year 2019 for \$124,950.

Tanner Valuation Group provides residential and commercial appraisal assistance, appraisal administrative assistance, data quality assurance assistance and data entry assistance for County General Reappraisals. The contract with Tanner Valuation Group LLC will ensure continued appraisal assistance to support the upcoming 2019 County Wide Revaluation. Funding for this service has been requested and approved in the 2018-2019 budget. This vendor analyzes data and insures the quality and equity of the reappraisal. Working with this vendor helps to ensure the revaluation will be completed in a timely manner.

**Alignment With Strategic Plan:** This item aligns with Goal 5: Accountable, Efficient and Visionary Government. Tanner Valuation Group will assist the Tax Administration with analyzing the County-wide reappraisal quality and equity.

**Resource Persons:** Kimberly H. Simpson, Tax Administrator

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Tax Administration Office request for Employment of Experts as indicated under North Carolina General Statutes 105-299 for contracted services by Tanner Valuation Group LLC through fiscal year 2019 for \$124,950.

**Attachments:**

[Tanner contract amendment](#)

[Tanner Contract Amendment Supplemental Form](#)

[GS 105-299](#)

[Tanner Valuation Group LLC Proposal to DCO](#)

**7. Regular Business**



**18-0987 Approval of Letter of Support for Durham-Orange Light Rail Transit Project****Agenda Text:**

The Board is requested to approve the attached letter of support for the Durham-Orange Light Rail Transit Project.

Durham and Orange Counties have both had to review their funding strategies for the Durham-Orange Light Rail Transit Project as a result of reductions in the State of North Carolina's funding commitment to the project. Durham's Article 43 sales tax devoted to transit continues to perform very well and can support the additional debt necessary to make up for the reduction in state funding without Durham having to implement any additional strategies for raising revenue.

The attached letter will be part of Durham's communication with the Federal Transportation Administration, assuring them of continued and sufficient local support for this project. As noted in the letter, any local plans that need to be revised as a result of these changes will be revised accordingly.

**Alignment With Strategic Plan:** A well-functioning public transit system is crucial to community empowerment and enrichment, Goal 1: Community Empowerment And Enrichment in the Durham County Strategic Plan.

**Resource Persons:** Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board approve the attached letter of support for the Durham-Orange Light Rail Transit Project.

**Attachments:** [Durham Cty ltr re DOLRT funding gap 8-20-18](#)

**8. Public Hearings (15 minutes)**

**18-0933 First Public Hearing For County Community Development Block Grant (CDBG) Neighborhood Revitalization Grant Application**

**Agenda Text:**

The Board is requested to hold a public hearing for the purpose of receiving public input on the proposed application for CDBG Neighborhood Revitalization funds from the North Carolina Department of Commerce.

Durham County is an eligible applicant for up to \$750,000 from the North Carolina Department of Commerce as part of their CDBG Neighborhood Revitalization program. Since 2013, all funds from this state program had been re-allocated to water infrastructure projects (such as our Rougemont Water System), but Commerce has been convinced to put some of it back into neighborhood revitalization. The program allows a broad range of uses to be funded. The funds that Durham County would be eligible for can only be used outside of the City limits.

The County, working with the Triangle J Council of Governments (TJCOG) and local housing non-profits, is applying for \$750,000 / 3-year neighborhood revitalization grant. Two public hearings to receive input on the application are required. This is the first of the two public hearings.

The proposed plan is to focus on two main allowable uses of funds for this grant program: home repair as well as acquisition / rehabilitation of affordable housing (with the intend of adding them to the permanently affordable housing stock in Durham).

**Alignment With Strategic Plan:** More and better affordable housing options, including facilitating the repair of existing low-cost housing, improves outcomes across all domains of our Durham County Strategic Plan.

**Resource Persons:** Drew Cummings, Chief of Staff; Aspen Romeyn, Principal Planner - Regional Planning (TJCOG); Dan Sargent, Executive Director of Rebuilding Together of the Triangle; Blake Strayhorn, Executive Director of Habitat for Humanity of Durham and Peter Skillern, Executive Director of Reinvestment Partners

**County Manager's Recommendation:** The County Manager recommends that the Board hold a public hearing for the purpose of receiving public input on the proposed application for CDBG Neighborhood Revitalization funds from the North Carolina Department of Commerce.

**Attachments:** [CDBG Proposal Overview\\_082718](#)

**9. ITEMS PULLED FROM CONSENT AGENDA (20 min)**

**10. Board and Commission Appointments (10 min)**

**18-0986****Board and Commission Appointments****Agenda Text:**

Terri Lea Hugie, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:

- Bicycle and Pedestrian Advisory Commission
- Board of Adjustment
- Dangerous Dog Appeal Board
- Planning Commission
- 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:** This item aligns with Goal 5 Accountable, Efficient and Visionary Government. 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:** Terri Lea Hugie, 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 aforementioned Boards and Commissions.

**Attachments:**

[August 27, 2018](#)

**11. Closed Session**

**18-0985**

**Closed Session - Discuss Rodriguez vs Michael Andrews, et al. (18-CVS-3012); Welton v. Durham Co., et al. (1:17-CV-00258) & Dr. Dwayne E. Dixon vs. Michael Andrews, et al. (18-CVS-2564)**

**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:** This item aligns with 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.

**12. Adjournment**