



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, October 1, 2018

9:00 AM

Commissioners' Chambers

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### Work 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.

### 9:00 am Work Session Agenda

#### 1. Citizens' Comments (30 min)

##### [18-1053](#)

##### **Citizens' Comments**

###### Agenda Text:

The Board of County Commissioners will provide a 30-minute comment period at a meeting once a 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 meeting to allow an opportunity for research prior to the meeting. All speakers shall have three (3) minutes to speak and are requested to refrain from addressing issues related to personnel matters.

**Alignment With Strategic Plan:** Citizen engagement aligns with all five of the strategic goals by allowing the Board to receive comments and concerns from the community related to important issues in Durham County.

**Resource Persons:** Terri Lea Hugie, Clerk to the Board

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

**2. Consent Agenda: (30 min)****18-0994 Award of Sluice Gates Purchase Contract for the Triangle Wastewater Treatment Plant, IFB No. 19-002**

**Agenda Text:** The Board is requested to authorize the County Manager to enter into a purchase of goods contract with T.A. Loving, Inc. for the replacement of Six (6) Sluice Gates at the Influent Pump Station for the Triangle Wastewater Treatment Plant in the amount of \$283,500.

**Alignment With Strategic Plan:** This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as these sluice gates are necessary to maintain proper operation of plant equipment at the Triangle Wastewater Treatment Plant.

**Resource Persons:** Jay Gibson PE, General Manager; Kyle Manning PE, Senior Project Manager; and Greg Johnson, Utility Superintendent

**County Manager’s Recommendation:** The County Manager recommends the Board authorize the County Manager to enter into purchase of goods contract with T.A. Loving, Inc. for the replacement of Six (6) Sluice Gates at the Influent Pump Station for the Triangle Wastewater Treatment Plant in the amount of \$283,500.

**Attachments:** [Sluice Gate Bid Tab](#)  
[MWBE Compliance Review Form-AAF for 19-002 IFB 081418](#)  
[AAF Supplemental Document - FY19 TWWTP Sluice Gate](#)

**18-0996 Approval of Durham County ABC Board’s Travel Policy**

**Agenda Text:** The Board is requested to approve the Durham County ABC Board’s adoption of the State of North Carolina’s Travel policy as pursuant to G.S. 138-6. The board will be governed by section 5.1 Travel Policies for State Employees, as revised January 19, 2018.

**Alignment With Strategic Plan:** This item aligns with Goal...

**Resource Persons:** Rufus Sales, General Manager, Durham County ABC Board

**County Manager’s Recommendation:** The County Manager recommends that the Board approve the Durham County ABC Board’s adoption of the State of North Carolina’s Travel policy as pursuant to G.S. 138-6. The board will be governed by section 5.1 Travel Policies for State Employees, as revised January 19, 2018.

**Attachments:** [Section 5 - NC Travel Policies and Regulations - Updated Jan 2018](#)

**18-1037 Budget Ordinance Amendment No. 19BCC000015 to Recognize \$10,000 in CATCH Grant Award funds from the American Academy of Pediatrics to Support the Welcome Baby Resource Program for the Purpose of Expanding the Program into Durham High Schools to**

**Promote Resilience in Teen Parents.****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 19BCC000015 to recognize funds in the amount of \$10,000 made payable to Durham County Cooperative Extension- Welcome Baby

Welcome Baby Resource Center in collaboration with Duke University Pediatrics received a \$10,000 CATCH grant from the American Academy of Pediatrics (AAP) for the purpose of expanding the services into the Durham high schools. This is a planning grant is for one year and will be used to assess the needs of teen parents.

The funds were awarded to help expand serve the teen parents in Durham high schools. The funds will be used to support the program services and costs such as program specific needs, supplies and training.

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 Person:** Patience Mukelabai, MPH; Welcome Baby Program Manager

**County Manager's Recommendation:** The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 19BCC000015 to recognize \$10,000 in CATCH Grant Award funds from the American Academy of Pediatrics to Support the Welcome Baby Resource Program for the purpose of expanding the program into Durham High Schools and promote resilience in teen parents.

**Attachments:**

[CATCH Grant Award Letter](#)

[AAF-15 Legal Form CES CATCH Grant Award funds \(\\$10,000\)](#)

[WB Fiscal Agent Letter](#)

**18-1041**

**Capital Project Amendment No. 19CPA000006 - Appropriate \$2,103,200 to Create the Aeration System Improvements Project for the Triangle Wastewater Treatment Plant (TWWTP) SE055 and Award of the Aeration System Improvements for the TWWTP (IFB 18-040R1) Contract to English Construction Company, Inc.**

**Agenda Text:**

The Board is requested to approve Capital Project Amendment No. 19CPA000006 appropriating \$2,103,200 to establish the Aeration System Improvements Project for the Triangle Wastewater Treatment Plant (TWWTP) Project SE055. The Board is also requested to award a construction contract to English Construction Company, Inc. in the amount of \$1,912,000 for the construction of the Aeration System Improvements and to authorize the County Manager to execute the contract and any related contract amendments, not to exceed a total project budget of \$2,103,200.

**Project**

Aeration System Improvements for the TWWTP (SE055)

**Current Budget Totals**

\$0.00

**Increase/Decrease Totals**

\$2,103,200

**Revised Budget Totals**

\$2,103,200

The Aeration System Improvements for the TWWTP includes the replacement of existing mechanical aeration rotors in oxidation ditch number two with a diffused aeration system consisting of two 125 horsepower blowers with variable frequency drives and two membrane disc diffuser grids. Additional work in oxidation ditch number two includes removing settled solids from the basin, repairing an expansion joint spanning the basin, and replacing all mixers within the basin. A ten percent contingency is recommended for this project to cover unexpected expenses.

Durham County issued an Invitation for Bid (IFB 18-040) on June 7, 2018. IFB 18-040 was advertised in local newspapers and on the Durham County website. Additionally, the requirements were emailed to multiple contractors. Only two bids were received on July 19, 2018. As a result, an additional Invitation for Bid (IFB 18-040R1) was issued on August 8, 2018. Three bids were received on August 16, 2018. The bid tabulation is attached.

In review of the MWBE compliance with IFB 18-040R1 Aeration System Improvements for the TWWTP, English Construction Company, Inc. will be utilizing a total of 37.04 percent MWBE certified Women-Owned businesses.

**Alignment With Strategic Plan:** This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this project will ensure a clean environment by restoring oxidation ditch number two to its original treatment capacity. Additionally, the transition from mechanical surface aeration to diffused aeration should result in reduced energy usage at the TWWTP.

**Resource Persons:** Peri Manns ASLA, Interim General Manager; Stephanie Brixey, Deputy Director of Engineering and Environmental Services, Kyle Manning PE, Senior Project Manager

**County Manager’s Recommendation:** The County Manager recommends the Board approve Capital Project Amendment No. 19CPA000006 appropriating \$2,103,200 to establish the Aeration System Improvements Project SE055 for the Triangle Wastewater Treatment Plant (TWWTP) and to authorize the County

Manager to execute a construction contract with English Construction Company, Inc. and to authorize the County Manager to execute any related contract amendments, not to exceed a total project budget of \$2,103,200.

**Attachments:**

[CPA-06 Supplement Form TWWTP Aeration System Improvements \(\\$2,103,200\)](#)

[CPA-06 Legal Form TWWTP Aeration System Improvements \(\\$2,103,200\)](#)

[MWBE Compliance Review Form](#)

[TWWTP Aeration System Improvements](#)

**18-1043**

**Capital Project Amendment No. 19CPA000007 - Appropriate \$897,280 to Create the Stirrup Iron Creek Lift Station Capacity Improvements Capital Project SE056 and Award of the Stirrup Iron Creek Lift Station Capacity Improvements (IFB 18-029R1) Contract to Carolina Civil Works, Inc.**

**Agenda Text:**

The Board is requested to approve Capital Project Amendment No. 19CPA000007 appropriating \$897,280 to create the Stirrup Iron Creek Lift Station Capacity Improvements Capital Project SE056. The Board is also requested to award a construction contract to Carolina Civil Works, Inc. in the amount of \$815,709 for construction of the Stirrup Iron Creek Lift Station Capacity Improvements project and to authorize the County Manager to execute the contract and any related contract amendments, not to exceed a total project budget of \$897,280.

**Project**

Stirrup Iron Creek Lift Station Capacity Improvement Project (SE056)

**Budget Total**

\$0.00

**Increase/Decrease Total**

\$897,280

**Revised Budget Total**

\$897,280

The Stirrup Iron Creek Lift Station Capacity Improvements project includes the installation of two new pumps, new level instrumentation, new electrical breaker panels, two variable frequency drive panels, new pump control panel, new HVAC equipment, and a temporary bypass pumping system. A ten percent contingency is recommended for this project to cover unexpected expenses.

Durham County issued an Invitation for Bid (IFB 18-029) on May 25, 2018. IFB 18-029 was advertised in local newspapers and on the Durham County website. Additionally, the requirements were emailed to multiple contractors. Only two bids were received on June 28, 2018. As a result, an additional Invitation for Bid (IFB 18-029R1) was issued on July 23, 2018. Two bids were received on August 9,

2018. The bid tabulation is attached.

In review of the MWBE compliance for IFB 18-029R1, Stirrup Iron Creek Lift Station Capacity Improvements, there were no participation goals achieved on this project. Carolina Civil Works Inc. will be utilizing their own workforce to perform this project.

**Alignment With Strategic Plan:** Entering into a contract with Carolina Civil Works, Inc. for the construction of the Stirrup Iron Creek Lift Station Capacity Improvements supports Strategic Plan Goal 1, “Community and Family Prosperity and Enrichment,” as well as supporting Strategic Plan Goal 4, “Environmental Stewardship.” This project will foster a business-friendly environment by completing the final step towards creating available sewer capacity which will allow continued economic growth in the region. Additionally, the increased capacity will reduce the risk of sanitary sewer overflows during adverse weather conditions.

**Resource Persons:** Peri Manns ASLA, Interim General Manager; Stephanie Brixey, Deputy Director of Engineering and Environmental Services; Kyle Manning PE, Senior Project Manager; and Kim Connally, Budget Analyst

**County Manager’s Recommendation:** The County Manager recommends the Board approve Capital Project Amendment No. 19CPA000007 appropriating \$897,280 to create the Stirrup Iron Creek Lift Station Capacity Improvements Capital Project SE056 and to authorize the County Manager to execute the contract and to execute any related contract amendments, not to exceed a total project budget of \$897,280.

**Attachments:** [CPA-07 Supplement Stirrup Iron Creek Lift Station Capacity Improvements \(\\$897,280\)](#)  
[CPA-07 Legal Form Stirrup Iron Creek Lift Station Capacity Improvements \(\\$897,280\)](#)  
[MWBE Compliance Review Form-AAF for 18-029R1 IFB 082918](#)  
[IFB 18-029Rebid1 Award Recommendation & Certified Bid Tabulation - Stirrup](#)

### 3. Discussion Items: (2 hrs. 25 min)

#### **18-1032 Update on the Minority and Women Business Enterprise (MWBE) Program**

**Agenda Text:** The Board is requested to receive an update on the operation of the County’s Minority and Women Business Enterprise (MWBE) Program.

On November 28, 2016, the Board of County Commissioners adopted a new Minority and Women Business Enterprise (MWBE) Ordinance. The MWBE Program is also included in the County’s Managing for Results (MFR) approach as a best practice management model used to improve efficiencies and effectiveness in order to address some of the County’s social and economic challenges. The County has partnered with The Institute of Minority Economic Development (The Institute) to assist with increasing the utilization of diverse business enterprises through resources,

programs, policies and events. Mr. Farad Ali, and other team members will provide a 15-20-minute overview of the County's 2018 MWBE Program End of Year Report. (See attached report).

**Alignment With Strategic Plan:** To align with *Goal 1 Community and Family Prosperity and Enrichment* - increasing awareness and engagement by allowing minority and women businesses an opportunity to learn and participate in all aspects of the County's procurement and contracting activities.

**Resource Persons:** Jacqueline Boyce, Procurement Manager; Keisha Davis, MWBE Coordinator and Farad Ali, The Institute

**County Manager's Recommendation:** The County Manager recommends that the Board receives an update on the County's MWBE Program.

**Attachments:**

[MWBE FINAL EOY 2018 Report](#)

[AAF Supplemental Document - Non-contract - MWBE Update Oct 2018](#)

[2018 Durham County MWBE End of Year Rpt](#)

**18-0623**

**Women's Commission Update (10 min)**

**Agenda Text:**

The Board is requested to receive an update from the Women's Commission on activities and events.

**Alignment With Strategic Plan:** Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Zion Tankard, Chair

**County Manager's Recommendation:** The County Manager recommends that the Board receive a report from the Women's Commission and direct staff accordingly.

**18-0988**

**Design Development Phase of the Administration Building Renovations Update II: Project No.: DC 137 (20 min)**

**Agenda Text:**

The Board is requested to receive a second update on the design development phase from DTW Architects and Planners, Ltd. of Durham on the Administration Building Renovations located at 200 E. Main Street. The purpose of this update is to brief the Board of County Commissioners on the design development efforts to date following previous decisions on the space allocations and adjacencies of the various departments deemed to remain in the facility following the completion of the Administration II Renovation.

The project team will give the presentation/update on the renovation and receive input from the Board appropriately prior to transitioning into the construction documents phase of design.

**Alignment With Strategic Plan:** This project aligns with Goal 4: Environmental Stewardship- through the improvement of the environmental performance of County

buildings to reduce energy use and greenhouse gas emissions from the built environment. The relocation of various departments within this facility also addresses Goal 5: Accountable, Efficient and Visionary Government by providing more efficient service delivery and better customer service.

**Resource Persons:** Jay Gibson, P.E., General Manager; Peri Manns, ASLA, LEED GA, Deputy Director of Engineering; James Faress, P.E., Senior Project Manager; and Robert Sotolongo, AIA, DTW Architects & Planners, Ltd.

**County Manager's Recommendation:** The County Manager recommends that the Board receive a second update and provide direction to the project team if appropriate.

**Attachments:** [ADMIN complete for work session 10-1-18 \(002\)](#)  
[Admin Bldg II AAF](#)

### **18-0901**

### **Capital Project Amendment No. 19CPA000001 - Fiscal Year 2018-19 Appropriation of Approved County Contribution Funds (\$6,545,957) for Multiple Capital Projects (20 min)**

**Agenda Text:** The Board is requested to approve Capital Project Amendment No. 19CPA000001 appropriating County Contribution funds of \$6,545,957 to 11 capital projects (seven existing and four new projects). The budget amendment is a standard annual procedure that occurs at the beginning of each fiscal year.

The funds were approved in the Fiscal Year 2018-19 budget and the Fiscal Year 2017-26 Capital Improvement Plan. The attachment reflects project budget amounts and highlights.

**Alignment With Strategic Plan:** Consistent funding support for ongoing capital projects meets the Strategic Plan Goal 5: Accountable, Efficient and Visionary Government by enabling the County to provide the timely upgrades and capital purchases necessary to most efficiently meet infrastructure demands.

**Resource Persons:** Keith Lane, Director, Budget and Management Services

**County Manager's Recommendation:** Approve Capital Project Amendment No. 19CPA000001 appropriating \$6,545,957 of budgeted County Contribution funds for eleven capital projects.

**Attachments:** [CPA-01 Legal Form Annual County Contribution to capital projects](#)  
[Supplemental Document - County Contribution Funded Projects.pdf](#)  
[CPA-01 FY 2018-19 County Contribution to Capital Projects-Backup.pdf](#)  
[Capital Budget Amendment PowerPoint](#)

### **18-1062**

### **A Proposal to Change the Board of County Commissioner's (BOCC) Work Session Schedule (30 min)**

**Agenda Text:** The Board is requested to review a proposal to change the Board of County Commissioner's (BOCC) Work Session Schedule in order to enhance its Work



Session experience, limit time in meetings, provide ample opportunity for policy discussions, minimize agenda-cram and rushed deliberations and strengthen decision-making.

The overall objective of this proposal is to improve the efficiency, effectiveness and overall experience of the work sessions for commissioners, staff and the public. The outcome should be that Work Sessions will be more productive for everyone, so that Commissioners will be able to make well-informed, sound policy decisions, while using the County's precious resources as effectively as possible.

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

**Resource Persons:** Heidi Carter, Durham Board of County Commissioner

**County Manager's Recommendation:** The County Manager recommends that the Board receive and discuss the proposed change to the Board of County Commissioner's Work Session Schedule and direct staff.

**Attachments:** [A Proposal to Change the Board of County Commissioner \(BOCC\) Work Sessic](#)

**18-0995**

#### **Durham County Boards and Commissions Attendance Requirements (15 min)**

**Agenda Text:**

Durham County's attendance policy for appointees requires a 50 percent attendance. However, state and federal law requires some boards and commissions to follow a more stringent attendance requirement than Durham County's attendance policy. The Board is requested to discuss amending the attendance requirements of boards and commissions appointments required to adhere to state and federal law.

**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 discuss amending the attendance requirements of boards and commissions appointments.

**Attachments:** [Procedures for Citizen Appointments \(Rev June 2016\)](#)  
[Email Adult Care Advisory Committee June 5 2018](#)  
[Email Adult Care Advisory Committee July 9 2018](#)

## **4. Lunch**

**18-1057**

#### **Board Directives Follow-Up (10 min)**

**Agenda Text:**

The Board is requested to review staff follow-up regarding previously issued directives.

Board directives from previous meetings as well as staff follow-up are reviewed at monthly Work Sessions. Staff strive to have all directives input into the system as accurately as possible as soon after they are issued as possible and to follow-up with the board and/or with other relevant parties in an appropriate time frame.

**Alignment With Strategic Plan:** Timely follow-up for board directives aligns clearly with Goal 5 of the Durham County Strategic Plan - Accountable, Efficient and Visionary Government.

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

**County Manager's Recommendation:** The County Manager recommends that the Board review staff follow-up regarding previously issued directives.

**Attachments:** [Links to Directives](#)

#### **18-1054 Commissioner Comments (10 min)**

**Agenda Text:** The Board is requested to allow each Commissioner three minutes to report on conferences or make comments regarding issues that may be of interest or concern to the Board.

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

**Resource Persons:** Board of County Commissioners

**County Manager's Recommendation:** The County Manager recommends that the Board allow comments from each commissioner and direct staff accordingly.

## **5. Closed Session**

#### **18-1051 Closed Session**

**Agenda Text:** The Board is requested to adjourn into closed session pursuant to G.S. 143-318.11(a)(5) to instruct staff or agents on the public body's negotiating position for acquisition of real property or employment contracts.

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

**Resource Person(s):** Peri Manns, Deputy Director of Engineering and Environmental Services and Jane Korest, Division Head, Open Space and Real Estate

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

## **6. Adjournment**

