



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, September 23, 2019

7:00 PM

Commissioners' Chambers

Regular Session

Special Session (To be held at: 6:00 pm)

[19-0479](#) Classification and Compensation Study Review and Discussion
(60min)

"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)

[19-0465](#) Announcements

Agenda Text:

1. **Child Support Amnesty** - If you have an active order for arrest for child support I Durham County, there is help for you. Meet a representative on September 25, 2019 between 9:00am - 4:00pm at 510 S. Dillard Street (Courtroom B). Please bring \$500 per case; if the bond is lower than \$500, bring that amount and your order of arrest will be recalled.

For more information, please call 919-560-8901 ext. 8900 or 8930.

2. **Durham Planning Academy Seeks Fall 2019 Applicants** -

EngageDurham is offering a **FREE** one-day course to help residents understand planning concepts and procedures. The academy will be held on Friday, October 25th from 9:00am - 3:30pm at Durham City Hall located at 101 City Hall Plaza. Space is limited to 75 participants and the online application deadline is Friday, October 4th.

To more information and to apply, please visit www.durhamnc.gov <<http://www.durhamnc.gov>> or call Kayla Seibel at 919-560-4137 ext. 28271.

3. Women-Owned Small Businesses Invited to Entrepreneurial Training

- The City of Durham Office of Economic Development and members of its Small Business Advisory Committee, have launched Durham Business 360. This program is designed to connect small business owners and entrepreneurs with the tools and resources they need to grow and thrive.

The application deadline is Tuesday, October 1st. For additional information please visit www.durhamnc.gov/civicalerts <<http://www.durhamnc.gov/civicalerts>>

4. Celebrating Minority Enterprise Development Week - October 7 - 11, 2019 Durham's MED Week celebrates the achievements of minority entrepreneurs and affirms government, business and community organizations' commitment to the principle of equal opportunity. The 2019 is *Minority & Women Businesses: Success for All*.

For additional information or to register for events, please visit www.durhammedweek2019.eventbrite.com <<http://www.durhammedweek2019.eventbrite.com>>

5. Medicaid Transformation Information - Durham County DSS has three Enrollment Specialist onsite that can assist with enrolling Medicaid Beneficiaries into a health plan. Specialist are available at the Human Services Complex located at 414 E. Main Street every Monday - Friday from 9:00am - 3:00pm until December 13, 2019.

Please contact Krystal Harris at kmharris@dconc.gov <<mailto:kmharris@dconc.gov>> for additional information.

4. Minutes (5 min)

19-0464

Minutes

Attachments: [Regular Session - August 26, 2019](#)

5. Ceremonial Items (50 min)

[19-0467](#) **Proclamation - Durham Housing Authority's 70 Years of Service (10min)**

Agenda Text: The Board is requested to issue a proclamation declaring October 9, 2019 as Durham Housing Authority Day.

October 9th marks the 70 years since the establishment of the Durham Housing Authority. The City of Durham along with Durham County continues to serve thousands of Durham families by providing affordable housing and supportive programs that lift families up into a better life.

Alignment with Strategic Plan: This item aligns with Goal 1: Community Empowerment and Enrichment

Resource Persons: Anthony Scott, CEO, Durham Housing Authority.

County Manager's Recommendation: The County Manager recommends that the Board issue a proclamation declaring October 9, 2019 as Durham Housing Authority Day in Durham County.

Attachments: [Proclamation - Durham Housing Authority's 70th Years of Service - Sept 2019](#)

[19-0483](#) **Resolution - Recognition for Girl Scout Troop 1440 Silver Award Project (10min)**

Agenda Text: The Board is requested to approve a resolution recognizing Girl Scout Troop 1440 - Silver Star Project.

Alignment with Strategic Plan: This item aligns with Goal 1: Community Empowerment and Enrichment

Resource Persons: Brenda Howerton, County Commissioner and Tracy Lovett, District Liaison for Congressman David Price

County Manager's Recommendation: The County Manager recommends that the Board approve a resolution recognizing Girl Scout Troop 1440 - Silver Star Project.

Attachments: [Resolution - Girl Scout Troop 1440 Silver Star Project](#)

[19-0477](#) **Proclamation - Durham Domestic and Care Workers Day of Recognition (10min)**

Agenda Text: The Board is requested to proclaim Domestic and Care Workers Day of Recognition and recognize the hardworking people across our state who provide care for children, the elderly and people with disabilities and formally acknowledge the many contributions of that workforce.

As child care providers, housecleaners, direct care workers, and unpaid family caregivers, we do the important work of providing exceptional care for loved ones in the home and at facilities and make it so that the people we care for may live with dignity and respect. Domestic and care workers create safe, clean, and loving environments in the home, rear and educate our youngest, and make all other work possible.

Today more than ever, domestic and care workers deserve recognition for the role they play and their impact in the lives of many. North Carolina boasts one of the highest concentrations of care workers in the country and Durham is home to thousands of these workers, and as such, we wish to value that work through passing this special proclamation.

Alignment with Strategic Plan: This item aligns with Goal 1: Community and Family Prosperity and Enrichment.

Resource Persons: Chanelle Croxton, NC Lead Organizer, National Domestic Workers Alliance

County Manager's Recommendation: The County Manager recommends that the Board proclaims Durham Domestic Workers Day and encourage our community to acknowledge the same.

Attachments: [Proclamation - Durham Domestic Workers Day- September 2019](#)

19-0449

**Proclamation to Recognize Minority Enterprise Development Week
October 7-11, 2019 (10min)**

Agenda Text:

The Board is requested to recognize October 7-11, 2019 as Minority Enterprise Development Week (MED Week) in the County of Durham, North Carolina. On November 28, 2016, the Board of County Commissioners approved an ordinance to continue the County's Minority and Women Business Enterprise (MWBE) program. As a sponsor of MED Week, the County will continue to promote the MWBE Program and efforts to enhance participation in governmental contract awards to minority and women businesses.

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 program.

Resource Persons: Susan Tezai, Chief Financial Officer; Angela Perry, Interim Procurement Manager; and Keisha J. Davis, MWBE Coordinator.

County Manager's Recommendation: The Manager recommends that the Board approves the Resolution and recognize October 7-11, 2019 as Minority Enterprise Development Week in Durham County.

Attachments: [Proclamation - MED Week - October 2019](#)

19-0466

Retirement Resolution to Honor Gayle Bridges Harris (10min)

Agenda Text:

The Board is requested to approve a resolution honoring Gayle Bridges Harris, General Manager and Public Health Director, who announced that she will retire effective September 30, 2019.

Gayle began her career with Durham County in 1972 as a staff public health nurse and rose through the ranks to become Public Health Director in 2009. In 2016, she was named General Manager for community well-being in addition to her role Public Health Director.

For 47 years, Gayle worked to ensure that residents of Durham County received compassionate health care despite their life circumstances. Her commitment to the overall health of Durham's residents was evidenced as she led team to receive the coveted Robert Wood Johnson Culture of Health Prize. That honor is bestowed upon communities that harness the collective power of leaders, partners and stakeholders to help residents live a longer, healthier life.

Gayle's professional impact has been far reaching and impactful and she will be tremendously missed by employees and residents alike.

Alignment with Strategic Plan: This item aligns with Goal 2: Health and Well-Being for All

Resource Persons: Wendy Jacobs, Chair, Durham Board of Commissioners

County Manager's Recommendation: The County Manager recommends that the Board approve the resolution and present to General Manager and Public Health Director Gayle Bridges Harris and wish her well as she begins a well-deserved retirement.

Attachments: [Resolution - Gayle B. Harris](#)

6. Consent Agenda (15 min)

19-0417

Agricultural Lands Easement (ALE) Grant Award and 2019 Cooperative Agreement for the Len Needham Farm

Agenda Text:

The Board is requested to approve a 2019 Cooperative Agreement between the County and the United States by and through the Commodity Credit Corporation (CCC), for \$99,000 to provide federal grant support towards the protection of the Len Needham farm in northeastern 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 33 acres owned by Len and Cindy Needham.

The Board of County Commissioners previously approved the acquisition of a conservation easement on the Needham farm and corresponding grant submittal in April 2019. 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 \$99,000 will pay for 50% of the cost of the appraised value of the easement acreage at the time of closing. The federal ALE funds are distributed as a "pass through" from the CCC 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 previously approved by the Board, 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, Peri Manns, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager requests that the Board approve the 2019 Cooperative Agreement between Durham County and Commodity Credit Corporation for \$99,000; and to authorize the County Manager to execute the Cooperative Agreement and the corresponding conservation easements on the Len and Cindy Needham farm. A final budget for the farm easement will be brought back to the Board prior to closing

Attachments:

[AAF Supplemental Document - 2019 Coop Agreement Sept Needham Farm](#)

[Exhibit A Needham Farm Context](#)

[Exhibit B Needham Farm Aerial](#)

[Exhibit C Northern Durham Farm Easements](#)

[Exhibit D Durham Cooperative Agreement ALE Award](#)

19-0430

Amendment to the Interlocal Agreement between the City of Durham and Durham County for the City to Provide Recycling Processing and Haul Services to Durham County for Target Recycling Materials.

Agenda Text:

The Board is requested to authorize the County Manager to amend the interlocal agreement with the City of Durham in the amount of \$98,850.00, for a total interlocal agreement amount of \$175,000 for the City to provide recycling processing and haul services to Durham County for target recycling materials.

The County entered into this interlocal agreement with the City in 2016. The original agreement allowed the County to bring recyclables from our curbside recycling program to the City's Transfer station. The City then arranged for the transportation of the County's recyclables to their processor, Sonoco Recycling in Raleigh. The City charged the County a fixed tipping fee that allowed the City to recover the costs associated with the loading and transporting of the recyclables. The fee increases each year based on the CPI. The fixed fee for FY19-20 is \$22.40 per ton.

Prior to 2018, the City's contract with Sonoco provided the City with revenue. Due to shifts in the global markets, the City is now charged a variable fee by Sonoco for each ton of recyclables, based on the monthly market rates. This amendment allows the City to pass the variable rate onto the County for the material brought by the County from the curbside program and the convenience sites. The County will now pay a combined rate for each ton of the fixed rate of \$22.40 plus the variable rate charged by Sonoco. In July 2019, the variable rate was \$54.33 per ton, creating a total tipping fee of \$76.73 per ton. The Durham City Council approved the amendment to the ILA on August 19, 2019.

In FY19, the amount budgeted for this interlocal agreement was \$51,150. Based on the price increase and the addition of the tons from our convenience sites, an additional amount of \$98,850 will be needed for FY20 for a total amount of \$175,000. This amount was included in the FY20 budget request.

Alignment with Strategic Plan: Durham County Government is responsible for providing solid waste services to unincorporated residents in Durham County which includes curbside recycling, litter control and abatement, and the management of residential convenience sites. These responsibilities align with Strategic Plan Goal 4: Environmental Stewardship and Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Motiryo Keambiroiro, Director of General Services, Chrissie Koroivui, Solid Waste Program Manager, Darius Allen, Waste Reduction Supervisor.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to amend the interlocal agreement with the City of Durham in the amount of \$98,850.00, for a total interlocal agreement amount of \$175,000 for the City to provide recycling processing and haul services to Durham County for target recycling materials.

Attachments:

[DURHAM COUNTY ILA AMENDMENT RECYCLING](#)
[AAF Supplemental Document](#)

ACCESS with the City of Durham GoDurham ACCESS**Agenda Text:**

The Board is requested to approve the Inter-Governmental Agreement for the merger between Durham County ACCESS and the City of Durham's GoDurham ACCESS ADA Paratransit service and authorize the President of the County Board to sign and execute the Inter-Governmental Agreement between the parties.

Since 1998, Durham County ACCESS and the City of Durham as designated through an interlocal agreement have provided demand response transportation in a coordinated model to Durham County residents that are elderly, disabled, transportation disadvantaged or reside outside of the service area not served by the fixed route system.

The strength of the current coordinated model and shared service delivery's proven success serves as a strong foundation and recommendation to merge the systems. The coordinated model contributes to lower costs, greater access and higher quality of transportation service. With the execution of the Inter-Governmental Agreement further efficiencies will be realized as the County conveys authority to the City to operate and perform the full complement of operations, administrative, financial and grant management responsibilities of the Demand Response Transportation Service.

The initial trial term for the merger extends from October 14 - June 30, 2020 with an intent to extend the term of the agreement within the next fiscal year to a multiyear Interlocal Government Agreement.

Due to the current coordinated system there will be no disruption in service or impact to riders.

Alignment with Strategic Plan: Goal # 2: Health & Well Being for All. The merging of Durham County ACCESS demand response with the City of Durham's GoDurham ACCESS will continue to meet the transportation needs of Durham rural county residents. This connection to transportation services enhances mobility and improves the quality of life for seniors, workers, transportation disadvantage and residents that reside outside the area served by the fixed route system.

Resource Persons: Linda Thomas, Durham County ACCESS Transportation Program Manager, Donna Rewalt, Durham County Cooperative Extension Director

County Manager's Recommendation: The County Manager recommends that the Board approve the Inter-Governmental Agreement for the merger between Durham County ACCESS and the City of Durham's GoDurham ACCESS ADA Paratransit Service and authorize the President of the County Board to sign and execute the Inter-Governmental Agreement between the parties.

Attachments: [Final for County-City Action - Intergovernmental Agreement Merger on Transpor](#)
[Appendix A- Merger Budget Final](#)
[APPENDIX B - ROAP REPORT](#)
[APPENDIX C - TRANSMITTAL MEMO - 10-7-2019](#)
[APPENDIX D - ACCESS TRIP REPORT - 10-7-2019](#)
[APPENDIX E - BUDGET TO TRIP REPORT - 10-7-2019](#)
[APPENDIX F - OPSTAT FORM - 10-7-2019](#)
[APPENDIX G - DURHAM COUNTY VEHICLE INVENTORY LIST - 10-7-2019](#)
[Executed Durham County ACCESS - First Transit Vehicle Lease Agreement 20](#)
[Appendix I Interlocal Agreement Between the County of Durham and the City of](#)
[AAF Supplemental Inter- Governmental Agreement - Merger of Durham County](#)

19-0440**Property Tax Releases and Refunds for August 2019****Agenda Text:**

The Board is requested to approve the Releases & Refunds for the month of August 2019.

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 2019.

Releases and Refunds for 2019 total \$296,497.33. Prior year's (2017-2018) releases and refunds for August 2019 are in the amount of \$62,308.52. The current year and prior year's releases and refunds amount to \$358,805.85.

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: T. Dwane Brinson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board accept the property tax release and refund report for August 2019 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments:

[Backup-Tax Release and Refunds-August 2019-September 23, 2019](#)
[NCVTS July Refunds](#)
[Releases and Refunds Backup Detail-August 2019-September 23, 2019](#)

19-0450**Approval of Modifications to the Human Services Facility Votive Wall (Memorializing Phil Freelon)****Agenda Text:**

The Board is requested to approve the addition of Phil Freelon's name to the text on

the Votive Wall of the Durham County Human Services facility located at 414 E. Main St, Durham NC. The text currently reads as follows: Durham's Vitality is Built Upon the Health of Our Residents and the Capacity of Our Community to Foster and Enhance the Wellbeing of Every Citizen. During the construction of the facility, a committee was established to create text suitable to symbolize the intended operations of the facility as a location for Durham's most vulnerable population seeking assistance of our Social Services, Public Health and Veteran Services departments. Members of the Votive Wall committee recognize Phil Freelon as the brain trust behind the quote and at the request of the family, Durham County Government has elected to memorialize this and the many other achievements of Mr. Freelon throughout the Durham community with the addition of his name underneath the quote (see attachment 1).

Staff is working to get this installed during the week of September 23, 2019 in recognition of Mr. Phil Freelon.

Alignment With Strategic Plan: This item aligns with Strategic Goal 1: Community Empowerment and Enrichment

Resource Persons: Wendy Jacobs, Chair, Durham County Board of Commissioners; Wendell M. Davis, County Manager; Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board approve the modifications to the Votive Wall on the Human Services facility memorializing Phil Freelon for his accomplishments and the quote.

Attachments: [PHIL FREELON QUOTE](#)

7. Public Hearings (60min)

[19-0446](#) **Public Hearing - Unified Development Ordinance Text Amendment, Expanding Housing Choices (TC1800007) (60min)**

Agenda Text: The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Expanding Housing Choices (TC1800007); and

First Motion: To adopt the appropriate Statement of Consistency pursuant to NCGS §153A-341; and

Second Motion: To adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 13, Additional Requirements for Subdivisions; Article 14, Nonconformities; and Article 17, Definitions; and

Third Motion: To adopt a resolution regarding the development and reporting of metrics for Expanding Housing Choices

Summary. Text amendment TC1800007 (Attachment B; B1-B6) includes amendments to the Unified Development Ordinance (UDO) that would allow for more, and more varied, housing choices to be created in a context-sensitive manner predominantly within, but not completely limited to, the Urban Tier. Proposed UDO revisions include expanding the allowance of duplexes, a new small lot option, aligning duplex and attached single-family housing types with detached single-family standards, increasing the opportunities for accessory dwelling units, modifications to residential infill standards, and modifications to other associated standards.

Alignment with Strategic Plan: The text amendment emphasizes Goal 4 (Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham while adhering to Goal 5 (Accountable, Efficient, and Visionary Government).

Resource Persons: Michael Stock, AICP, Senior Planner, and Patrick Young, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed *Unified Development Ordinance* text amendment and, if appropriate based on the comments received during the hearing, adopt the appropriate Statement of Consistency and approve the amendment.

Attachments:

[BOC EXPANDING HOUSING CHOICES MEMO](#)
[Attachment A - TC1800007 BOC Consistency Statement](#)
[Attachment B - Ordinance cover](#)
[B1 - Part 1 - Accessory Dwelling Units](#)
[B2 - Part 2 - Residential Infill Development](#)
[B3 - Part 3 - District Intensity](#)
[B4 - Part 4 - Housing Types](#)
[B5 - Part 5 - Additional Miscellaneous Provisions](#)
[B6 - Part 6 - Neighborhood Protection Overlay](#)
[Attachment C - Summary Tables](#)
[Attachment D - Planning Commission Recommendation and Comments TC1800](#)
[Attachment E - Environmental Affairs Board Recommendations](#)
[Attachment F - Appearance Commission Recommendations](#)
[Attachment G - EHC Article Review](#)
[Attachment H - Zoning Ordinance Research](#)
[Attachment L - Annual Reporting Resolution draft](#)
[Attachment I - Summer 2018 Questionnaire Results](#)
[Attachment J - Discussion Draft Survey Results](#)
[Attachment K - Summary of Public Meetings-Outreach as of 4-27](#)

8. Board and Commission Appointments (10 min)**19-0461****Board and Commission Appointments (10min)****Agenda Text:**

Monica Toomer, 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
- Juvenile Crime Prevention Council
- Library Board of Trustees
- Triangle J Water Resources Committee

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: Monica Toomer, 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: [23september19](#)

9. Items Pulled from the Consent Agenda (20 min)

10. Adjournment