



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Monday, January 27, 2020

7:00 PM

Commissioners' Chambers

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### 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)

#### 20-0044 Announcements

#### Agenda Text:

1. **Youth Listening Project** - The Office on Youth is hosting a Youth Listening Project to capture youth voices between the ages of 13 - 24 and caregivers of children in Durham. This event will be held on Tuesday, January 28, 2020 from 5:00pm - 7:15pm at the LGBTQ Center of Durham located on 114 Hunt Street.

Due to limited space, please email [alice.frazier@durhamnc.gov](mailto:alice.frazier@durhamnc.gov) [<mailto:alice.frazier@durhamnc.gov>](mailto:alice.frazier@durhamnc.gov) or text 984-260-6703 to save your seat.

2. **GoDurham to add New Routes and Night Service** - Starting Saturday, January 25, 2020 GoDurham will include two additional high frequency routes (Chapel Hill Road to South Square and Fayetteville Road to MLK Jr.

Pkwy) along with additional service at night.

For detailed information on the new routes and additional services, please visit <https://godurhamtransit.org/service-changes>

**3. Voting Information for the March 3, 2020 Primary Election is a follow:**

- Photo ID is **NOT** required for the 2020 Primary Election
- The voter registration deadline for the primary election is February 7th
- Absentees-by-mail voting request deadline is February 25th and they must be returned to the Board of Elections by Tuesday, March 3rd
- Early voting for the primary election begins Thursday, February 13th and ends Saturday, February 29th.

For full details on early voting and other important information, please visit [www.dcovotes.com](http://www.dcovotes.com) <<http://www.dcovotes.com>>

**4. Tax Administration Programs and Offerings** - The Durham County Tax Administration will begin accepting applications for the Hardship Payment Plan and will begin offering Property Tax Relief Programs to qualifying elderly, disabled and U.S. Veteran Homeowners.

For more information please visit [www.dconc.gov/tax](http://www.dconc.gov/tax) <<http://www.dconc.gov/tax>>, email [tax\\_assessor@dconc.gov](mailto:tax_assessor@dconc.gov) <[mailto:tax\\_assessor@dconc.gov](mailto:tax_assessor@dconc.gov)> or call 919-560-0300.

**4. Minutes (5 min)**

**20-0040**

**Minutes**

**Attachments:**      [Work Session - November 4, 2019](#)  
                              [Regular Session - January 13, 2020](#)

**5. Ceremonial Items (10min)**

**20-0046**

**Introduction of Rodney Jenkins - New Public Health Director (10min)**

**Agenda Text:**      The Board is requested to welcome Durham County Department of Public Health's new Director who was appointed by the Durham County Board of Health. Mr. Jenkins assumed his duties on January 13, 2020.

Mr. Jenkins comes to the health department from his position as Deputy Health Director for the Cumberland County Department of Public Health, where he served for eight years. Jenkins earned a Bachelor of Science Degree in Business Administration from The Citadel - The Military College of South Carolina in

Charleston, South Carolina and a Master of Health Administration from the University of South Carolina's Arnold School of Public Health. He also served eight years in the South Carolina Army National Guard, earning various awards and decorations.

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

**Resource Persons:** Joanne Pierce, General Manager for Community Well-being

**County Manager's Recommendation:** The County Manager recommends that the Board welcomes Mr. Rodney Jenkins as the new Health Director for Durham County Department of Public Health.

## 6. Consent Agenda (15 min)

### **20-0019**

#### **Property Tax Releases and Refunds for November 2019**

**Agenda Text:**

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

Releases and Refunds for 2019 total \$66,048.55. Prior year's (2014-2018) releases and refunds for November 2019 are in the amount of \$2,559.11. The current year and prior year's releases and refunds amount to \$68,607.66.

**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 November 2019 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

**Attachments:**

[Releases and Refunds Backup Detail-November 2019-Jan 27, 2020](#)

[Backup-Tax Release and Refunds-Nov 2019-Jan 27, 2020](#)

[NCVTS October Refunds](#)

### **20-0021**

#### **Property Tax Releases and Refunds for December 2019**

**Agenda Text:**

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

Releases and Refunds for 2019 total \$97,535.75. Prior year's (2014-2018) releases and refunds for November 2019 are in the amount of \$783.56. The current year and prior year's releases and refunds amount to \$98,319.31.

**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

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**Attachments:**

[Releases and Refunds Backup Detail-December 2019-Jan 27, 2020](#)

[Backup-Tax Release and Refunds-December 2019-January 27, 2020](#)

[NCVTS November Refunds](#)

**20-0033**

**Approval of the Purchase of Goods contract(s) with various vendors for the Private Office, Conference and miscellaneous furnishings from the U.S. Communities/GSA and/or NC State Contracts Buying Programs for the Phases 1 and 2 of the Durham County Administration Building 1 Renovation Project No.: 4730DC137**

**Agenda Text:**

The Board is requested to authorize the County Manager to enter into contracts with the following furniture suppliers for the purchase of furniture for renovations to the Durham County Administration Building 1 located at 200 East Main Street Durham, NC in the amount of \$840,145.19 plus owners contingency at \$42,007.26 and to execute any other related contracts, if necessary, not to exceed the budget of \$882,152.45. (See attachment 1, Pages 1- 164)

- 1) Carolina Business and Interiors: \$406,389.61 (Private Offices, Guest Chairs)
  - 2) Price Modern Carolinas: \$161,439.91 (Ancillary - wastebaskets, containers, side chairs and etc.)
  - 3) Edge Office: \$ 47,961.89 (Conference Tables)
  - 4) Alfred Williams: \$ 224,353.78 (Workstations, Monitor Arms)
- Furniture Subtotal: \$840,145.19

Contingencies@5%:     \$ 42,007.26

Total:                     \$882,152.45

It was noted during the December 10, 2018 approval of the Capital Project Amendment and construction contract with Resolute Building Company for the Administration Building 1 Renovation that subsequent contracts will be brought to the BOCC for approval including individual office furnishings, conference tables and seating, storage components and etc. at a later date. The private office, conference, seating and other furnishings selected for the Administration Building 1 Renovation are like those used in the Administration Building II, with colors and details tailored to better align with the building's historic architecture. The products were sourced through the same vendors for purchase through the U.S. Communities Buying Program, NC State Contracts, GSA and/or other buying programs. G.S. 143-129(e) allows local governments to be exempted from the competitive bidding requirements and purchase furnishings/equipment through group purchasing programs. This provides Durham County the deepest discount possible for purchases under this program. The Engineering Department has reviewed the recommendations with DTW Architects & Planners, Ltd. and the Purchasing Department and recommends that the County proceed with the procurement of the items referenced in the attached proposals. For M/WBE participation information (See Attachment 2, Page 1).

Many of the new furnishings have extensive lead times due to upholstery and fabrication which requires us to bring these contracts for approval timely in order to meet the anticipated occupancy schedule for the project. The renovation of the awarded phases 1 and 2 of the project is expected to begin in mid-February 2020. Occupancy of the Ground and First Floors is planned to take place in August 2020, followed by occupancy of the Fourth and Fourth Mezzanine Floors in November of 2020. This AAF and associated contracts provide for the furniture for these floors, which are required to be in place prior to occupancy by staff. Funding for these contracts is available in the Durham County Administration Building 1 Renovation capital project account.

**Alignment with Strategic Plan:** This 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 consolidation of various departments in this facility also addresses Goal 5 by providing more efficient service delivery and better customer service.

**Resource Persons:** Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services, James Faress, P.E., Senior Project Manager, Engineering Department; and Isabel Leon Villasmil, Assoc. IIDA, DTW Architects and Planners, Ltd.

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the County Manager to enter into contracts with the furniture suppliers stated above for the purchase of furniture for renovations to the Durham

County Administration Building 1 located at 200 East Main Street Durham, NC in the amount of \$840,145.19 plus owners contingency at \$42,007.26 and to execute any other related contracts, if necessary, not to exceed the budget of \$882,152.45. (See attachment 1, Pages 1- 164)

**Attachments:**

[Attachment 1 - Administration Building 1 Ph 1,2 Furniture Proposals](#)

[Attachment 2 - MWBE Compliance Review Form-AAF for Furniture for Admin I](#)

[AAF Supplemental Document - Administration Building Renovations Furniture](#)

**20-0039****Policy Resolution for 2020 NACo Legislative Conference****Agenda Text:**

The Board is requested to review a proposed Policy Resolution for the upcoming National Association of Counties (NACo) 2020 Legislative Conference in Washington, D.C. (Feb. 29 - Mar. 4). NACo members are encouraged to use this opportunity to get involved and have their voices heard in Washington by submitting a policy resolution.

Marsha Basloe, President Childcare Services Association, reached out recently and asked that the Board consider supporting and submitting the following policy resolution:

**Pass Legislation Supporting Early Childhood Development.** NACo supports legislation that would protect and increase investments in early childhood development to ensure that needed educational, nutritional and social services are available to children in the critical years of development between birth and age three. These investments include greater coordination among pre-school programs in schools and county-run programs such as home visiting programs, child wellness, Head Start, Early Head Start and quality childcare including the support of the early childhood workforce. By investing in and demonstrating leadership in these early childhood development programs, we can begin to fight poverty and reduce inequality.

With the Board's approval, staff will send this to NACO. The deadline to submit resolutions electronically is Wednesday, January 29th, 2020.

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

**Resource Persons:** Deborah Craig-Ray, General Manager Goal 1

**County Manager's Recommendation:** The County Manager recommends that the Board approve the policy resolution and instruct staff to forward to NACo for inclusion in the Annual Legislative Conference.

**7. Public Hearings (15min)**

**20-0030****Unified Development Ordinance Text Amendment, Outdoor Lighting (TC1900002) (15min)****Agenda Text:**

The Board is requested to conduct a public hearing and receive public comments on the *Unified Development Ordinance* Text Amendment, Outdoor Lighting (TC1900002); 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 amend Article 7, Design Standards.

**Summary:** Text Amendment TC1900002 is a privately-initiated request to amend Unified Development Ordinance (UDO) paragraph 7.4.2B.2, Outdoor Lighting, Applicability. Currently, per paragraph 7.4.2B.2, outdoor lighting that is used exclusively for recreational activities, is at least 100 feet from residential uses, and is not illuminated during late hours is exempt from the lighting standards set in place by Section 7.4. This amendment would allow lighting that operates during late hours to maintain its exemption from the standards of Section 7.4, provided that a minor special use permit (mSUP) is issued by the Durham City-County Board of Adjustment (BOA). Per the proposed text amendment, review criteria related to lighting (glare, traffic safety, economic effect, and compatibility with adjacent property) would have to be adequately addressed in the minor special use permit hearing. In addition to the minor special use permit, lighting that is illuminated during late hours would still have to be an exclusively recreational use and be at least 100 feet from residential uses to maintain its exemption from Section 7.4. Finally, even with the approval of a mSUP, the expansion of the allowable hours of illumination would be capped at 5:00 a.m. for Friday and Saturday, and 3:00 a.m. for Sunday through Thursday, and this expansion of hours of illumination would only be available to development on parcels in the Industrial (I), Industrial Light (IL), and Industrial Park (IP) zoning districts. See Attachment C for the proposed ordinance language.

Attachment:

**Attachment A:** TC1900002 Application

**Attachment B:** Statement of Consistency Pursuant to NCGS § 153A-341

**Attachment C:** An Ordinance to Amend the *Unified Development Ordinance* Regarding Outdoor Lighting (TC1900002)

**Attachment D:** Planning Commission Comments

**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) by maintaining a transparent government and welcoming public input.

**Resource Persons:** Carl Kolosna, 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:**

[TC1900002 Staff Report](#)

[Attachment A TC1900002 Application](#)

[Attachment B TC1900002 Statement of Consistency](#)

[Attachment C An Ordinance to Amend the UDO Regarding Outdoor Lighting TC](#)

[Attachment D Planning Commission Comments TC1900002](#)

## 8. Board and Commission Appointments (10 min)

**20-0043**

### **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:

- Alliance Board of Directors
- Animal Welfare Advisory Committee
- Board of Health
- Boxing and Wrestling Commission
- City-County Appearance Commission
- Durham Open Space and Trails Commission
- Farmland Protection Advisory Board
- Juvenile Crime Prevention Council

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:** [Boards and Commissions 1.27.2020](#)

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

**10. Adjournment**