



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, February 24, 2020

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)

20-0093 Announcements

Agenda Text:

1. **Voting Information for the March 3, 2020 Primary Election is a follow:**
 - Photo ID is **NOT** required for the 2020 Primary Election
 - 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 is now underway and continues until **Saturday, February 29th**.

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

2. **Durham Planning Academy Seeks Spring 2020 Applicants** - Have you ever wondered what zoning can and cannot do or questioned how things get built in Durham? If you've answered yes, then you should apply for the next

Durham Planning Academy.

The **FREE** interactive four-week course begins Thursday, March 26, 2020 with participants meeting every Thursday for four weeks. Online applications are now being accepted until Sunday, March 1, 2020.

To apply, please visit www.durhamnc.gov/3174/Planning-Academy <<http://www.durhamnc.gov/3174/Planning-Academy>> and for additional questions, please contact Kayla Seibel, Senior Planner at 919-560-4137 ext. 28271 or by email kayla.seibel@durhamnc.gov <<mailto:kayla.seibel@durhamnc.gov>>

3. **The Durham County Juvenile Crime Prevention Council (JCPC) is requesting proposals for fiscal year 2020-2021** - The JCPC anticipates funds from the NC Department of Public Safety (DPS) in the amount of \$701,101 to fund programs that will serve delinquent and at-risk youth. The application deadline is March 31, 2020. Additional information can be found on the Criminal Justice Resource Center's website:
www.dconnc.gov/government/departments-a-e/criminal-justice-resource-center/youth-services/jcpc
<<http://www.dconnc.gov/government/departments-a-e/criminal-justice-resource-center/youth-services/jcpc>>.

For interested organizations, informational meetings are scheduled for Tuesday, March 10, 2020 and Tuesday, March 17, 2020 from 1:00 p.m. to 2:30 p.m. at the Criminal Justice Resource Center located at 326 East Main Street.

4. **Grand Re-Opening of the Bragtown Branch Library** - Please join us on March 11, 2020 from 12:00 p.m. - 2:00 p.m. in celebrating the re-opening of the Bragtown Branch Library at 3200 Dearborn Drive. Events are scheduled throughout the day beginning at 10:00 a.m.

For re-opening details, please visit www.dconnc.gov <<http://www.dconnc.gov>>

5. **2020 Golden Leaf Awards Nominations are Now Being Accepted** - Do you know of a Durham property that's outstanding for its design, preservation, curb appeal, or stewardship of the natural and built environment? Nominate it now for the 2020 Golden Leaf Awards.

Nominations can be submitted at <https://durhamappearance.com/entry-form> and are due by 5:00 p.m. on Tuesday, March 13th. For additional information please contact Senior Planner Kayla Seibal at 919-560-4731 ext. 28271 or by email at

kayla.seibel@durhamnc.gov <<mailto:kayla.seibel@durhamnc.gov>>.

4. Minutes (5 min)

20-0090 Minutes

Attachments: [Work Session - December 2, 2019](#)

5. Ceremonial Items (10min)

20-0084 Retirement Resolution to honor Interim EMS Director Kevin Underhill (10min)

Agenda Text: The Board is requested to approve a resolution honoring Kevin Underhill, Interim Director of EMS, who announced he will retire at month's end following a dynamic 26-year career. Kevin Underhill began his career with Durham Regional Hospital and joined Durham County when EMS operations moved away from the Hospital.

During his successful tenure, he advanced through EMS ranks managing professional development and education, operations, developing new patient protocols now used as the national standard of care and generally working with internal and external stakeholders to provide the best possible patient care and customer service to Durham County and beyond. Kevin Underhill's loyal and faithful service to this community and his professional impact will long be remembered.

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

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

County Manager's Recommendation: The County Manager recommends that the Board approve the resolution and present to Kevin Underhill and wish him well as he retires to commence a new chapter in life.

Attachments: [Resolution - Kevin Underhill](#)

6. Consent Agenda (15 min)

20-0070 Capital Project Amendment No. 20CPA000022 Reallocating Funds from Collection System Rehab (SE051) to Stirrup Iron Creek Capital Project (SE056)

Agenda Text: The Board is requested to approve the Capital Project Amendment No. 20CPA000022 reallocating \$32,092.40 from the Collection System Rehabilitation Capital Project (SE051) to Stirrup Iron Creek Capital Project (SE056) in order to complete the final change order on the project and make the final payment to Carolina Civilworks. This project is complete and after the final payment is made, BOCC

authorizes the closing of the Stirrup Iron Creek Capital Project (SE056)

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity”.

Resource Persons: Jay Gibson, PE, General Manager; Peri Manns, Interim General Manager; Stephanie Brixey, Deputy Director of E&ES; Keith Lane, Budget Director

County Manager’s Recommendation: The County Manager recommends the Board to approve Capital Project Amendment No. 20CPA000022 reallocating \$32,092.40 from the Collection System Rehabilitation Capital Project (SE051) to Stirrup Iron Creek Capital Project (SE056) in order to complete the final change order on the project and once final payment is made authorizes the closing of the Stirrup Iron Creek Capital Project (SE056).

Attachments:

[AAF Supplemental Document - Reallocate Funds from Project SE051 to Project](#)

[12-18-19 CCW SIC CO #3 Initialed Signed](#)

[CPA-22 Legal Form Reallocate funds from Collection System Rehab \(SE051\) to](#)

20-0077

Property Tax Releases and Refunds for January 2020

Agenda Text:

The Board is requested to approve the Releases & Refunds for the month of January 2020. 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 January 2020.

Releases and Refunds for 2020 total \$13,749.46 and for 2019 total \$153,846.05. Prior year’s (2014-2018) releases and refunds for January 2020 are in the amount of \$6,274.19. The current year and prior year’s releases and refunds amount to \$173,869.70.

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 January 2020 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Releases and Refunds Backup Detail-January 2020-Feb 24, 2020](#)
[Backup-Tax Release and Refunds-January 2020-February 24, 2020](#)
[NCVTS December Refund](#)

20-0078 **Advertisement of 2019 Tax Liens on Real Property**

Agenda Text: The Board is requested to authorize the Tax Administrator to provide public notice and advertise the 2019 delinquent real property tax liens. N.C.G.S. 105-369 states the advertisement of tax liens shall be made during the period March 1st through June 30th.

Alignment with Strategic Plan: This action aligns with Goal 5, Accountable, Efficient, Visionary Government by ensuring the County complies with statutory requirements of North Carolina.

Resource Persons: T. Dwane Brinson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board approve the Tax Administrator's request to begin advertising the 2019 tax liens in the month of March.

Attachments: [Advertising of Tax Liens-2019-February 24, 2020](#)

20-0079 **Refund of erroneously paid excise tax pursuant to NC G.S. - 105-228.37**

Agenda Text: The Board is requested to refund the overpayment of excise tax to the Law Firm of Ragsdale Liggett PLLC. On November 29, 2018 a deed was electronically recorded in Durham County with excise tax paid in the amount of \$664.00. This filing was duplicated and submitted erroneously by Ragsdale Liggett PLLC. Pursuant to N.C. General Statute, 105.228.37" a taxpayer who pays more tax than is due under this Article may request a refund of the overpayment by filing a written request for a refund with the board of county commissioners of the county where the tax was paid. The request must be filed within six months after the date the tax and must explain why the taxpayer believes a refund is due." (see attached)

Before a tax is refunded, the taxpayer must record a new instrument reflecting the correct amount of tax due. (see Attached)

Pursuant to the request by Robert J. Ramseur, Jr. of Ragsdale Liggett PLLC, a refund in the amount of \$664.00 is requested due to the duplicate filing in the office of the Durham County Register of Deeds.

Alignment with Strategic Plan: Responsible and accurate financial stewardship is most closely aligned with Goal 5: Visionary Government

Resource Persons: Sharon Davis, Register of Deeds and/or James Tabron, Assistant Register of Deeds

County Manager's Recommendation: The County Manager recommends that the Board refund the overpayment in the amount of \$664.00 to Ragsdale Liggett PLLC.

Attachments: [Ragsdale Liggett PLLC](#)

20-0081

Extension of the 2020 Listing Period for Business Personal Property

Agenda Text:

The Board is requested to delegate authority to the Tax Assessor to grant individual extensions for the listing of business personal property upon written request showing good cause that an extension should be granted. Extensions would extend the listing period until no later than April 15, 2020.

Under G.S. 105-307, the period during which property is to be listed for taxation each year shall begin on the first business day of the month of January, and, unless extended as provided by statute, shall continue through the month of January. The Board of Commissioners shall grant individual extensions of time for the listing of personal property upon written request and for good cause shown. The request must be filed with the Tax Assessor no later than the ending date of the regular listing period. The Board may delegate the authority to grant extensions to the Assessor.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, and Visionary Government. Requested action ensures the county complies with North Carolina General Statutes and ensures we are accountable to our citizens. 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 delegate authority to the Tax Assessor to grant extensions until no later than April 15, 2020 to taxpayers required by North Carolina General Statutes to list business personal property, who request an extension during the month of January and show good cause.

20-0087

Board of Elections Contract Amendment with SouthData

Agenda Text:

The Board is requested to approve the Durham County Board of Elections request to increase our service contract with SouthData for printing services. Services include printing Emergency Pollbooks, Voter Information Cards, Voter Confirmation Cards, Special Mailings, Specialized Absentee Envelopes and Precinct Official Manuals.

The compensation paid to the Contractor is requested to be increased by \$10,000.00. The total amended not to exceed amount will increase from 38,500 to \$48,500.00. This will cover additional services for the remainder of the fiscal year.

This request is being made to accommodate new services being rendered by the vendor. These services include the printing of custom absentee-by-mail envelopes, the production of election official procedural manuals, voter notifications, and emergency

supplies. Although the initial contract amount was expected to absorb potential new printing services, the Board of Elections was required to distribute unbudgeted polling place change notifications and letters to affected registrants in Durham County, which impacted initial projections. Reallocation of existing dollars will be used to cover the requested increase in services provided by the vendor.

Alignment with Strategic Plan: The contract request aligns with Goal 5 (51A) of the county's strategic plan and is consistent with visionary government.

Resource Persons: Elections Director Derek L. Bowens and Deputy Director Brenda Baker

County Manager's Recommendation: The County Manager recommends that the Board approve the Board of Elections to enter into a contract amendment, as stipulated herein, with SouthData to continue providing critical election services to the residents of Durham County.

Attachments:

[2020_02_12_Southdata COI \(Updated\).pdf](#)

[2020_AAF Supplemental Document SouthData.docx](#)

[2020_02_07_SouthData_Contract_Amendment_Form \(Additional Funds\).docx](#)

[2020_02_10_SouthData_CRF \(Additional Funds\).docx](#)

7. Board and Commission Appointments (10 min)

20-0082

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:

- Board of Health
- Boxing and Wrestling Commission
- Durham County 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: Monica Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint members to the aforementioned Boards and Commissions.

Attachments: [Boards and Commissions 2.24.2020](#)

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

9. Adjournment