



Durham County

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

Meeting Agenda Board of County Commissioners

Michael D. Page, Chair
Brenda A. Howerton, Vice Chair
Fred Foster, Jr., Commissioner
Wendy Jacobs, Commissioner
Ellen W. Reckhow, Commissioner

Monday, June 8, 2015

7:00 PM

Commissioners' Chambers

"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 Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman 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)

[15-486](#) Announcements

4. Minutes (5 min)

[15-487](#) Minutes

Attachments: [Regular Session - May 11, 2015.pdf](#)

[Regular Session - May 26, 2015.pdf](#)

5. Consent Agenda (15 min)

[15-444](#) Service Contract with Animal Protection Society of Durham, Inc.,

Agenda Text: The Board is requested to approve the Service Contract with Animal Protection Society of Durham, Inc., ("APS") for the operation of the Durham County

Animal Shelter, in the amount of \$594,801.41, a 5% increase over the FY15 contract. The proposed Service Contract is attached hereto. Please also see the attached letter from the Shelter Manager regarding their request.

The services provided under the proposed Service Contract are similar to those currently provided by APS and include but are not limited to (i) caring for, at the Shelter, all dogs, cats and other animals impounded by Animal Control and/or delivered to it by members of the general public; (ii) providing necessary veterinary care for animals impounded, housed, or surrendered to the Shelter, and (iii) maintaining accurate records and providing monthly reports of all animals impounded, the disposition of all animals, amounts collected for board, redemption fees, and civil penalties by APS.

ALIGNMENT WITH STRATEGIC PLAN: APS provides care and support for the animals of the community. Service and care for Durham County's animal population aligns with goal 2 of the strategic plan.

RESOURCE PERSONS: Major Adam Clayton, Kimberly Franklin, Finance Officer; Shafonda Davis, APS, Shelter Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the Service Contract with Animal Protection Society of Durham, Inc., and the Sheriff for the operation of the Durham County Animal Shelter, in the amount of \$595,801.41, and authorize the Manager to execute the Agreement.

Attachments: [APS Budget Request Letter 2016.pdf](#)
[APS Service Contract FY16-Final.doc](#)

[15-447](#)

Interlocal Agreement for the Development and Operation of the Hollow Rock Portion of the New Hope Preserve

Agenda Text:

The Board is requested to approve the attached Interlocal Agreement with Orange County and the Town of Chapel Hill for the development and operations of the Hollow Rock portion of the New Hope Preserve. The Hollow Rock project area is split between Durham and Orange Counties as shown in Exhibit A of the attached Interlocal Agreement. A 42-acre key property of the effort was acquired in 2008 with a partnership consisting of Durham County, Orange County, the City of Durham, the Town of Chapel Hill, and major private fund-raising efforts. The initial acquisition and master planning effort was guided by a previous Interlocal Agreement adopted by the four jurisdictions. The Hollow Rock Access Area Master Plan for this area was approved by the Board of County Commissioners (BOCC) in December 2009, and also approved by Orange County, the Town of Chapel Hill and the City of Durham. The Hollow Rock Master Plan involved additional lands that Orange County has acquired in implementation of the New Hope Creek Corridor Plan. Ownership of the 75 acre park is comprised of: Durham County - 29.8 acres, Orange County - 43.26 acres, and the Town of Chapel Hill - 2 acres.

This new Interlocal Agreement for development and operations covers the arrangement between Durham County, Chapel Hill, and Orange County for the next phase of the project. The agreement describes the property ownership, allowed uses consistent with the adopted master plan, and how the two counties would share in the cost of future improvements, the operation and maintenance of the site, and development of a joint management plan. Under the agreement, Durham County would maintain the portion of the park on the east side of Pickett Road consisting of the nature trails and four bridges. Orange County would maintain the portion of the site on the west side of Pickett Road consisting of nature trails, the parking lot, and future restrooms. A site plan of the proposed improvements is included as Exhibit B in the Interlocal Agreement. Durham County would also manage the two acres located in Durham County that are owned by Chapel Hill.

The Interlocal Agreement was reviewed by the Durham-Chapel Hill-Orange Work Group in March 2015, and the attached draft reflects any changes requested from that meeting. One change recommended by the group was the new name “Hollow Rock Nature Park”; a new name was desired for this project since the previous name ‘Hollow Rock Access Area’ was a placeholder name from the 1991 New Hope Plan, and not meant to be a permanent name. Adoption of the Interlocal Agreement does not have any direct financial impact. The site development for this project has already been funded through the \$200,000 state trails grant and past CIP funding. Orange County has separately funded their portion of the project. The Interlocal Agreement is also in the process of being adopted by Orange County and the Town of Chapel Hill.

ALIGNMENT WITH STRATEGIC PLAN: Adoption of the Interlocal Agreement supports Strategic Plan Goal 5 “Accountable, Efficient, and Visionary Government” by formalizing the partnership with Orange County and Chapel Hill to jointly share the development and management of this area for the public use.

RESOURCE PERSONS: Jane Korest, Division Head for Open Space and Real Estate; Brendan Moore, Open Space Land Manager; and Jay Gibson, County Engineer

COUNTY MANAGER’S RECOMMENDATION: The County Manager recommends that the Board approve the attached Interlocal Agreement with Orange County and the Town of Chapel Hill for the development and operations of the Hollow Rock portion of the New Hope Preserve.

Attachments: [Attachment 1 Memo - Hollow Rock Interlocal Agreement](#)
[Attachment 2 Hollow Rock Interlocal Agreement](#)

[15-449](#) Voting and Alternate Voting Delegate - NACo Conference

Agenda Text: The Board shall approve Commissioner Wendy Jacobs as voting delegate and Commissioner Ellen Reckhow as alternate voting delegate for the NACo Conference in July, 2015.

ALIGNMENT WITH STRATEGIC PLAN: (brief statement and relevant goal)

RESOURCE PERSONS: Michael D. Page, Chair; Michelle Parker-Evans, County Clerk to the Board

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board of County Commissioners appoint Commissioner Wendy Jacobs as voting delegate and Commissioner Ellen Reckhow as alternate voting delegate for the NACo Conference in July, 2015.

[15-457](#) Budget Ordinance Amendment No. 15BCC000065 - Recognizing and Appropriating a \$1,104 Tier II Grant Award (2015) From the NC Division of Emergency Management

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 15BCC000065 recognizing and appropriating \$1,104 in Tier II grant funds from the NC Division of Emergency Management. This grant is provided from hazardous materials facility filing fees collected during the 2014 Tier II reporting period (January 1 - March 1, 2015).

These funds are to be used by our County's Local Emergency Planning Committee (LEPC) for hazardous materials emergency response planning, training, and related expenses per the instructions from the State of North Carolina.

ALIGNMENT WITH STRATEGIC PLAN: The Local Emergency Planning Committee and Emergency Management develop emergency response plans in alignment with Strategic Plan Goal 3: Safe and Secure Community.

RESOURCE PERSONS: Mark Schell, Interim Fire Marshal; David Marsee, Emergency Management Coordinator

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 15BCC000065 recognizing and appropriating \$1,104 in Tier II grant funds from the NC Division of Emergency Management.

Attachments: [Tier2Grant.pdf](#)

[AAF-65 Legal Form NC Division of Emergency Management Grant for Emergen](#)

[15-458](#) Interlocal Agreement Reauthorizing the Durham Bicycle and Pedestrian Advisory Commission

Agenda Text: The Durham Board of County Commissioners and the Durham City Council established the Durham Bicycle and Pedestrian Advisory Commission (BPAC) through an Interlocal Agreement in 2001. The current Agreement was approved in 2009 and has expired. A new Interlocal Agreement needs to be approved.

The proposed Agreement is attached. The term of the Agreement is from December 1, 2013 (when the previous agreement expired) to November 30, 2017. The proposed Agreement includes the following changes from the previously adopted Agreement:

1. Modifies references as appropriate to reflect the creation of the City Transportation Department.
2. Updates references to City and County ethics documents.
3. Adds language to permit BPAC to make recommendations to the elected boards on member appointments.
4. Adds language to indicate that the Joint City-County Planning Committee shall propose a resolution in the event that the City and the County cannot agree on sharing the cost of providing staff support for the commission.

Section VI of the Agreement states that the City Manager will annually submit to the County Manager a request that the county fund a portion of the staff costs to support the Commission. Under this provision, since 2010 the county has been contributing an amount which represents 12.5 percent of the salary/fringe of the Bicycle and Pedestrian Coordinator position. The cost share is based on an estimate that the Coordinator spends about 25 percent of position time supporting the Commission, and that the county and city split this cost 50/50.

Attachments: **Attachment A:** Interlocal Cooperation Agreement to Reauthorize the Durham Bicycle and Pedestrian Advisory Commission.

RESOURCE PERSONS: Dale McKeel, AICP, Bicycle and Pedestrian Coordinator

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board authorize the execution of an Interlocal Cooperation Agreement with the City of Durham to reauthorize the Durham Bicycle and Pedestrian Advisory Commission.

Attachments: [2015 BPAC Interlocal Agreement.pdf](#)

[15-459](#) Durham City-County Appearance Commission Annual Report for 2014

Agenda Text: The Board is requested to receive the Durham City-County Appearance Commission annual report.

ALIGNMENT WITH STRATEGIC PLAN: The Durham City-County Appearance Commission supports County Strategic Plan Goal 4, Environmental Stewardship, through enhancement and restoration of the appearance of our natural and built resources.

RESOURCE PERSONS: Tom Dawson, RLA, Planner, and Steven L. Medlin, AICP, Planning Director.

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board receive the Durham City-County Appearance Commission annual report.

Attachments: [BOCC AppearanceCommissionAnnualReportCoverSheet.docx](#)
[Final-DCCAC 2014AR.doc](#)
[DAC attendanceCurrent041515.pdf](#)

15-460 Proposed FY16 Planning Department Work Program

Agenda Text: The Board is requested to approve the Proposed FY16 Planning Department Work Program.

The Interlocal Cooperation Agreement between the City and County for merged planning functions charges the Planning Director with preparing and submitting to the Planning Commission and City and County Managers a work program and annual budget that must be forwarded to both governing bodies for approval. The proposed work program is structured on the Department receiving sufficient resources for 37 full time employees and operational overhead. Staff resources have been fully allocated for the tasks reflected in the proposed work program with no capacity to take on additional tasks without either revising the work program to modify tasks by either deleting existing tasks or changing expected outcomes/timelines.

ALIGNMENT WITH STRATEGIC PLAN: This request aligns with County Strategic Plan Goal Five, Accountable, Efficient and Visionary Government: An effective organization committed to the pursuit of excellence through collaborative leadership, exceptional customer service, innovations, transparency and fiscal responsibility.

RESOURCE PERSONS: Steven L. Medlin, Planning Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the Proposed FY16 Planning Department Work Program.

Attachments: [Proposed WP FY16 BOC Report.docx](#)
[Attachment 1 Planning WP FY16 Part A.docx](#)
[Attachment 2 Planning WP FY16 Part B.docx](#)
[Attachment 3 May 12- PC Written Comments Work Program.docx](#)

15-462 2014 Planning Commission Annual Report

Agenda Text: The Interlocal Agreement between the City of Durham and Durham County for requires that the Planning Commission submit an annual report to both governing bodies.

Attachment 1, 2014 Annual Report
Attachment 2, Cases Heard by the Planning Commission
Attachment 3, 2014 Attendance Report

ALIGNMENT WITH STRATEGIC PLAN: Staff finds the request to align with Goal Five, “Accountable, Efficient and Visionary Government”, of the strategic plan. Attached with the report is a list of all cases heard by the Planning Commission and the attendance of all members.

RESOURCE PERSONS: Scott Whiteman, AICP, Planning Supervisor

COUNTY MANAGER’S RECOMMENDATION: The Manager recommends that the Board accept the report.

Attachments: [CoverMemo_BOC.doc](#)
[2014 Annual Report.doc](#)
[2014pc_cASES.xlsx](#)
[2014 ATTENDANCE REPORT.xlsx](#)

15-463 Environmental Affairs Board Annual Report for 2014

Agenda Text: The Board is requested to receive the Durham Environmental Affairs Board annual report.

ALIGNMENT WITH STRATEGIC PLAN: The Durham Environmental Affairs Board supports County Strategic Plan Goal 4, Environmental Stewardship, through by providing environmental policy guidance and research.

RESOURCE PERSONS: Kathleen Snyder, Planner, and Steven L. Medlin, AICP, Planning Director.

COUNTY MANAGER’S RECOMMENDATION: The County Manager recommends that the Board receive the Durham Environmental Affairs Board annual report.

Attachments: [BOC cover memo.docx](#)
[2014 Staff Cover Memo county.docx](#)
[2014 EAB Annual Report.docx](#)
[eab2014 ATTENDANCE REPORT.pdf](#)

15-465 2014 Historic Preservation Commission Annual Report

Agenda Text: The Interlocal Agreement between the City of Durham and Durham County for requires that the Historic Preservation Commission submit an annual report to both governing bodies.

Attachment 1, Letter from Joe Fitzsimons, HPC Chair
Attachment 2, 2014 Historic Preservation Commission CLG Annual Report
Attachment 3, 2014 Historic Preservation Commission Attendance Report

ALIGNMENT WITH STRATEGIC PLAN: Staff finds the request to align with Goal Five, “Accountable, Efficient and Visionary Government”, of the strategic plan.

RESOURCE PERSONS: Lisa Miller, AICP, Senior Planner

COUNTY MANAGER’S RECOMMENDATION: The Manager recommends that the Board accept the report.

Attachments: [BOC Cover Memo HPC Annual Report.doc](#)
[CLG Cover letter Fitzsimons 2014.doc](#)
[CLG Report 2014.docx](#)
[HPC 2014 Attendance.pdf](#)

15-468 Durham Open Space and Trails Commission Annual Report

Agenda Text: The Board is requested to receive the Durham Open Space and Trail Commission annual report.

ALIGNMENT WITH STRATEGIC PLAN: The Durham Open Space and Trails Commission supports Goal 4, Environmental Stewardship, by protecting open space across the County and promoting natural places and alternative transportation choices.

RESOURCE PERSONS: Steven L. Medlin, AICP, Planning Director.

COUNTY MANAGER’S RECOMMENDATION: The County Manager recommends that the Board receive the Durham Open Space and Trails Commission annual report.

Attachments: [Staff Cover Memo.docx6.22.15 bocc.docx](#)
[BOCC cover memo from the chair DOST annual report 2014 june 22.Bocc 2015](#)
[DOST 2014 Annual Report.doc](#)
[DOST Accomplishments 2014.doc](#)
[DOST budget request 2015.doc](#)
[DOST Attendance 2014.doc](#)

[15-469](#) 2014 Board of Adjustment Annual Report

Agenda Text: The Interlocal Agreement between the City of Durham and Durham County for requires that the Board of Adjustment submit an annual report to both governing bodies.

Attachment 1, 2014 Annual Report
Attachment 2, Cases Heard by the Board of Adjustment
Attachment 3, 2014 Attendance Report

ALIGNMENT WITH STRATEGIC PLAN: Staff finds the request to align with Goal Five, “Accountable, Efficient and Visionary Government”, of the strategic plan. Attached with the report is a list of all cases heard by the Planning Commission and the attendance of all members.

RESOURCE PERSONS: Jacob Wiggins, Planner

COUNTY MANAGER’S RECOMMENDATION: The Manager recommends that the Board accept the report.

Attachments: [CoverMemo_forCoverMemo_DCC_2014.docx](#)
[2014 Annual Report.docx](#)
[2014 Cases heard by the Board of Adjustment.docx](#)
[2014 Attendance.pdf](#)

[15-476](#) Resolution Supporting NACo Initiative: Stepping Up National Initiative to Reduce Mental Illnesses in Jail Population

Agenda Text: The Board is requested to approve a resolution supporting an initiative launched last month by the National Association of Counties (NACo), the Council of State Governments (CSG) Justice Center, and the American Psychiatric Foundation (APF), in partnership with the U. S. Justice Department’s Bureau of Justice Assistance which aims to help counties reduce the number of people with mental illnesses in jail. The goal is to draw on the expertise and experiences of state and local policy makers, criminal justice and behavioral health professionals and to use best practices to address this critical issue.

ALIGNMENT WITH STRATEGIC PLAN: Strategic Plan Goal 2 Health and Wellbeing for All

RESOURCE PERSONS: Chairman Michael D. Page

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve the resolution and forward a copy to the National Association of Counties (NACo) as requested to join the list of counties supporting this effort.

Attachments: [Resolution - Stepping Up.doc](#)

[15-477](#)

Interlocal Agreement For Fire Services By And Between Chatham County And Durham County

Agenda Text:

The Board is requested to authorize the County Manager to execute this Interlocal Agreement to provide fire services to the State-approved district in Northern Chatham County previously serviced by Parkwood Volunteer Fire Department. Parkwood Volunteer Fire Department operations were assumed by Durham County effective June 1, 2015, creating the need for a new Interlocal Agreement for fire services provided now by the Durham County Fire & Rescue Department.

ALIGNMENT WITH STRATEGIC PLAN: This measure aligns with Goal 3: Safe and Secure Community.

RESOURCE PERSONS: Mark Schell, Interim Fire Marshal; Lee Worsley, Deputy County Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board authorize him to execute this Interlocal Agreement.

Attachments: [051315-FINAL DRAFT 05-07-15 DURHAM CHATHAM FIRE AND RESCUE PA](#)

[Exhibit 1 Parkwood Fire District with description.pdf](#)

[15-479](#)

Capital Project Amendment No. 15CPA000020- Appropriating \$375,000 of Public School Building Capital Fund Lottery Funds for the Githens Middle School Restroom Upgrade Capital Project (SH230)

Agenda Text:

The Board is requested to approve Capital Project Amendment No. 15CPA000020 appropriating \$375,000 of Public School Building Capital Fund allocated Lottery Funds to the Githens Middle School Restroom Upgrades - Repair Capital Project. The Public School Building Capital Fund provides capital funds for each Local Educational Agency. The Board of Education approved the application for the project at its regular meeting on August 28, 2014, totaling \$431,250. The initial Design Services funding portion of the project was approved by the Board of County Commissioners on November 24, 2014, totaling \$56,250. This capital project amendment will bring the total budget for this project to \$431,250.

In June 2015, the North Carolina Department of Public Instruction (NCDPI) completed a Repair (construction) phase fund transfer from the North Carolina Educational Lottery Fund, through the Public School Building Capital Fund

(PSBCF). These funds are designated to the Restroom Upgrades - Repair project at Githens Middle School in the amount of \$375,000. Repair funds are released once the designs have been submitted and approved by NC Department of Public Instruction.

ALIGNMENT WITH STRATEGIC PLAN: This capital project amendment aligns with **Goal 1-Community and Family Prosperity and Enrichment**, though providing access to educational, vocational, economic and cultural opportunities and by providing support for educational opportunities that ensure high academic achievement.

RESOURCE PERSONS: Hugh Osteen, DPS Deputy Superintendent of Operational Services; Jon Long, DPS Executive Director, Construction & Capital Planning

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Capital Project Amendment No. 15CPA000020 appropriating \$375,000 of Public School Building Capital Fund allocated Lottery Funds to the Githens Middle School Restroom Upgrades - Repair Capital Project. This capital project amendment will bring the total budget for this project to \$431,250.

Sponsors: Lane

Attachments: [CPA-20 Legal Form DPS Lottery Funds for Githens Middle School Restroom Up](#)

[15-483](#)

Approving FY 2015-2016 Contracts for Fire And Rescue Services

Agenda Text:

The Board is requested to authorize the Durham County Manager to execute annual contracts with Redwood Volunteer Fire Department, Inc., Bahama Volunteer Fire Department, Inc, and Eno Fire and Emergency Services, Inc. to provide fire and rescue services in their respective districts within the County of Durham.

The Contract for Fire and Rescue Services is renewed annually, becoming effective July 1 each year, and is the instrument through which the fire departments provide services and are funded through the collection of fire tax revenues. The contracts have not changed substantially from last year. The remaining contracts from Lebanon and New Hope will be brought to the Board on June 22, 2015.

ALIGNMENT WITH STRATEGIC PLAN: The Contracts for Fire and Rescue Services provide for the ongoing provision of emergency services in alignment with Strategic Plan Goal 3: Safe and Secure Community.

RESOURCE PERSONS: Mark Schell, Interim Fire Marshal; Lee Worsley, Deputy County Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager

recommends that the Board authorize the Manager to execute Contracts for Fire and Rescue Services with Bahama Volunteer Fire Department, Inc., Redwood Volunteer Fire Department, Inc. and Eno Volunteer Fire Department, Inc.

Attachments: [Redwood-Contract.pdf](#)
[Bahama-Contract.pdf](#)
[Eno-Contract\(2\).pdf](#)

15-484 Adoption of the Joint City-County Economic Development Strategic Plan

Agenda Text: The Board is requested to adopt the proposed Joint City-County Economic Development Strategic Plan. The Plan was adopted by the City on March 16, 2015.

Discussions related to the development of a Joint City-County Economic Development Plan began between the City and County in late 2011. These conversations included public and private stakeholders to address:

- Coordination of City and County goals, strategies and processes to support a business and employment climate that encourages development;
- Collaboration between for-profit businesses, non-profit organizations, higher education institutions, and state and federal agencies in development planning while leveraging public funds with private-investor funding to encourage development projects that support City and County goals; and
- Recognition of the labor, residential and commercial markets that will be key determinants of location, expansion, preservation and business retention.

The proposed Plan sets forth strategies and goals designed to create a more transparent and efficient system for planning and implementing joint economic development strategies.

ALIGNMENT WITH STRATEGIC PLAN: This Plan aligns with Goal 1: Community and Family Prosperity and Enrichment by supporting economic development, and with Goal 5: Accountable, Efficient and Visionary Government by aligning efforts with the City of Durham for efficient management of resources.

RESOURCE PERSONS: Marqueta Welton, Deputy County Manager; Drew Cummings, Assistant County Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board adopt the proposed Joint City-County Economic Development Strategic Plan.

15-489 Budget Ordinance Amendment No. 15BCC000066 Appropriating \$5,100,000 of Enterprise Fund Fund Balance to a New Capital Project and Capital Project Amendment No. 15CPA0000021 Creating a New Created Wastewater Treatment Land Purchase Capital Project (SE052)

With a Budget of \$5,100,000, and authorization to purchase 6001 NC 55 Hwy, 451 TW Alexander Drive, and 6026 S. Alston Avenue

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No.15BCC000066 appropriating \$5,100,000 of Enterprise Fund fund balance to a new capital project and Capital Project Amendment No. 15CPA000021 creating a new Wastewater Treatment Land Purchase capital project with a budget of \$5,100,000 to support future wastewater treatment plant improvements. These funds will be used to support land acquisition, industrial waste surveys, and related alternative analyses.

The Board is also requested to approve the purchase of 40.37 acres of land owned by 55 Alexander Associates at 6001 NC 55 Hwy, 451 TW Alexander Drive, and 6026 S. Alston Avenue for \$5 million dollars as part of this project (parcel IDs: #151280, 154065, and 154066). Necessary expansions of the Triangle Waste Water Treatment Plant (TWWTP) may be limited in the future due to its location in the floodplain and little room for expansion. For long term economic growth and TWWTP operations, securing additional land and expansion potential outside of the floodplain is critical. The proposed acquisition is located across the street from the plant, and will provide long term expansion capacity for the TWWTP outside the floodplain. The owner has agreed to the proposed purchase price, with a closing date no later than July 10th. Funds for the purchase will be taken from the utility enterprise fund as described above, and there will be no impact on the general fund.

ALIGNMENT WITH STRATEGIC PLAN: Improvements to the TWWTP support the economic development objectives of Goal 1: "Community and Family Prosperity and Enrichment," Goal 4: "Environmental Stewardship," as well as Goal 5: "Accountable and Efficient and Visionary Government", by ensuring the County has made the strategic investments necessary to secure adequate land for future TWWTP operations.

RESOURCE PERSONS: Jay Gibson, PE, Director of Engineering and Environmental Services; Jane Korest, Open Space and Real Estate Manager; Joe Pearce, P.E., Utility Division Manager; Ted Credle PE, Project Manager; and Keith Lane, Senior Budget Analyst

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No.15BCC000066 appropriating \$5,100,000 of Enterprise Fund fund balance to a new capital project and Capital Project Amendment No. 15CPA000021 creating a new Wastewater Treatment Land Purchase capital project with a budget of \$5,100,000 to support future wastewater treatment plant improvements.; and that the Board also authorize the Manager to execute a contract for the purchase of 6001 NC 55 Hwy, 451 TW Alexander Drive, and 6026 S. Alston Avenue for \$5 million dollars and to execute any necessary documents related to the purchase.

Attachments:

AAF-66 Legal Form Enterprise Fund Fund Balance Appropriation to Purchase V
CPA-21 Legal Form Enterprise Fund Fund Balance Appropriation to Purchase V

6. Public Hearings

[15-478](#)

Public Hearing on the FY 2015-16 Recommended Budget

Agenda Text: The Board is requested to conduct a public hearing to receive citizen input on the FY 2015-16 Recommended Budget. To be able to hear from all interested citizens, the Commissioners usually set a time limit of three minutes for each speaker; however, the time limit may be adjusted at the discretion of Chairman Page.

ALIGNMENT WITH STRATEGIC PLAN: Public hearings align with Goal 5 of Accountable, Efficient and Visionary Government and the objective of fostering informed public engagement.

RESOURCE PERSONS: Claudia Hager, Budget Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board conduct a public hearing to receive citizen input on the FY 2015-16 recommended budget and consider the received comments in the deliberations prior to finalization of the budget.

[15-434](#)

Public Hearing and Resolution - Creation of Durham County Fire and Rescue Service District and Abolishment of Bethesda Fire and Rescue Service Tax District

Agenda Text: The Board is requested to hold a Public Hearing regarding the creation of the Durham County Fire and Rescue Service District and the abolition of the Bethesda Fire and Rescue Service Tax District. The creation of the Durham County Fire Service District is related to the County providing the fire and rescue services for the Parkwood Fire and Rescue District and ongoing work to merge Bethesda and Parkwood Fire and Rescue Districts into a single, County-operated Durham County Fire and Rescue District with a single fire tax district. Fire and rescue services in the new district will be provided by a merged Durham County Fire and Rescue Department, which will be part of the Fire Marshal's Department.

Durham County chooses to provide fire, rescue and medical first response protection in the unincorporated areas of Durham County through a combination of its own employees (Bethesda, Parkwood and partially Lebanon) and through contracts with a number of non-profit fire departments (Bahama, Eno, Lebanon, New Hope and Redwood). In order to fund the operations of the fire departments, the County has established Rural Fire Protection Tax Districts, authorized under N.C.G.S. Chapter 69, Article 3A, and County Fire and Rescue Service Districts authorized under N.C.G.S. Chapter 153A, Article 16. The Board of County Commissioners is responsible for setting the tax rates in these Districts, and the funds are collected and reported in special revenue funds and are restricted by State statute to only be used for fire/medical first response activities in the respective Districts. The fire/medical first response service can be provided directly by the County, contracted to a non-profit fire department, or contracted to a municipality with a fire department.

In 2013, the County assumed operations of The Bethesda Volunteer Fire

Company Inc. which was formed in 1964 and provided fire, rescue and medical first response services within the Bethesda Rural Fire Protection Tax District, pursuant to a service contract with Durham County and effective July 1, 2013, the County began providing the services for this District. A step in this assumption process was that the Board of Commissioners established the Bethesda Fire and Rescue Service District. This Service District, established in July 2013, overlaid the Bethesda Rural Fire District.

The Parkwood Volunteer Fire Department Inc. was formed in 1968 and currently provides fire, rescue, medical first response and formerly provided Advance Life Support EMS services within the Parkwood Rural Fire Protection Tax District. In November 2014, the Parkwood Fire Department Board of Directors requested that Durham County assume the full time employees and operations of Parkwood Volunteer Fire Department Inc.

In March 2015, full time employees of Parkwood Volunteer Fire Department Inc. became employees of Durham County. The County is working toward assuming all capital assets of Parkwood Volunteer Fire Department prior to fiscal year end with the County to begin providing the services effective July 1, 2015.

In order to most effectively provide fire, rescue and medical first response services to unincorporated areas of southern Durham and the Research Triangle Park, Bethesda and Parkwood Fire Districts will be merged into a single Durham County Fire and Rescue District which will be operated and reported as a Division of the Fire Marshal's Office. In order to most effectively collect and pay for these services, a new Durham County Fire and Rescue Tax District needs to be established. For this to take place, the existing Bethesda Fire and Rescue Service District must be abolished and the newly created district will be overlaid on top of the existing Parkwood Rural Fire Tax District.

These actions accomplish several Durham County Strategic Plan objectives within Goal 3, Safe and Secure Communities. Objective 3 states "Improve coordination within public safety and criminal justice system" and Objective 5 states "Enhance capacity to respond to emergencies." Further, the Durham County Fire Study, adopted by the Board in February 2014 contained the following recommendation:

Recommendation 58 - Consolidate Bethesda and Parkwood Fire Departments into a single (suburban) Fire Service District.

A map outlining the proposed Durham County Fire and Rescue Service District is attached as Appendix 1.

In order to begin moving forward, the Board of County Commissioners will need to consider the creation of a County Fire and Rescue Service District and the abolishment of the Bethesda Fire and Rescue Service District, under N.C.G.S. Chapter 153A, Article 16. As required by State law, notice of the Public Hearing for both the creation of the new service district and the abolition

of the current Bethesda Fire and Rescue Service District was sent to all property owners in the proposed district (Appendix 2). Additionally, as required by State law, a report regarding the impact of the new Fire and Rescue Service Tax District was prepared, and placed, in the Clerk to the Board's Office (Appendix 3). Notice of the Public Hearing for both the creation of the New Fire and Rescue Service District and the abolishment of the Bethesda Fire and Rescue Service District was also duly published in accordance with applicable law.

After conclusion of the Public Hearing for both, the Board is asked to consider two Resolutions, which are attached. The first Resolution will create the Durham County Fire and Rescue Service Tax District (Appendix 4) and the second Resolution will abolish the Bethesda Fire and Rescue Service District (Appendix 5). As part of the County Manager's Recommended Budget, a tax rate of \$0.13 has been recommended for the new Durham County Fire and Rescue Service Tax District. Because the Parkwood Rural Fire Tax District was established by a vote of its residents, it can't be abolished by the Board of County Commissioners. As a result, the tax rate for the Parkwood Rural Fire Tax District is recommended to be set a \$0.00.

ALIGNMENT WITH STRATEGIC PLAN: Goal 3. Safe and Secure Community

RESOURCE PERSONS: Lee Worsley, Deputy County Manager; Mark Schell, Interim Fire Marshal; Kathy Everett-Perry, Senior Assistant County Attorney

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board hold a Public Hearing regarding the creation of the Durham County Fire and Rescue Service District and the abolishment of the Bethesda Fire and Rescue Service District. Following the Public Hearing for both, the County Manager recommends that the Board approve the attached Resolution abolishing the Bethesda Fire and Rescue Service District, effective June 30, 2015, and the attached Resolution creating the Durham County Fire and Rescue Service District, effective July 1, 2015.

Attachments:

[Appendix 1 - District Map](#)

[Appendix 2 - Public Notice - Durham County Fire and Rescue Service District](#)

[Appendix 3 - Report](#)

[Appendix 4 - Resoluion Creating Durham County Fire and Rescue Service Dist](#)

[Appendix 5 - Resolution Abolishing Bethesda Fire District](#)

7. ITEMS PULLED FROM CONSENT AGENDA (20 min)

8. Closed Session

[15-455](#)

Closed Session

Agenda Text:

The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

ALIGNMENT WITH STRATEGIC PLAN: This discussion aligns with Goal 1: Community and Family Prosperity and Enrichment.

RESOURCE PERSONS: Marqueta Welton, Deputy County Manager

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.

9. Adjournment