



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

## Durham County

### Meeting Minutes

### Board of County Commissioners

Monday, August 13, 2018

Commissioners' Chambers

#### Closed Session (To be held at: 4:30 pm)

Chair Jacobs stated the Board was requested to adjourn into Closed Session for the following:

To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session per G.S.143-318.11(a)(6).

Commissioner Carter moved, seconded by Commissioner Reckhow to adjourn into Closed Session.

The motion carried unanimously.

#### Reconvene to Open Session

Chair Jacobs stated the Board requested to reconvene into Open Session.

#### 7:00 pm Regular Session

#### Opening of Regular Session - Pledge of Allegiance

#### Agenda Adjustments

Chair Jacobs announced that Commissioner Howerton was excused from the August 13, 2018 Regular Session meeting.

#### Announcements

Chair Jacobs read the following announcements:

1. **New Youth GoPass** puts the free in freedom for Triangle teens - August 6, 2018 is Independence Day for Triangle teens and their parents or guardians. That's when those ages 13 to 18 can start using a free Youth GoPass to explore a three-county world of malls, museums, jobs and schools – with a bus operator doing the driving.

Rides on all GoRaleigh, GoCary, GoDurham and GoTriangle routes will be free to teens with a Youth GoPass, available at several locations including Wake and Durham public libraries, Raleigh Parks and Recreation community centers and transit agency ticket counters. Children 12 and under accompanied by an adult now can ride free on any bus with no pass. Chapel Hill Transit buses already are free for all riders.

Information about how to get a Youth GoPass, including a list of distribution sites, is available at [YouthGoPass.com](http://YouthGoPass.com).

2. Durham County Employees' is conducting a **Food Drive** to benefit the Urban Ministries of Durham during the month of August. For more info contact Sheila Joyce at 919-560-0660.

**DROP OFF LOCATIONS:**

**HHS Building**

Main Lobby  
Employee Entrance (Queen & Main)

**Admin Complex**

Main Lobby  
Employee Entrance (Loading Dock)

**Courthouse**

Main Lobby  
Basement

3. **Durham Seeks Input on Zoning Changes to Expand Housing Choices.** Fast-paced population growth, limited availability of developable tracts and a renewed preference for in-town living has led to a housing availability and affordability challenge for Durham. To address this issue, the Durham City-County Planning Department is now seeking input on changes that are needed to Durham's existing zoning rules to help eliminate regulatory barriers and expand housing options.

The deadline to complete the online survey is August 15, 2018. For more information about this project, contact Jacobson at (919) 560-4137, ext. 28247 or by email at [Hannah.Jacobson@DurhamNC.gov](mailto:Hannah.Jacobson@DurhamNC.gov).

4. N.C. 98 Corridor Study: You are invited to provide your comments on the draft plan for the N.C. 98 Corridor Study. The Board of the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) released the draft plan on August 8th for a 30-day public comment period. The Board will conduct a public hearing and approve the draft plan at their meeting on September 12. The public can provide comments at the hearing or submit comments on the website at: [nc98corridor.com/get\\_involved/comments](http://nc98corridor.com/get_involved/comments).

**Public Hearing**

Wednesday, September 12, 2018  
9:00AM  
Committee Room in Durham City Hall  
101 City Hall Plaza

Durham, NC 27701

The N.C. 98 Corridor Study is 27-miles long, extending from U.S. 70 in Durham County through Wake County to U.S. 401 in Franklin County, North Carolina. This project evaluated safety and congestion, planned and existing roads, bicycle/pedestrian facilities and transit use of N.C. 98 to create short- and long-term recommendations to improve multimodal travel in the corridor. The draft plan is available at the Web site above.

Persons who speak Spanish and do not speak English, or have a limited ability to read, speak or understand English, may receive interpretive services upon request prior to the meeting by calling 704-342-5419.

Aquellas personas que hablan español y no hablan inglés, o tienen limitaciones para leer, hablar o entender inglés, podrían recibir servicios de interpretación si los solicitan antes de la reunión llamando al 919-560-4366, extension 36419.

**Directive: The Board requested that the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) provide an update at the September 4, 2018 Work Session meeting.**

## **Minutes**

Vice Chair Hill moved, seconded by Commissioner Reckhow to approve the May 7, 2018 and the June 4, 2018 Work Session minutes.

The motion carried unanimously.

## **Ceremonial Items**

### **Recognition that the Information Services and Technology Department has Received a National Association of Counties Award for an Innovative Program that Modernizes County Government and Increase Services to County Residents**

Greg Marrow, Chief Information Officer explained that a survey was conducted to identify the best technology practices and delivery of government services. He added receiving the award showcased innovation within the County. Mr. Marrow introduced his staff that were present and thanked the Commissioners for the recognition.

Chair Jacobs read the plaque and thanked the team for their hard work.

Commissioner Reckhow also thanked the staff for their hard work and added she would like to see the Information Services and Technology Department (IS&T) become more engaged in the analysis of the jail population.

Lowell Siler, County Attorney stated IT&S was also working on other initiatives in areas outside of the court system to make the County work more effective and efficient.

## **Consent Agenda**

Chair Jacobs asked the Board if they requested to pull or comment on any items on the Consent Agenda. Hearing none, Chair Jacobs entertained a motion for approval.

Commissioner Reckhow moved, seconded by Commissioner Carter to approve the following items on the Consent Agenda.

\*18-0870 Budget Ordinance Amendment No. 19BCC000001 - Recognize Durham County Library Grant Revenue: "Library Services and Technology Act (LSTA) Practicing Inclusivity"

18-0879 Presentation of Durham County Library and Durham Public Schools Library Card Initiative

18-0887 Approval of Contract with Made in Durham

\*18-0902 Budget Ordinance Amendment 19BCC000003 - Sheriff's Office Acceptance of \$172,746 from the 2017 Edward J. Byrne Memorial Justice Grant (JAG) program

18-0906 Security Services Contract Amendment 3

\*18-0908 Budget Ordinance Amendment No. 19BCC000004 - Recognize Durham County Library Grant Revenue: "National Institutes of Health (NIH) - All of Us Durham"

\*18-0917 Budget Ordinance Amendment No. 19BCC000002: Appropriate Unspent Funds Allocated in Fiscal Year 2017-18 into the Fiscal Year 2018-19 to recognize unspent UNC SoG and NC LGISA Award Funds that were awarded to the Information Services and Technology Department for Demonstrating World-Class IT Effectiveness for the Court Reminder App with Criminal Justice Resource Center (CJRC)

18-0924 Award of Chemical Purchase Contracts for the Triangle Wastewater Treatment Plant, Invitation for Bid (IFB) 18-042

18-0925 Award of Services Contract for Sewer Line Cleaning, Video, and Pump and Haul Services for the Durham County Triangle Wastewater Treatment Plant, Request for Proposal (RFP) 18-035

18-0927 Design Services Amendment for the Triangle Wastewater Treatment Plant Efficiency and Resiliency Improvements Project (RFQ 17-012)

\*18-0930 Budget Ordinance Amendment No. 19BCC000006 New Hope Fire Tax District Fund Balance Distribution Request of \$40,000

\*18-0931 Capital Project Amendment No. 19CPA000002 - Transfer the remaining balance of the Major Laserfiche Upgrade Capital Project to Create a new Audio-Visual/Systems Life Cycle Replacement Project and Close the Major Laserfiche Upgrade Project (4200DC102)

18-0935 Approval of Resolution for Limited Obligation Bonds and Certain Related Documents Pursuant to G.S. 160A-20

18-0938 Machinery and Equipment Repair Contract Amendment with Pete Duty and Associates

18-0939 Request Approval of a Service Agreement with Hagerty Consulting, Inc. for \$229,033 to Develop a Complex Coordinated Terrorist Attack (CCTA) Regional Coordination Plan.

18-0940 Service Contract with Durham Literacy Center

18-0941 Additional Funding for Repair and Maintenance of Fire Apparatus

18-0942 Service Contract with Animal Protection Society of Durham, Inc.

\*18-0943 Budget Ordinance Amendment No. 19BCC000005 to Appropriate \$1,471,403 of Capital Financing Fund fund balance and transfer the funds to the Pay As You Go Fund and Capital Project Amendment No. 19CPA000003 to create the Durham Memorial Stadium Capital Improvement Project to Support USA Track and Field (\$1,471,403)

\*18-0946 Budget Ordinance Amendment No. 19BCC000007 to Appropriate \$4,000,000 of Capital Financing Plan Fund fund balance and transfer the funds to the Pay As You Go Fund and Capital Project Amendment No. 19CPA000004 to Amend the Durham Technical Community College (DTCC) Newton Building Capital Project

18-0952 Acceptance of Federal Aviation Administration (FAA) Grant Offer to Raleigh-Durham Airport Authority

18-0953 Removal of Citizen Board Member Due to Poor Attendance

\*18-0959 Budget Ordinance Amendment No. 19BCC000009 to Recognize \$175,000 in Economic Development Funds to AveXis

\*18-0960 Budget Ordinance Amendment No. 19BCC000010 to Recognize \$220,000 in Economic Development Funds to LabCorp

\*18-0961 Budget Ordinance Amendment No. 19BCC000011 to Recognize \$50,000 in Economic Development Funds to Sensus USA, Inc.

18-0966 Appointment - Lincoln Community Health Center Board

18-0967 Appointment - Homeless Services Advisory Committee

**Note: (\*) indicates the actual Consent Item listed below**

The motion carried unanimously.

Consent Agenda Item #18-0870

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC0000001**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<b><u>GENERAL FUND</u></b>			
Intergovernmental	\$44,948,614	\$95,735	\$45,044,349

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Cultural and Recreation	\$12,952,703	\$95,735	\$13,048,438

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

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Consent Agenda Item #18-0902

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC0000003**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$45,044,349	\$172,746	\$45,217,095

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$62,375,410	\$172,746	\$62,548,156

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

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Consent Agenda Item #18-0908

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC0000004**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$45,217,095	\$64,560	\$45,281,655

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Cultural and Recreation	\$13,048,438	\$64,560	\$13,112,998

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

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Consent Agenda Item #18-0917

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC000002**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Other Financing Sources	\$23,355,367	\$8,164	\$23,363,531

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$115,885,679	\$3,164	\$115,888,843
Public Safety	\$62,370,410	\$5,000	\$62,375,410

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

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Consent Agenda Item #18-0930

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC000006**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>SPECIAL REVENUE FUNDS</u>			
Other Financing Sources	\$2,249,391	\$40,000	\$2,289,391

Expenditures:

<u>Function</u>			
<u>SPECIAL REVENUE FUNDS</u>			
Public Safety	\$7,473,068	\$40,000	\$7,513,068

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

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Consent Agenda Item #18-0931

**Durham County, North Carolina  
2018-2019 Capital Project Ordinance  
Amendment Number 19CPA000002**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2018-19 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

<b>Project</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
Major Laserfishe Upgrade Project (4200DC0102)	\$430,000	(\$293,231.62)	\$136,768.38
Audio-Visual/Technology Life Cycle Replacement Project - Ongoing (4200DC107)	\$0	\$293,231.62	\$293,231.62

Adopted this the 13<sup>th</sup> day of August 2018.

Consent Agenda Item #18-0943

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC0000005**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>CAPITAL FINANCING FUND</u>			
Other Financing Sources	\$38,919,655	\$1,471,403	\$40,391,058

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>CAPITAL FINANCING FUND</u>			
General Government	\$75,397,976	\$1,471,403	\$76,869,379

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

Consent Agenda Item #18-0946

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC0000007**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget



ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>CAPITAL FINANCING FUND</u>			
Other Financing Sources	\$40,391,058	\$4,000,000	\$44,391,058

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>CAPITAL FINANCING FUND</u>			
General Government	\$76,869,379	\$4,000,000	\$80,869,379

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

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**DURHAM COUNTY, NORTH CAROLINA  
2018-19 Capital Project Ordinance  
Amendment Number 19CPA000004**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2018-19 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

<b>Project</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
DTCC Newton Building Project (5920CC012)	\$18,000,000	\$4,000,000	\$22,000,000

Adopted this the 13<sup>th</sup> day of August 2018.

Consent Agenda Item #18-0959

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC0000009**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Contributions & Donations	\$65,093	\$175,000	\$240,093

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Economic and Physical	\$7,204,000	\$175,000	\$7,379,000

Development

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

Consent Agenda Item #18-0960

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC000010**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Contributions & Donations	\$240,093	\$220,000	\$406,093

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Economic and Physical Development	\$7,379,000	\$220,000	\$7,599,000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

Consent Agenda Item #18-0961

**Durham County, North Carolina  
2018-2019 Budget Ordinance  
Amendment Number 19BCC000011**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2018-2019 budget ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Contributions and Donations	\$460,093	\$50,000	\$510,093

Expenditures:

<u>Function</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Economic and Physical Development	\$7,599,000	\$50,000	\$7,649,000

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 13<sup>th</sup> day of August 2018

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The Board highlighted great initiatives taking place between the Durham County Library System and Durham Public Schools (DPS). They stated all students would automatically receive a library card tied to their student identification number. It was also stated that a grant was received to create a multi-sensory room in the Main Library for students with learning disabilities. The Board hoped that schools would do more outreach with parents to ensure that students were signed up to receive these excellent benefits.

The Board also commented on the expanded contract with the Durham Literacy Center stating there would be a full-time person employed to work on the General Education Development (GED) program.

They also highlighted the Life Skill Program which currently had 81 students enrolled.

**Directive: The Board asked that the County highlight the Main Library and DPS initiative on Education Channel 4 for the public.**

## **New Business**

### **Administrative Interpretation of Falls/Jordan Watershed Protection Overlay District**

Jacob Wiggins, Senior Planner stated the Board was requested to remove property located at 2801 Olive Branch Road from the Falls-Jordan Protection Overlay (F/J-B) district. He reviewed the case study and shared a presentation with the Board which highlighted the following:

- Case Summary (applicant information, jurisdiction and request)
- Case History (outline of events dated from May 2018 – August 2018)
- Context Map

Chair Jacobs asked the Board if they had any questions for Mr. Wiggins. Hearing none, she entertained a motion.

Commissioner Reckhow moved, seconded by Commissioner Carter to approve the map change.

The motion carried unanimously.

## **Public Hearings**

### **Public Hearing: Zoning Map Change Colvard Farms Phase 12**

Jacob Wiggins, Senior Planner stated the Board was requested to conduct a public hearing and consider two motions for this item. He reviewed the case study and shared a presentation with the Board which highlighted the following:

- Case Summary (applicant information, jurisdiction, rezoning request, proposal and site acreage)
- Area Map, Photos and Zoning Context, Future Land Use Map and Proposed Conditions
- RS-20 Zoning District Dimensional Standards

- Summary of Key Committed Elements
- Comprehensive Plan Policies
- Staff Determination

The Board thanked staff for listening to their input. They questioned how much of Colvard Farms was in Durham County. The applicant responded phases 8-12 were all located in the County. Mr. Wiggins also stated there was no negative feedback received from any citizens. The Board asked if the land on the future land use map would be reconciled at some point. Patrick Young, Planning Director responded only if there were future plans agreed on by both the City and County officials. The Board inquired about the staff report noting school donations. Mr. Young responded the report was inaccurate and was no longer apart of the rezoning.

Chair Jacobs opened the public hearing. No one was signed up to speak, the public hearing was closed and Chair Jacobs entertained a motion.

**First Motion:**

Commissioner Carter moved, seconded by Vice Chair Hill to adopt the Consistency Statement as required by NCGS 153A-341.

The motion carried unanimously.

**Second Motion:**

Commissioner Reckhow moved, seconded by Commissioner Carter to adopt an ordinance amending the Unified Development Ordinance and the Durham Zoning Atlas by taking the described property out of the Residential Rural (RR) Zoning District and establishing the same as Residential Suburban-20 (RS-20(D)).

The motion carried unanimously.

**Adjournment**

Commissioner Reckhow moved, seconded by Commissioner Carter to adjourn the Regular Session meeting.

The motion carried unanimously.

Respectfully Submitted,



Monica W. Toomer  
Deputy Clerk to the Board