

**THE BOARD OF COUNTY COMMISSIONERS  
DURHAM, NORTH CAROLINA**

Monday, June 3, 2013

9:00 A.M. Worksession

**AGENDA**

**1. Citizen Comments (30 min)**

- 1) The Board of County Commissioners will provide a 30-minute comment period at the beginning of its Worksession meeting on the first Monday of each month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the Worksession to allow an opportunity for research prior to the meeting. **All speakers shall have three minutes to speak and are requested to refrain from addressing issues related to personnel matters.**

**Resource Person(s):** Michelle Parker-Evans, Clerk to the Board

**County Manager's Recommendation:** The Manager recommends that the Board receive citizen comments and direct staff to respond, as deemed appropriate.

**2. Request for Increase in the Number of Adult Care Home Community Advisory Committee Volunteer Positions (10 min)**

- 1) The Board is requested to increase the number of Durham County Adult Care Home Community Advisory Committee volunteers from the current 13 positions to 20 positions.
- 2) This request is based on provisions of GS § 131D-31. Adult care home community advisory committees.
- 3) Presently, there are 13 adult care homes with 10 or more beds in Durham County. Bringing the number of volunteers to 15 will meet the § 131D-31 provisions. Further, at the discretion of the Board, five additional members may be appointed.
- 4) Approval of this request will greatly strengthen the Committee's ability to advocate for enhancements in each adult care home resident's quality of care and quality of life. In addition, this will also provide assistance to the Committee in promoting community involvement with the adult care homes and their residents as well as community education and awareness of the needs of the residents.

**Resource Persons:** Carmelita Karhoff, Long Term Care Ombudsman

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation increasing the number of Durham County Adult Care Home Community

Advisory Committee volunteers from the current 13 positions to 20 positions. This item will be placed on the June 10, 2013 agenda for action.

**3. Request from Partnership for Durham Seniors (20 min)**

- 1) The Partnership for Durham Seniors is requesting \$20,000 from the County to support the creation of a new position to work with Durham Partnership for Seniors and partners in the disability services community to build upon the work of these groups and to create a Durham-based CRC (Community Resource Connection) for seniors and adults with disabilities. The position, if approved by the Board of County Commissioners will be located in the Public Health Department and will be a contract employee of Triangle J Area Agency on Aging.

**Resource Persons:** Joan Pellettier; Senior PharmAssist

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation and approve the request.

**4. Durham Public Schools – Surplus of Morris Street Facility (20 min)**

- 1) The Board is requested to hear a presentation regarding property owned by Durham Public Schools that was declared surplus by the Board of Education on May 23, 2013. The property is located at 301 and 302 Morris Street. Pursuant to N.C. Gen. Stat. 115C-518, the Board of County Commissioners is afforded a right of first refusal on the property. The Board may purchase the property at fair market value or a negotiated price, or waive its right. If waived, the Board of Education may dispose of the properties according to applicable law.
- 2) The Manager does not recommend purchasing the properties as the County has no foreseeable need for either property. Additional information regarding the properties is attached.

**Resource Person(S):** Hugh Osteen, Chief Operations Officer

**County Manager's Recommendation:** The Manager recommends that the Board hear the presentation and place the item on the next consent agenda for a formal declaration of their decision to waive their right to purchase the property.

**5. Village of Rougemont Plan Recommendations (20 min)**

- 1) Receive the report and direct the Planning Department to prepare:
  - 1) An amendment to the Future Land Use Map of the Durham Comprehensive Plan to refine the location of the Rougemont commercial area; and
  - 2) An amendment to the Durham Unified Development Ordinance related to impervious surface limits and minimum lot size in Rougemont.
- 2) The memo includes:

Attachment 1: Future Land Use Map Recommendations

Attachment 2: Unified Development Ordinance Recommendations

**Resource Persons:** Laura D. Woods, Senior Planner.

**County Manager's Recommendation:** The County Manager recommends that the Board accept the report and provide appropriate direction.

**6. Durham County Coordinated Public Transit – Human Service Transportation Plan Approval (15 min)**

- 1) The Board is requested to receive a presentation on, and approve the Durham County Coordinated Public Transit – Human Service Transportation Plan.
- 2) Federal transportation law requires that projects selected for funding under the Section 5310 (Elderly Individuals and Individuals with Disabilities), Section 5316 (Job Access/Reverse Commute) and Section 5317 (New Freedom) funding programs be derived from a locally coordinated human service and public transit plan that: identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes; provides strategies for meeting those local needs; and prioritizes those transportation services for funding and implementation.
- 3) The Durham County Coordinated Public Transit - Human Service Transportation Plan 2013 was developed by Durham County Coordinated Transportation with guidance from the NC Department of Transportation (NCDOT) staff. A local coordinated plan steering committee, following federal and state guidance for the development of locally coordinated plans, included the following elements in the planning process and plan:
  - Current demographics of Durham County including population of persons who are elderly, have a disability or are considered low wealth
  - Inventory of human service transportation providers in Durham County
  - Community survey to determine human service transportation needs and strategies to meet those needs
  - Workshop to identify and prioritize human service transportation needs and strategies.
- 4) On May 14, 2012, members of the Durham County Transportation Advisory Board recommended the plan be presented to the BOCC for formal approval. The NCDOT Public Transportation Division staff has acknowledged the plan meets all requirements and will accept the plan as final after it is approved by the BOCC. An approved plan will provide eligible applicants within Durham County the supporting documentation necessary to access funding through sections 5310, 5316 and 5317 grants administered by the NCDOT beginning in FY2014 for projects included in the plan. For this funding cycle, Durham County Coordinated Transportation submitted a Section 5310 grant application to NCDOT for \$464,188 to provide capped or free transportation for residents of Durham County who are elderly or have a disability. On December 10, 2012, the BOCC held a public hearing on the Section 5310 grant application and approved the submission of the grant to the NCDOT.

**Resource Persons:** Margaret Scully, Mobility Manager, Cooperative Extension, Delphine Sellars, County Extension Director

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation, approve the Durham County Coordinated Public Transit – Human Service Transportation Plan and place this item on the BOCC June 10, 2013 Consent Agenda.

**7. Consideration of Concord Hospitality Enterprises Company Request for Support for a Marriott Residence Inn (10 min)**

- 1) On May 6, 2013, the Board considered a request from Concord Hospitality Enterprises Company for financial support of its Marriott Residence Inn project located at 1108 West Main Street. The Board requested additional financial information from Concord for further consideration at its June 3, 2013 work session.

**Resource Persons:** Marqueta Welton, Deputy County Manager; Carol Hammett, Deputy County Attorney; George Quick, Finance Director

**County Manager's Recommendation:** The County Manager recommends that the Board not provide financial support for this project.

**8. Recommendation To Amend the Animal Ordinance to Repeal the Animal Tax (20 min)**

- 1) The Board is requested to consider the repeal of the animal tax. Currently the Ordinance indicates that a tax will be assessed for each animal that is listed with the Tax Assessor and taxed as follows: Altered Animals \$10.00, Un-altered \$75.00. A review of the tax assessment process and the rabies vaccination certificates indicate the tax discourages citizens from vaccination of their animals.
- 2) Based on the review it is recommended that the Board amend the ordinance and repeal the tax for animals in Durham County.

**Resource Persons:** Kimberly Simpson, Tax Administrator, Lt. Will Oakley, Sgt. B, Hartigan; and Gail Harris, Public Health Director

**County Manager's Recommendation:** The County Manager recommends that the Board consider the repeal of the Animal Tax.

**9. Budget Ordinance Amendment No. 13BCC000082 Public Health: Recognize Grant Funds in the Amount of \$28,085 from the NC Department of Health and Human Services Division of Public Health for the Health Education Division (10 min)**

- 1) The Board is requested to approve Budget Ordinance Amendment No. 13BCC000082 to recognize funds in the amount of \$24,085 from the NC Department of Health and Human Services Division of Public Health Women's Health Branch. Funds will be used to convene two listening sessions for the purpose of (1) gathering feedback on the health disparity; (2) soliciting input into the update of the NC Preconception Health Strategic

Plan; and (3) gathering input on issues salient to the health and well-being of African Americans, especially related to preconception health. Funds will be used as follows:

Expenditures:		
5100621600 –	5200160100 Misc Cont	\$23,085
	5200153500 Client Incent.	\$ 1,000
Total		\$24,085
Revenue		
5100621600	43003657700	\$24,085

- 2) The Board of Health has approved this amendment. Please note that this amendment requires no additional County funds.

**Resource Persons:** Gayle B. Harris, MPH, Public Health Director

**County Manager’s Recommendation:** The County Manager recommends that the Board suspend the rules and approve a Budget Ordinance Amendment No. 13BCC000082 for the amount of \$24,085 from the NC Department of Health and Human Services for the Health Education Division.

**10. Public Health: The Purchase of Patagonia Patient Management Software Discussion (15 min)**

- 1) The Board is requested to hear Public Health’s request to purchase Patagonia Patient Management and Electronic Health Record with funds from the Home Health sale proceeds in the Community Health Trust Fund. RFP No. 13-004 was issued on August 24, 2012 and closed on October 9, 2012. Patagonia was selected out of seven proposals to replace the department’s outdated Insight Patient Care Management Electronic Health Record. The purchased of this package includes the following:

• Patagonia Practice Management Software/Electronic Health Record Software	\$513,900.00
• Patagonia 1 <sup>st</sup> year Maintenance Cost	\$138,236.00
• External Vendor Interface Cost	<u>\$ 48,800.00</u>
Total Costs	<b>\$700,936.00</b>

- 2) The Board of Health has approved this proposal.

**Resource Persons:** Gayle B. Harris, MPH, Public Health Director; Jane Everson-Harper, Senior Business Analyst

**County Manager’s Recommendation:** The County Manager recommends the Board receive Public Health’s request to purchase Patagonia’s Patient Management Software with funds from the Home Health sale proceeds in the Community Health Trust Fund and provide direction to staff regarding this request.

11. **Consideration of a Resolution Authorizing the City of Raleigh to Issue Pyrotechnics Permits within the City of Raleigh Corporate Limits (10 min)**

- 1) The Board is requested to adopt a Resolution authorizing the City of Raleigh to issue pyrotechnics permits within the City of Raleigh corporate limits.
- 2) The Wake County Fire Marshal and the City of Raleigh Fire Department have held discussions regarding the transfer of permitting authority for fireworks displays which are held within the City of Raleigh corporate limits. Both the County and City staffs indicate that this transfer of authority has merit and would simplify this process. Currently, applications for pyrotechnic displays to be held in Raleigh come to the County and then are referred to the City of Raleigh for review.
- 3) In Fiscal Year 2011, the Wake County Fire Marshal issued 31 permits. The effective date of the transfer would be June 1, 2013.
- 4) NCGS 14-413 (a1) provides for this shifting in permitting authority until this Board withdraws its authority. Because a small part of the City of Raleigh corporate limits lies in Durham County, Raleigh will only be able to exercise this authority if Durham County adopts a reciprocal Resolution, and only until Durham County withdraws its authority.

**Resource Persons:** Lowell L. Siler, County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board suspend the rules to adopt a Resolution authorizing the City of Raleigh to issue permits for pyrotechnic displays and exhibitions within the Raleigh corporate limits.

12. **Board Directives (10 min)**

- 1) The Board is requested to review the previous month's directives for staff and make comments as necessary. This set of directives covers February, March, April and May of 2013.

**Resource Persons:** Michael Davis, Strategic Initiative Manager

**County Manager's Recommendation:** The County Manager recommends that the Board review the May BOCC directives and make comments to staff as necessary.