



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, February 7, 2022

9:00 AM

Commissioners' Chambers

Work 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.

9:00 am Work Session Agenda

1. Citizen Comments (30 min)

[22-0078](#)

Citizen Comments (30min)

Agenda Text:

The Board of County Commissioners will provide a 30-minute comment period at a meeting once a 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 were asked to provide comments prior to the start of the meeting so that staff may reply to comments and/or questions. All speakers are requested to refrain from addressing issues related to personnel matters.

Alignment with Strategic Plan: Citizen engagement aligns with all five of the strategic goals by allowing the Board to receive comments and concerns from the community related to important issues in Durham County.

Resource Persons: Monica W. Toomer, Clerk to the Board

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

2. Consent Agenda (20 min)

[22-0011](#)

Approval of Budget Ordinance Amendment No. BCC00065

Appropriating \$99,874.83 of General Fund Fund Balance to the Durham County Sheriff's Office and Contract Approval with Axon Enterprise, Inc. for the Purchase of Replacement and Additional Taser Equipment.

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. BCC00065 appropriating \$99,874.83 of General Fund Fund Balance to the Durham County Sheriff's Office to purchase tasers from Axon Enterprise Inc. The Board is also requested to approve the sole source exemption and authorize the Interim County Manager to execute the contract with Axon Enterprise Inc. and sign subsequent renewals so long as the total amount doesn't exceed \$642,374 over a five-year period. The annual operating budget impact of this contract in Years 2-5 (FY2022-23 through FY2025-26) is \$135,624.81/year.

This purchase will replace the existing taser inventory (100) and add 43 new tasers. The Sheriff's Office has been utilizing Axon Taser products, previously known as Taser International Inc., for the last 10 years and intends to continue using Axon Enterprise, Inc. as a sole source for taser equipment. Attached is a sole source letter from the Axon.

Alignment with Strategic Plan: This request aligns with the County's Goal 3: Safe Community

Resource Persons: Thomas Cote, Major of Operations, Durham County Sheriff's Office; John Carden, Lieutenant, Durham County Sheriff's Office; Clarence Birkhead, Sheriff of Durham County.

County Manager's Recommendation: The Interim County Manager recommends that the Board approve Budget Ordinance Amendment No. BCC00065 appropriating \$99,874.83 of General Fund Fund Balance to the Durham County Sheriff's Office to purchase tasers from Axon Enterprise Inc. The Board is also requested to approve the sole source exemption and authorize the Interim County Manager to execute the contract with Axon Enterprise Inc. and sign subsequent renewals so long as the total amount doesn't exceed \$642,374 over a five-year period.

Attachments:

[AAF Supplemental Document - Taser](#)

[Axon Service Contract FY2022](#)

[Attachment 1 Axon Scope of Services Form FY2022](#)

[Attachment 1A Axon quote updated 1-14-22](#)

[Attachment 1B Axon Sole Source Letter](#)

[AAF-65 Legal Form Appropriating \\$99,874.83 of GF & contract approval for DS](#)

22-0041

Proposed Relocation of Abandoned "Ferguson Cemetery"

Agenda Text:

The Board is requested to approve the relocation of 1 known, 4 probable, and 3

possible burial sites located within the abandoned cemetery identified as the “Ferguson Cemetery” under the supervision of the Health Director or Health Director’s designee pursuant to NCGS 65-106.

The request for Board approval is being made pursuant to NCGS 65-106 by the current property owners NICHOLS FAMILY HOLDINGS LLC (Deed Book 7461, Page 707-711) to accommodate the sale of the property for subsequent development and to provide better protection for the burials by relocating them to a perpetual care cemetery. The gravesites are proposed to be disinterred from the current location at 1051 Olive Branch Rd, Durham, NC 27703 to be reinterred in Markham Memorial Gardens located at 4826 Trenton Rd, Chapel Hill, NC 27517.

NICHOLS FAMILY HOLDINGS LLC has submitted a report to the Durham County Department of Public Health detailing historical and archaeological investigations of the cemetery and documenting due-diligence efforts regarding next-of-kin and public notice requirements per NCGS 65-106(b).

Alignment with Strategic Plan: This item aligns with Goal 5: Accountable, Efficient, and Visionary Government.

Resource Persons: Patrick Eaton, REHS, Onsite Water Protection Supervisor Durham County Department of Public Health, Charles E. Nichols, Jr., Nichols Family Holdings, LLC.

County Manager’s Recommendation: The County Manager recommends that the Board approve the request for relocation of 1 known, 4 probable, and 3 possible burial sites located within the abandoned cemetery identified as the “Ferguson Cemetery” under the supervision of the Health Director or Health Director’s designee pursuant to NCGS 65-106.

Attachments: [1 Ferguson Cemetery Report 12.09.2021](#)
 [2 Ferguson Cemetery Descendent Letters Combined](#)
 [3 Affidavit of Publication 31714\(1\)](#)
 [4 Removal of Graves NCGS 65-106](#)

22-0049 **Approval to enter into a contract with Kontek Systems to upgrade three conference rooms audiovisual equipment in the Justice Center building using current fiscal year, 2021-2022, IS&T AV CIP funds for \$47,413.87**

Agenda Text: The Board is requested to authorize the County Manager to enter into a contract for \$47,413.87 with Kontek Systems to upgrade the audiovisual equipment in three conference rooms located in the Justice Center building. The conference rooms are the District Attorneys' conference rooms 8401 A&B, the Judges' conference room 9205, and conference room 9000.

Kontek Systems is a local audiovisual integrator with its main office in downtown Durham. Kontek Systems is part of the NC State University Multimedia Equipment and Services Convenience Contract #63-CCC624141.

Durham County Courthouse opened in March 2013 and the audiovisual equipment has been in use since then. The equipment is no longer covered by warranty and is experiencing issues due to normal use. The contracted upgrades will allow for the replacement of malfunctioning equipment and the integration of newer features, particularly video conferencing which has become increasingly necessary in our hybrid work environment.

Alignment with Strategic Plan: This item aligns with Strategic Goal 5 - Accountable, efficient, and visionary government

Resource Persons: Greg Marrow, CIO; Aaron W Stone, Assistant Director IS&T; Bert White, Information Technology Manager - Client Services; Kim Cook, IS&T Business Office; Les Hamashima, IS&T Assistant Director

County Manager's Recommendation: The County Manager recommends that the Board authorize use of existing capital improvement planning funds within IS&T budget in the amount of \$47,413.87 this fiscal year to upgrade three conference rooms audiovisual equipment in the Justice Center building.

Attachments:

[Kontek AAF BW Supplemental Document LH](#)

[KONTEK SYSTEMS INC 01102022-01092023 LEGAL COPY](#)

22-0050

Purchase of Detention Center Replacement Chiller

Agenda Text:

The Board is requested to approve the purchase of a replacement chiller for the Detention Center HVAC system from Brady/Trane for \$178,620.00. The County is in year 8 of a 15 year Performance Contract with Brady/Trane, which covers this chiller's operational period. We are asking to purchase this chiller directly through Brady/Trane since it failed prematurely even though all warranties have expired. Brady has agreed to cover the installation and removal costs of all the equipment a credit of (\$64,803.00). The existing failed chiller is no longer operable and leaves the system without any redundancy. The facility is currently working off a single chiller and if it breaks down, the facility will no longer have chilled water for the HVAC system. These systems are regularly designed to operate with 2 chillers: (1) for redundancy to always have an operable system, (2) to keep up with system demands during peak usage and (3) provide dehumidification operations when it is heating season Funding for this contract will come from existing funds within the CIP.

Alignment with Strategic Plan: This purchase keeps the Detention Center operational with proper facility temperatures and indoor air quality as required by State statutes. It aligns with Goal 5- Accountable, Efficient and Visionary Government

Resource Persons: Motiryo Keambiroiro- Director General Services, Shawn

Swiatocha- Assistant Director General Services, David Alpaugh- Project Facilitator

County Manager's Recommendation: The County Manager recommends that the Board approve the purchase of a replacement chiller for the Detention Center HVAC System from Brady/Trane for \$178,620.00.

Attachments: [Detention Ctr Chiller Purchase- AAF Supplemental Document](#)
[RE Trane CVHE Chiller Replacement](#)

22-0051

Service Contract for a New Video Scoreboard and Sound System at Durham County Memorial Stadium

Agenda Text: The Board is requested to review and authorize the Interim County Manager to execute a service contract in the amount of \$497,959.35 with Daktronics, Inc. for the installation of a new video scoreboard and sound system at Durham County Memorial Stadium.

In an effort to continue to expand and improve our facility experience and increase our amenities to attract potential sponsors and events, Durham County Memorial Stadium is requesting funds to replace the existing scoreboard with video capabilities and an upgraded sound system. Funding for this contract will come from existing funds within the CIP.

When our existing scoreboard was upgraded during the 2009-2010 renovations it reflected the needs of the stadium at that moment in time. The sport and event industry, as well as our usage, has evolved rapidly since our renovation and our current scoreboard is not in line with industry standards in 2021-2022. Durham County has received several complaints from spectators, event organizers and teams that our current scoreboard's design, especially during sunny, daytime events has limited visibility and functionality. We have seen increases in operational and maintenance costs related to the repair of necessary parts such as power supplies and receivers. Replacement of the scoreboard is in line with the manufacturer's recommended replacement timeline.

Daktronics, Inc. was selected as a vendor for a national cooperative contract based on RFP17-01 for Scoreboards and Electronic Signs, Installation and Related Products and Services issued on January 13, 2017. This agreement runs through April 30, 2022 and satisfies all state and local bidding requirements.

Alignment with Strategic Plan: This project aligns with Goal 4-Environmental Stewardship: Protect our environment through planned growth, conservation, preservation, enhancement and restoration of our natural and built resources.

Resource Persons: Motiryo Keambiroiro, Director General Services, Zachary Pritchard, Stadium Manager, Eli McCutcheon Quality Control & Contract Specialist

County Manager's Recommendation: The Interim County Manager recommends that the Board authorize the Interim County Manager to execute the proposed

contract with Daktronics, Inc. for the installation of a new video scoreboard and sound system in the amount of \$497,959.35 and to execute any future amendments as long as it falls within Durham County's Memorial Stadium improvements CIP fund.

Attachments: [AAF Supplemental Document - Contract Approval Daktronics](#)
[Durham Memorial County Stadium - Customer Quote-664869-3-1](#)
[Signed Cooperative Contract with RFP](#)
[Daktronics Award Letter](#)
[Executive Summary](#)

22-0052 **Budget Ordinance Amendment No. 22BCC00062 Public Health to Appropriate General Fund Fund Balance in the Amount of \$125,000 for Jail Medical Care and Amending the Jail Health Contract**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No.22BCC00062 appropriating General Fund fund balance in the amount of \$125,000 for Jail Medical Care and amending the Jail Health Contract.

These funds are to be used to pay for healthcare costs which exceeded the budgeted CAP arrangement of \$400,000.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All by providing medical services to detainees in the Durham County Detention Center.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 22BCC00062 Public Health appropriating General Fund fund balance in the amount of \$125,000 for Jail Medical Care and amending

Attachments: [AAF 2021 Supplemental Document - Noncontract - Jail Halth Services](#)
[AAF-62 Legal Form](#)

22-0059 **Approval of Ambulance Purchase through the SAVVIK Cooperative Agreement and Budget Ordinance Amendment No. 22BCC00061 Increasing the Original Budget (\$1,100,000) for Five Ambulance Purchases for the Office of Emergency Services through Appropriating \$131,000 of General Fund Balance and Transferring \$81,255 Across Functional Areas for a Total of \$1,312,255**

Agenda Text: The Board is requested to approve the purchase of 5 ambulances through the SAVVIK Cooperative Purchasing Agreement and approve Budget Ordinance Amendment No. 22BCC00061 increasing the original budget of \$1,100,000 to \$1,312,255 for the purchase of five ambulances through appropriating \$131,000 of

General Fund fund balance and the transfer of \$81,255 from the Office of Emergency Services fund center to the Non-Departmental Business Area to cover the expense.

The SAVVIK Cooperative Purchasing Agreement is a competitively bid project that Eagle County Health Service District, CO initiated to purchase ambulances and transport vehicles. Braun Ambulances is an authorized provider under the SAVVIK consortium and Spartan Fire and Emergency Apparatus is an authorized dealer for Braun Ambulances. Purchasing the ambulances through the SAVVIK consortium provides Durham County the best value for the Braun Liberty Type I ambulance.

In addition, each ambulance will have a “Stealth Power” anti-idling system installed that will reduce emissions by keeping critical systems and climate control operational without the ambulance having to continuously idle when not responding to calls. The “Stealth Power” system will help the County achieve our environmental stewardship/sustainable initiatives goal significantly.

The current quote of \$1,181,255 exceeds the original quote price of \$1,100,000 due to increase in inflation, micro-chip shortage, and global supply chain issues from raw material. OES has identified available funds within the existing budget to cover the overage and will need to transfer the \$81,255 from the OES fund center to the non-departmental fund center where the current approved funds reside.

Additionally, to meet County sustainable initiatives that will improve vehicle performance, reduce idle and engine time, and reduce CO2 emissions, the Stealth Power system will cost an additional \$26,200 per ambulance or \$131,000 in total cost. The addition of this system will increase the total contract cost to \$1,312,255. The Board of County Commissioners is asked to approve the additional \$131,000 for Stealth Power with appropriation from the General Fund.

The majority of vehicles are purchased in the Non-Departmental Business Area (Vehicle Fund Center) due to their asset status for accounting purposes. Funding sufficient for this purchase will come from three sources: 1) The original budget for FY 2021-22 had a projected cost of \$1,100,000. 2) Office of Emergency Services has identified \$81,255 of their existing budget that can be reallocated to offset the price increase (through this budget amendment these funds will be moved from the Public Safety Functional Area to General Government. 3) A General Fund fund balance appropriation of \$131,000 to cover the addition of the Stealth Power components.

Alignment with Strategic Plan: Goal 3: Safe and Secure Community to improve outcomes for vulnerable, children, youth, and adults. Goal 4.1B Environmental Stewardship & Community Prosperity - Air and Land Quality.

Resource Persons: Jim Groves, OES Director, Mark Lockhart, Chief Paramedic,

Emergency Medical Services, and David Ades, Assistant Director, Budget and Management Services.

County Manager's Recommendation: The Interim County Manager recommends that the Board of County Commissioners approve the purchase of five ambulances with the Stealth Power system and authorize the Interim County Manager to sign and execute the agreements of that purchasing process and approve Budget Ordinance Amendment No. 22BCC00061 increasing the original budget of \$1,100,000 to \$1,312,255 for the purchase of five ambulances through appropriating \$131,000 of General Fund fund balance and the transfer of \$81,255 from the Office of Emergency Services fund center to the Non-Departmental Business Area to cover the expense.

Attachments:

[Spartan Fire Ambulances Purchasing Contract Packet FY22](#)

[AAF Supplemental Document ambulance](#)

[Affidavit-SAVVIK-RFB-2020-04-Ambulance-and-Transport-Vehicles](#)

[Braun-Savvik-Dealership-Letter](#)

[SAAVIK RFB-2020-04-Ambulance-and-Transport-Vehicles-Final](#)

[SAVVIK-Competitive-Bid-Process-Eagle-County-Health-Service-District](#)

[SAVVIK-Cooperative-Purchasing-Public-Agreement-Eagle-County-Health-Servi](#)

[Signed-Braun-Industries-Agreement-RFB-2020-04-Ambulance](#)

[Stealth 2021 Data Report - October](#)

[Bruan Proposal Letter Durham Co with Stealth - SAVVIK signed](#)

[AAF-61 Legal Form Transfer \\$81K and appropriate \\$131K FB for OES ambulan](#)

22-0064

Budget Ordinance Amendment No. 22BCC00063 Public Health to Recognize \$71,990 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Section Branch

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 22BCC00063 Public Health to recognize funds in the amount of \$71,990 from the North Carolina Department of Health and Human Services Division of Public Health, Epidemiology Section of Communicable Disease Branch.

This grant provides funding to the Local Health Department (LHD) to help support activities associated with number of Refugee arrivals to Durham County that has exceeded expectations of the increase in number of screenings of 160 to an additional 895 screenings, for new a total 1,055 screenings.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All by providing additional resources for Refugee Health Assessments for the increased numbers of refugees arriving.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 22BCC00063 Public Health to recognize funds in the amount of \$71,990 from the North Carolina Department of Health and Human Services Division of Public Health, Epidemiology Section Communicable Branch.

Attachments: [583 - Refugee Health Assessments R-1](#)
[AAF-63 Legal Form](#)

22-0065

Authorization of an Amendment to the Architectural Design Services Contract with RND Architects, PA for Renovations to the Durham County Sheriff's Training Facility (formerly Sheriff's Firing Range), located at 100 Electra Road Durham, North Carolina, in the amount of \$44,280.00, thus totaling a not to exceed amount of \$762,500.00 (See Attachments 1&2, Pages 1-2)

Agenda Text: The Board is requested to authorize the County Manager to execute an amendment to the Architectural Design Services Contract with RND Architects, PA for Renovations to the Durham County Sheriff's Training Facility (formerly Sheriff's Firing Range), located at 100 Electra Road Durham, North Carolina, in the amount of \$44,280.00, thus totaling a not to exceed amount of \$762,500.00 (See Attachments 1&2, Pages 1-2).

The amendment addresses the inclusion of three additional services into the Design Services contract - (1) Geotech and Subsurface Exploration Services, (2) Security/Access Control Systems Design Services, and (3) Photo Voltaic Study and System Design Services.

Geotech and Subsurface Exploration Services

During the design phase of the project, it was determined through initial Geotechnical investigations that our assumptions regarding the boundaries of the landfill were incorrect, and that the building site may be impacted. Therefore further Geotechnical exploration services were necessary for landfill delineation.

Security/Access Control Systems Design Services

The initial design specifications called for basic placement of access control devices, video surveillance cameras and the conduit layout across the site. The design was assumed to be provided by the contractor using the S2 system designed to County standards. Given the complexity of this implementation it was decided that the system design should be performed by the electrical designer of record for the project.

Photo Voltaic Study and System Design Services

The project originally incorporated solar hot water heating as part of the initial project design. However Photo Voltaic (PV) electrical generation was not included within the original project scope. In keeping with the Board's direction of incorporating PV

systems in new County building, projects, a complete PV system design is being incorporated into the project.

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 project also addresses Goal 5 - Accountable, Efficient and Visionary Government - by providing more efficient service delivery and better customer service.

Resource Persons: Joel T. Jones, MPA, Project Manager; James Faress, P.E., Senior Project Manager; Peri Manns ASLA LEED GA, Assistant General Manager / Deputy Director; Engineering and Environmental Services; Charles Nickelson, AIA, Principal, RND Architects.

County Manager's Recommendation: The County Manager recommends that the Board authorize the execution of an amendment to the Architectural Design Services Contract with RND Architects, PA for Renovations to the Durham County Sheriff's Training Facility (formerly Sheriff's Firing Range), located at 100 Electra Road Durham, North Carolina, in the amount of \$44,280.00, thus totaling a not to exceed amount of \$762,500.00 (See Attachments 1&2, Pages 1-2).

Attachments:

[Attachment 1 - Fee 11.09.2021 Durham Firing Range Fee Amend02 Rev0](#)

[Attachment 2 - Fee 12.22.2021 Durham Firing Range Fee Amend03 Rev0](#)

[AAF Supplemental Document Sheriff's Tactical Training Facility - RND Archite](#)

22-0066

BOCC designation of the County's Office of Emergency Services (OES) Fire Marshal Division to make all public-school inspections and reports and approval of the Inter-local Agreement (ILA) between the County and City of Durham for fire inspections and fire investigations.

Agenda Text:

The Board of County Commissioners is requested to designate the Durham County Office of Emergency Services - Chief Fire Marshal and every employee of the OES Fire Marshal Division as the jurisdictional fire inspectors responsible for making the inspections and reports for all public-school systems in Durham County as required by the North Carolina General Statute 115C-525 (b)(2). The Board is also requested to approve the inter-local agreement between Durham County and the City of Durham for fire inspections and fire investigations.

Alignment With Strategic Plan: County's Strategic Goal 3: Safe and Secure Community

Resource Persons: Jason Shepherd, Chief Fire Marshal and Jim Groves, OES Director

County Manager's Recommendation: The Interim County Manager recommends that the BOCC designate the OES Chief Fire Marshal and employees in the OES

Fire Marshal Division to make all public-school inspections and reports and authorize the interim County Manager to sign and execute the ILA between the County and City of Durham for fire inspections and fire investigations.

Attachments: [Fire insp and inv ILA AAF Supplemental Document - Non-contract](#)
[ILA for Fire Inspections and Investigations](#)
[Legal approval of Fire Marshal ILA](#)
[G.S. 115C-525](#)
[GS 160D-1103](#)

22-0067 **Durham County Matching Grants Program - Approval of FY 2021-22 Grant Cycle**

Agenda Text:

The Board is requested to approve the funding requests for the current cycle of the Durham County Matching Grants Program for six projects totaling \$100,000. The Durham County Matching Grants Program for Open Space and Recreation Projects, now in its 30th year, provides matching funding for local non-profits to pursue projects that protect open space or provide recreational opportunities for citizens of Durham County. The projects must be open to the public. The program is annually funded from the County's operating budget, which for FY21-22 totaled \$100,000. The program requires a 50% match from applicants, which can include a cash match as well the value of volunteer labor towards producing the project. Over the life of the program, the Durham County Matching Grants program has supported 120 wide ranging community projects with a total value of over 6 million dollars using just over \$1.91 million in county matching funds.

The 2021-22 cycle of the Matching Grants Program includes six applications, for projects that totaled \$100,000. The Durham Open Space and Trails Commission (DOST) recommended approval of the projects at their meeting on January 19, 2022. For the second year, the Durham County Matching Grants Program allowed qualifying projects within priority focus areas to apply for up to \$5,000 using a simplified application with a reduced applicant match of 25% (county matching funds are 75%) and received one grant proposal under this format (Club Boulevard Elementary PTA). The Club Boulevard Elementary PTA was recommended for funding at \$5,000. Five additional groups were recommended for funding under the regular program guidelines (50% match) as follows: Christus Victor Lutheran Church: \$24,558, El Futuro: \$22,519, Merrick-Moore Community Development Corporation: \$12,088; Riverside High School Athletic Booster Club: \$21,835, and Urban Community AgriNomics (UCAN): \$14,000. The projects are further described in the attached supplemental document with locations shown on the attached map.

Alignment with Strategic Plan:

This program supports Goal 2 of the strategic plan, “Health and Well-being for All” by increasing the quality of life in Durham County, as well as Goal 4: Environmental Stewardship and Community Prosperity”.

Resource Persons: Brendan Moore, Open Space Land Manager; Annette Montgomery, Chair, Matching Grants Committee of DOST; Jane Korest, Open Space and Real Estate Manager

County Manager’s Recommendation:

The County Manager recommends that the Board receive the attached Matching Grants Project recommendations and approve funding for the proposed projects totaling \$100,000.

Attachments:

[AAF Supplemental Document - 2021-22 Matching Grants Awards Final](#)

[Attach 1 2021-22 Matching Grant Summary Sheet](#)

[Attach 2 Matching Grant Locations](#)

22-0069

Capital Project Amendment No. 22CPA00016 Transferring \$167,444 from the Collection System Rehabilitation Project (7100SE051) to Triangle Wastewater Treatment Plant (TWWTP) Water Line Extension Project (7100SE059) to Cover Construction Cost Increases; and Approve Contract Amendment with Pipeline Utilities, Inc. to Increase Existing Contract

Agenda Text:

The Board is requested to approve Capital Project Amendment No.22CPA00016 transferring \$167,444 from the Collection System Rehabilitation Project (7100SE051) to the Triangle Wastewater Treatment Plant (TWWTP) Water Line Extension Project (7100SE059) to cover construction cost increases. The Board is also requested to authorize the Interim County Manager to enter into a contract amendment to increase the existing construction contract with Pipeline Utilities, Inc. (FR21-1226) and to execute any other related contracts, including amendments, not to exceed \$286,000.

Project #	Project Name	Current Budget	INCREASE	Revised Budget
7100SE051	Collection System Rehabilitation Project	\$4,559,613		(\$167,444)
		\$4,392,169		
7100SE059	TWWTP Water Line Extension Project	\$130,412	\$167,444	\$297,856

The original bid included the installation of approximately 160 linear feet of 3-inch piping, underground meter vault, above ground reduced pressure assembly, and all appurtenances. The pipe was to be high density polyethylene (HDPE) and placed under Highway 55 by a horizontal directional drill. Per Durham City’s specifications for approval, ductile iron pipe or copper is required; therefore, requiring a jack and bore under Highway 55 increasing the cost. The amendment also includes adding a yard hydrant and backflow prevention device and capital facility fees that need to be

paid to Durham City.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this project will ensure a clean water for employees at the Triangle Wastewater Treatment Plant and allow additional staff to be employed so the Division’s responsibilities and requirements can be fulfilled.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director of Engineering and Environmental Services; Vince Chirichella, Senior Project Manager

County Manager’s Recommendation: The County Manager recommends the Board approve Capital Project Amendment No.22CPA00016 transferring \$167,444 from the Collection System Rehabilitation Project (7100SE051) to the Triangle Wastewater Treatment Plant (TWWTP) Water Line Extension Project (7100SE059) to cover construction cost increases. The Board is also requested to authorize the Interim County Manager to enter into a contract amendment to increase the existing construction contract with Pipeline Utilities, Inc. (FR21-1226) and to execute any other related contracts, including amendments, not to exceed \$286,000.

Attachments:

[AAF Supplemental Doc](#)

[CPA-22 Legal Form Move funds](#)

[Contract FR21-1226](#)

[COR #02 - Jack and Bore Submitted 12-13-21](#)

[COR #01 - Additional Backflow and Yard Hydrant](#)

[Capital Facility Fees Reference Guide for Development Section 5 and 7 update:](#)

[CPA-16 LEGAL FORM Transferring \\$167,444 from Collection System Rehab to](#)

22-0070

Budget Ordinance Amendment No.22BCC00064 Transferring \$254,617 from Available Funds in the Capital Financing Plan Fund to the General Fund Public Buildings Fund Center to Pay for Construction at the Leesville Road Fire House to Allow Tooth Ferry Mobile Dental Clinic Vehicle Storage; as well as Execution of a Construction Contract with Riggs/Harrod Builders for Modifications to the Leesville Fire House to Allow Tooth Ferry Vehicle Storage

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No.22BCC00064 which transfers \$254,617 of available Capital Financing Plan Fund funding to the General Fund Buildings and Grounds Fund Center to support Leesville Road Fire House construction that will allow for the storage of the Tooth Ferry Mobile Dental Clinic. The Board is also requested to authorize the Interim County Manager to enter into a contract with Riggs/Harrod Builders to provide construction services at the Leesville Fire House, located at 7305 Leesville Road, in the amount of \$231,470 (See Attachment 1, pages 1-10) and approve owner’s construction contingency at 10% for a not-to-exceed amount of \$254,617.

In March 2022, the upper portion of the 500 block of East Main Street will be turned over to the development team to begin construction activities for the structured parking deck and market-rate housing development. The Tooth Ferry Mobile Dental Clinic vehicle must be relocated in order to allow construction commencement on site. The former Leesville Road Fire House is currently used for EMS storage and will be modified to house the vehicle under the work of this contract. A permanent solution for the vehicle storage will be revisited during considerations for a County Fleet Maintenance Facility.

The Tooth Ferry vehicle is a mobile dental clinic operated by the Department of Public Health to provide basic dental services to underserved public school students. The vehicle has been parked within a fenced area of the 500 E. Main Street surface parking lot across South Dillard Street from the Human Services Campus. The vehicle requires a secure location to prevent vandalism, shore power connection to maintain minimal climate control while stationary, and a capped sanitary sewer connection (typical RV dump station inlet) for disposal of wastewater. Those services are provided at the current fenced parking area.

A request for proposals (RFP) for construction services for this work was advertised on December 12, 2021, and Bids were received on January 11, 2022. Five (5) responses were received, with the lowest bid received from Riggs/Harrod Builders in the amount of \$231,470. For M/WBE participation information (See Attachment 3, page 1).

It is recommended that the County proceed with all work described in the proposal dated January 11, 2022. Funding for the construction contract will be available in the General Fund Buildings and Grounds Fund Center pending the approval of the Capital Improvement Budget Amendment. These capital improvements will be added to the value of this existing capital asset.

Alignment with Strategic Plan: This aligns with Goal 2: Health and Well-being For All by protecting the health of community, reducing barriers to access services and ensuring a network of integrated health and human services available to people in need. This also aligns with Goal 5 by providing more efficient service delivery and better customer service.

Resource Persons: Linda C. Salguero, AIA, CPD, Project Manager; Peri D. Manns, ASLA, Assistant General Manager/Deputy Director Engineering; Susan F. Tezai, CPA, Chief Financial Officer; Dustin Garrett, Vice President Riggs/Harrod Builders; Glenn Parks, AIA, RND Architects

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No.22BCC00064 transferring \$254,617 of available Capital Financing Plan Fund funding to the General Fund Buildings and Grounds Fund Center to fund Leesville Road Fire House construction that will allow for the storage of the Tooth Ferry mobile dental clinic vehicle. The Board is also requested to authorize the Interim County Manager to enter into a contract with Riggs/Harrod Builders to provide construction services at the Leesville Fire House, located at 7305 Leesville Road, in the amount of \$231,470 (See Attachment 1, pages 1-10) and approve

owner's construction contingency at 10% for a not-to-exceed amount of \$254,617.

Attachments:

[AAF Supplemental Document - Tooth Ferry.doc](#)

[ATTACHMENT 1 - Riggs Harrod Proposal.pdf](#)

[AAF-64 LEGAL FORM Appropriating \\$254,617 in CFP for Public Buildings and](#)

[MWBE Compliance Review Form-AAF for 22-011 IFB 012722.pdf](#)

[Bid Tab IFB 22-011 Modifications to the Leesville Firehouse for Tooth Ferry Rel](#)

22-0071

2021 Annual Report - Durham Bicycle and Pedestrian Advisory Commission

Agenda Text:

The Board is requested to receive the 2021 Annual Report of the Durham Bicycle and Pedestrian Advisory Commission (BPAC).

The Interlocal Agreement for BPAC requires that an annual report be submitted to the Board of County Commissioners.

Alignment with Strategic Plan: The mission of BPAC aligns with Goal 2 by promoting Health and Well-Being for All and Goal 4 by promoting Environmental Stewardship and Community Prosperity.

Resource Persons: Dale McKeel, Bicycle and Pedestrian Coordinator and Staff Liaison to BPAC.

County Manager's Recommendation: The County Manager recommends that the Board receive the 2021 Annual Report of the Durham Bicycle and Pedestrian Advisory Commission (BPAC).

Attachments:

[2021 BPAC Annual Report](#)

22-0073

Sale of South Parking Deck at American Tobacco Campus

Agenda Text:

The Board is requested to declare the County-owned property located at 653 West Jackie Robinson Drive, Durham, NC as surplus, and to approve the following:

1. Resolution Approving Conveyance of Property Pursuant to NCGS 160A-267;
2. Purchase and Sale Agreement to sell the South Parking Deck at the American Tobacco Campus to a to-be-formed wholly owned subsidiary of Capitol Broadcasting Company, Inc. for \$12,210,000;
3. Termination of Memo of Parking Lease;
4. Termination of Parking Lease;
5. and to authorize the Interim County Manager to execute all documents required to complete the transaction.

The South Deck at American Tobacco was built by Durham County in 2003-04 to facilitate the American Tobacco economic development project. The deck includes 1129 parking spaces, which were leased to American Tobacco Campus (ATC) in July 2004 for 10 years, with two, 5-year extensions. The Lease was amended in July 2014 to extend the lease period for another 10 years, with two 10-year extensions. The property has fulfilled its original economic development function in support of the

development and success of the American Tobacco Campus, surrounding restaurants, offices, and the DPAC, and is no longer needed by the County.

The sale price of \$12,210,000 was the value of the parking deck and land negotiated between the parties and is the value of the property as appraised by two independent qualified real estate appraisers commissioned by Durham County in 2020. ATC requests 60-day period to inspect the structure prior to purchase to identify deferred maintenance issues that are to be addressed by the County in accordance with the existing Lease Agreement.

In a closed session meeting in April 2021, the Board gave support for the sale of the South Parking Deck to ATC using the private negotiation and sale method authorized by GS 160A-267

The statute requires that the Board adopt a Resolution authorizing the sale for a negotiated price. The Resolution is required to be advertised for a period of ten (10) days, which will commence following the adoption of the Resolution.

Alignment with Strategic Plan: This agenda item supports Goal 5: Accountable, Efficient and Visionary Government.

Resource Persons: Nancy Mitchell, Sr. Real Estate Officer; Jane Korest, Division Manager Open Space and Real Estate; Peri Manns, Asst. General Manager/Deputy Director of Engineering and Environmental Services; S. Keith Lane, Budget & Management Services Director; Willie Darby, Acting County Attorney.

County Manager's Recommendation: The Interim County Manager recommends that the Board declare the County-owned property located at 653 West Jackie Robinson Drive, Durham, NC surplus, and to approve the following:

1. Resolution Approving Conveyance of Property Pursuant to NCGS 160A-267;
2. Purchase and Sale Agreement to sell the South Parking Deck at the American Tobacco Campus to a to-be-formed wholly owned subsidiary of Capitol Broadcasting Company, Inc. for \$12,210,000;
3. Termination of Memo of Parking Lease;
4. Termination of Parking Lease;
5. and authorize the Interim County Manager to execute all documents required to complete the transaction.

Attachments:

[AAF_Supplemental_ATC_Parking_Deck_012722_saved](#)

[RESOLUTION APPROVING CONVEYANCE OF PROPERTY](#)

[CHAR2 - 2488327v2 - Purchase Agreement - South Deck](#)

[CHAR2 - 2494054v2 - Termination of Memo of Parking Lease \(South Deck\)](#)

[CHAR2 - 2494106v2 - Termination of Parking Lease - South Deck](#)

22-0075

Utilities Contract Amendment for Polymer with Polydyne, Inc.

Agenda Text:

The Board is requested to authorize the County Manager to enter into a contract

amendment to increase the existing purchase of goods contract with Polydyne, Inc. (FR# 22-177) for polymer (IFB 18-042) in the amount of \$72,105, bringing the total contract amount from \$107,019 to \$179,124.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as these chemicals are necessary for the Triangle Wastewater Treatment Plant to meet all permit limitations as specified in the facility’s NPDES permit.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director; Amy Moore, Compliance Manager

County Manager’s Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a contract amendment to increase the existing purchase of goods contract with Polydyne, Inc. (FR# 22-177) for polymer (IFB 18-042) in the amount of \$72,105, bringing the total contract amount from \$107,019 to \$179,124.

Attachments: [AAF Supplemental Document - Polydyne Contract Amendment 02.2022](#)
[FR 22-177 Polydyne](#)

22-0080

Award Contract for Phase II of S2 Security Access Control and Video Management Systems at various County Buildings

Agenda Text:

The Board is requested to authorize the Interim County Manager to execute a service contract with Brady Integrated Security in the amount of \$830,316.00 for the installation of phase II of S-2 access control and video management systems at various County buildings. Funds previously identified in the CIP will be used to fund this contract. RFP 22-012 S2 Security System Conversion- Phase II was solicited for qualified firms to provide the conversion of the existing Andover access control and DVTel Video Management Systems (VMS) to S-2 access control and VMS for the Durham County Courthouse, Justice Center Parking Deck, Emergency Management Building, General Services Warehouse, and Cooperative Extension. The current Andover Continuum system is proprietary rather than open-architecture and is at the end of its useful life.

Two proposals were received for RFP 22-012 S2 Security System Conversion-Phase II. Brady Integrated Security was deemed the most qualified firm for the project, based on an evaluation committee’s review. Brady Integrated Security either met or exceed expectations on all items listed in the scope of work. They provided a detailed approach to deliver successful completion to the work outlined in RFP 22-012 S2 Security System Conversion- Phase II.

In review of the MWBE Compliance for RFP 22-012 S2 Security System Conversion- Phase II, there were no participation goals achieved on this project.

Brady Integrated Security will be utilizing their own workforce to perform the particular service on the project.

Alignment with Strategic Plan: This item aligns with Strategic Goal 3 Safe and Secure Community.

Resource Persons: Motiryo Keambiroiro, Director of General Services and Ed Miller, Security Manager

County Manager's Recommendation: The Interim County Manager recommends that the Board authorize the County Manager to execute a service contract with Brady Integrated Security in the amount of \$830,316.00 for the installation of phase II of S2 access control and video management systems at various County buildings and be given authorization to execute future contract amendments if within the Security Manager's CIP Budget.

Attachments:

[AAF Supplemental Document- Brady Phase II of S2](#)

[RFP 22-012 Security System S2 Conversion Phase II](#)

[Brady Proposal RFP No. 22-012](#)

[S2 Conversion Phase II Bid Tabulation](#)

[MWBE Compliance Review Form-AAF for 22-012 RFP 010522](#)

3. Discussion Items (165 min)

22-0072

FY21 Durham County Transit Progress Report (45min)

Agenda Text:

The Board is requested to receive the FY21 Durham County Transit Progress Report.

GoTriangle manages the Triangle Tax District that consists of the local-option half-cent sales tax and other fees that are dedicated to public transit improvements. As required by state legislation, the funding must be used for public transit improvements identified in the Durham County Transit Plan that is approved by the Board of Commissioners, the GoTriangle Board, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) Board. GoTriangle is responsible for providing an annual report to Durham County on the progress achieved toward implementation of the plan, the collection of revenues, the costs of projects and transit operations, and any other relevant issues. GoTriangle staff have prepared the FY21 Durham County Transit Progress Report.

Alignment with Strategic Plan: The FY21 Durham County Transit Progress Report aligns with the Environmental Stewardship and Community Prosperity goal of the Strategic Plan by providing better transit services that connect to jobs, education, housing, healthcare, and opportunity.

Resource Persons: Ellen Beckmann, Durham County Transportation Manager; Jennifer Hayden, GoTriangle Assistant Director of Finance and Administrative

Services; Aaron Cain, DCHC MPO Planning Manager

County Manager's Recommendation: The County Manager recommends that the Board receive the FY21 Durham County Transit Progress Report.

Attachments:

[DOLRT costs](#)

[annual report web](#)

[FY2021 Annual Report to Durham BOCC FINAL\(02072022\)](#)

22-0079

Orphan Roads Policy (30min)

Agenda Text:

The Board is requested to adopt the Orphan Roads Policy.

When a subdivision is developed outside of a municipality with public roadways, the developer is required to construct the roadways to meet the standards of the NC Department of Transportation (NCDOT), and NCDOT accepts the new roadways into the state maintenance system. Unfortunately, due a variety of reasons, this process has not always been followed. Developers are typically at fault for not following through the required process, and property owners are often not aware of the problem until many years later. Residents discover that their roadway requires costly maintenance or repairs, and there is no entity with the resources or authority to manage the improvements. NCDOT will not accept the roadways until the repairs are made to meet their standards. These roadways are considered orphan roads. As with all counties in North Carolina, Durham County does not own and maintain roadways.

The recommended Orphan Roads Policy would establish an Orphan Road Program that would assist neighborhoods with the repair and transfer of roadways to NCDOT. The Policy would allow County staff to manage the improvement project and would allow for financing of the project subject to budget appropriation by the County. In most cases, property owners would be responsible for 100 percent of the cost to repair the roadway paid through an assessment. If federal or state funding is available for this purpose, Durham County may accept and appropriate those funds and property owners would be responsible for any remaining costs.

Alignment with Strategic Plan: The Orphan Roads Policy aligns with Goal 4 of the Strategic Plan by establishing a process that will facilitate the appropriate maintenance and management of roadway infrastructure in Durham County.

Resource Persons: Ellen Beckmann, Durham County Transportation Manager; Jay Gibson, General Manager of Environmental Stewardship and Community Prosperity

County Manager's Recommendation: The County Manager recommends that the Board adopt the Orphan Roads Policy.

Attachments:

[AAF Supplemental Form Non Contract - Orphan Roads - 2022-02](#)

[Recommended Durham County Orphan Roads Policy - 2022-02](#)

[Orphan Roads Presentation - 2022-02](#)

22-0060**Renewable Energy Plan Adoption (45min)****Agenda Text:**

The Board is requested to adopt a Renewable Energy Plan for a transition to 80% renewable energy in County operations by 2030 and 100% by 2050. This plan helps the County understand and prioritize all the options, the impact of those options on the environment and equity, the cost of implementation, and possible options for financing.

This Plan covers all the electricity, natural gas, gasoline, and diesel used in County operations and includes possible scenarios for achieving the goals - Phased Investment, Accelerated Investment, and High Impact Solar Investment. Each pathway is assessed for ability to meet the goals, costs, greenhouse gas emissions reductions, and other benefits.

- Phased Investment scenario - replace equipment and vehicles at current pace, install two solar rooftop systems per year, participate in Green Source Advantage (GSA). County will reach 53% renewable energy by 2030 and 72% by 2050, making up the difference through grid purchases or Renewable Energy Certificates (RECs)
- Accelerated Investment scenario - replace equipment and vehicles at a faster rate than current practice/policy, install four solar rooftop systems per year, participate in GSA. County will reach 61% renewable energy by 2030 and 72% by 2050, making up the difference through grid purchases or RECs.
- High Impact Solar Investment scenario - same as Accelerated Investment scenario, construct 1-5 MW solar systems on county property. This is *not* currently a viable option due to regulatory constraints, but the County can reevaluate that as laws, policies, and markets change. If this option becomes feasible, the County would reach 100% renewable energy.
- Each of these scenarios is based on currently known technologies and cost points. With the significant investments now being made by all levels of government, coupled with significant private capital being directed towards renewable energy, we anticipate the technologies and market to change dramatically in the next few years.

The cost to implement these strategies are estimated to range from approximately \$2.5 million to \$5.7 million per year through 2030 depending on the County's overall approach. Cost savings are estimated at \$230,000-\$1.6 million per year from energy efficiency and reduced fuel use. Additional staff will be required to adequately implement this Plan and an allowance for this staffing cost has been included in the plan's fiscal projections. Staff also proposes to update the Renewable Energy (RE) plan every two (2) years, similar to the process now used for the Facilities Master Plan, to ensure the Renewable Energy plan continues to reflect updates in technologies, market, and fiscal conditions that may influence and/or impact how the County continues to pursue this important work towards BoCC-adopted goals for renewable energy transition.

Alignment with Strategic Plan: This item aligns with Strategic Plan Goal 4 (Environmental Stewardship and Community Prosperity) and Goal 5 (Accountable, Efficient, and Visionary Government)

Resource Persons: Tobin L. Freid, Sustainability Manager; Jay Gibson, P.E., General Manager; Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation during the Board's February 7th worksession, then adopt the Renewable Energy Plan at the February 14th Regular Meeting.

Attachments: [BOCC Renewable Energy Plan presentation 2_7_22](#)

22-0068

Review of County Commissioner Directives (15min)

Agenda Text:

The Board is requested to review staff follow-up regarding previously issued directives.

Board directives from previous meetings as well as staff follow-up are reviewed at monthly work sessions. Staff strive to have all directives input into the system as accurately as possible as soon after they are issued as possible and to follow-up with the board and/or with other relevant parties in an appropriate time frame.

Alignment with Strategic Plan: Timely follow-up for board directives aligns clearly with Goal 5 of the Durham County Strategic Plan - Accountable, Efficient, and Visionary Government

Resource Persons: Drew Cummings, Chief of Staff

County Manager's Recommendation: The County Manager recommends that the Board review staff follow-up regarding previously issued directives.

22-0077

Commissioner Comments (30min)

Agenda Text:

The Board is requested to allow each Commissioner six minutes to report on conferences or make comments regarding issues that may be of interest or concern to the Board.

Alignment with Strategic Plan: This item aligns with Strategic Goal 5: Accountability, Efficient and Visionary Government

Resource Persons: Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board allow comments from each commissioner and direct staff accordingly.

4. Closed Session

22-0081

Closed Session

Agenda Text:

The Board is requested to adjourn into Closed Session 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; pursuant to G. S. 143-318.11(a)(6)

Alignment with Strategic Plan: This item aligns with Strategic Goals 4 and 5

Resource Persons: Monica W. Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board meet in Closed Session and provide direction to staff.

5. Adjournment