



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, November 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)

[22-0671](#)

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. Wallace, 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 (15 min)

[22-0568](#)

Budget Ordinance Amendment No. 23BCC00046 in the Amount of

\$73,660.06 to Recognize a Grant Award to the Office of Emergency Services-EMS Division (OES-EMS) from the NC Department of Health and Human Services (NCDHHS), and to Authorize the County Manager to Sign and Execute All Contracts

Agenda Text:

The Board is requested to review and approve Budget Ordinance Amendment No. 23BCC00046 in the amount of \$73,660.06 to recognize a grant award to the OES-EMS from the NC Department of Health and Human Services (NCDHHS), Division of Mental Health, Developmental Disabilities and Substance Abuse Services (MMDDSA), and to authorize the County Manager to sign and execute all contracts for authorized and approved uses associated with the grant program throughout the grant's period of performance.

The EMS Bridge MAT (Medication Assisted Treatment) Program grant's purpose is to develop or expand services for the intent of reducing opioid overdose related deaths. This grant will allow OES-EMS to provide services to eligible individuals throughout Durham County and will periodically report on performance measures relevant to these services. This program will support Community Paramedics responding to individuals with an opioid overdose who refuse transport to emergency departments (EDs) for treatment. Under the supervision of a waived prescriber, specially trained paramedics will induct a person on buprenorphine (i.e., medication-assisted treatment) after an overdose event. Then the Community Paramedics and/or Post Overdose Response Team (PORT) will follow up and continue to provide medication and support for up to seven days until the person can be referred to other appropriate opioid use disorder (OUD) treatment.

The grant has a period of performance from October 1, 2022, through September 30, 2025. It is a three (3) year reimbursable grant that is funded year to year subject to the availability of federal funds. The full grant award up to \$350,000 is reimbursable over a 3-year period and OES is requesting approval of the year one grant amount of \$73,660.06. As future year funding is approved, OES will bring this item back to the BOCC for consideration.

During the first year of the grant, OES-EMS has proposed to hire one FTE Certified Peer Support Specialist, a newly formed position (increasing OES's authorized FTE strength from 202 to 203); begin training Community Paramedics and other identified paramedics in MAT; purchase supplies (year 1 only); and develop our program implementation with the goal to begin field induction of buprenorphine by 2/1/2023. The second and third years of the grant are dedicated to expanding the initial program implementation. OES-EMS will collaborate with community organizations who may potentially encounter persons who have overdosed and the North Carolina Harm Reduction Coalition to enhance the capacity of the existing harm reduction services provided in the community. Purchase of buprenorphine for MAT is only required in the first year of this grant. This medication is budgeted in years two (2) through four

(4) of the FR-CARA grant (Agenda Item #22-0506 presented to the BOCC during the Oct. 3rd work session) and approved by the BOCC on Oct. 10, 2022.

OES-EMS will follow all County purchasing and contract guidance. Expenditures made on behalf of this grant will be submitted to NC DHHS MHDDSA monthly for reimbursement from NC DHHS MHDDSA.

Alignment with Strategic Plan: County's Strategic Goal 3: Safe Community and Goal 5: Accountable, Efficient, and Visionary Government.

Resource Persons: OES-EMS Captain Helen Tripp, MIH Program Manager and OES-EMS Asst. Chief of Clinical Affairs, Lee VanVleet.

County Manager's Recommendation: The County Manager recommends that the Board review and approve Budget Ordinance Amendment No. 23BCC00046 recognizing \$73,660.06 for year one of this three (3) year grant award from the NC DHHS-MMDDSA EMS Bridge MAT Program grant and authorize the County Manager to sign and execute all contracts and purchases for authorized and approved uses associated with the grant program throughout the grant's period of performance.

Attachments:

[Award Letter MAT Bridge Durham](#)

[Appendix A for Local Govt - Durham County](#)

[Appendix B for Local Govt - Durham County](#)

[EMS Bridge MAT AAF Supp 10.06.22](#)

[AAF-0046 LEGAL FORM OES-EMS recognize \\$76,660.06 from NCDHHS Divis](#)

22-0594

Budget Ordinance Amendment No.23BCC00036 to Recognize \$5,239.91 in Grant Funding from the North Carolina Department of Public Instruction's Child Nutrition Program for the Youth Home

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 23BCC00036 to recognize \$5,239.91 from the North Carolina Department of Public Instruction's Child Nutrition Program for the Youth Home.

The North Carolina Department of Public Instruction received the funds from the USDA to be used by School Food Authorities to help alleviate increased costs due to supply chain disruptions. These funds will be used to purchase commodities that are unprocessed or minimally processed domestic food products.

This is the second Supply Chain grant the Youth Home received. The Youth Home received its first supply chain grant of \$5,257.04 on April 29, 2022, and \$5,239.91 on September 23, 2022.

The funds are restricted and must be used to buy the School Meal Program commodities.

Alignment with Strategic Plan: This request aligns with Goal 3: Safe Community,

Goal 2: Health and Well Being for All, and Goal 5: Visionary Government.

Resource Persons: Angela G. Nunn, Youth Home Director

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 23BCC00036 to recognize \$5,239.91 in grant funding from the North Carolina Department of Public Instruction for the Youth Home.

Attachments: [Supplemental Document Supply Chain Grant September 2022](#)
[AAF-0036 LEGAL FORM Recognize \\$5239.91 to Youth Home from DPI for Chil](#)

22-0595

Budget Ordinance Amendment No. 23BCC00044 Social Services to Recognize \$38,000 in Distribution of North Carolina Rate Settlement Funds as authorized by Duke Energy Carolinas Stipulations and Settlement ordered in Docket No. E-7, Sub 1214.

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 23BCC00044 Social Services to Recognize \$38,000 in Distribution of North Carolina Rate Settlement Funds as authorized by Duke Energy Carolinas Stipulations and Settlement ordered in Docket No. E-7, Sub 1214.

In recognition of the foregoing, the Public Assistance Member Agency - Durham County Social Services - agrees to participate in the distribution of the North Carolina Rate Settlement Funds by utilizing it for the benefit of Duke Energy Carolinas' North Carolina low-income retail electric customers for electric bill payment assistance, Duke Energy deposit and establishment of service assistance, connection and or reconnection fees.

Alignment with Strategic Plan: Goal 2: Health and Well-being for All which decrease health disparities within the community and Goal 3: Safe and Secure Community to improve outcomes for vulnerable, children, youth, and adults.

Resource Persons: Kelly Inman, Chief Operations Officer, Department of Social Services, Margaret Faircloth, Assistant Director, Department of Social Services.

County Manager's Recommendation: The Board is requested to approve Budget Ordinance Amendment No. 23BCC00044 Social Services to Recognize \$38,000 in Distribution of North Carolina Rate Settlement Funds as authorized by Duke Energy Carolinas Stipulations and Settlement ordered in Docket No. E-7, Sub 1214.

Attachments: [AAF SUPporting DOC 2021-2022 NC DEC Rate Settlement MOU - DUKE\(1\)](#)
[AAF-044 Legal Form](#)

22-0605

Budget Ordinance Amendment No. 23BCC00043 Public Health to Recognize Funds in the Amount of \$8,000 From the Ann Wolfe Mini Grant for Child Health and Infant Mortality for Outdoor Learning

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No.

23BCC00043 to recognize funds in the amount of \$8,000 from the Ann Wolfe Mini Grant for Child Health and Infant Mortality for Outdoor Learning.

Grant funds will be used to create outdoor learning toolkits that include curriculum materials such as outdoor thermometers, play equipment such as tricycles, gardening equipment such as wheelbarrows, and materials to increase comfort of children and teachers in the outdoors such as umbrellas and rain boots.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment with Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00043 Public Health to recognize funds in the amount of \$8,000 from the Wolfe Mini Grant for Child Health and Infant Mortality for Outdoor Learning.

Attachments: [AAF Supplemental Document - A. Wolfe Grant FY22-23](#)
[AAF-043 Legal Form](#)

22-0616

Budget Ordinance Amendment No. 43BCC00041 Library to recognize funds in the amount of \$153,182 from the State Library of North Carolina for a One-Time Financial Assistance Payment that Can Be Used for Personnel/Operating Costs

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 43BCC00041 Library to recognize funds in the amount of \$153,182 from the State Library of North Carolina for a One-Time Financial Assistance Payment that Can Be Used for Personnel/Operating Costs

Public Libraries in North Carolina suffered adverse economic impacts due to the COVID-19 Pandemic. The State Budget Act of 2021 (SL 2021-180, as amended by SL 2021-189) appropriated federal funds as one-time state financial assistance to libraries in North Carolina. Libraries may use this money for materials, salaries, equipment, and operating costs, which are consistent with allowable uses outlined in 07 NCAC 02I .0202 State Aid Grants from the Aid to Public Library Fund. All money must be encumbered by December 31st, 2024, and fully expended by December 31st, 2026.

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

Resource Persons: Tammy Baggett-Best, Library Director; Kathy Makens,

Resources and Finance Officer and Stephanie Fennell, Deputy Director.

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 43BCC00041 Library to recognize funds in the amount of \$153,182 from the State Library of North Carolina for a One-Time Financial Assistance Payment that Can Be Used for Personnel/Operating Costs

Attachments:

[One Time State Aid FY23 AAF Supplemental Form](#)

[Durham County Library-Nonrecurring Aid to Libraries Agreement](#)

[AAF-041 Legal Form](#)

22-0627

Replace Roof Exhaust fans and Axial Fans at the Durham County Detention Center

Agenda Text:

The Board is requested to approve a contract with Envirotrol, LLC in the amount of \$206,653.00 to replace sixteen roof top exhaust fans and, two variable vane axial fans in AHU #1 at the County Detention Center. Envirotrol was selected to provide installation services through RFP 23-002. Envirotrol will provide new exhaust fans, new backdraft dampers, and inspect roof curbs for damage. Envirotrol will also install new return fans, replacing existing variable vane fans in air handling unit number one. Envirotrol will provide all demolition and disposal of old fans, means of movement, installation of new fans, start up and testing to facilitate operable systems. The new equipment to be installed will meet current standards for energy efficiency and meet current facility system requirements. The units being replaced are original to the facility and have passed their expected useful lifespan.

Replacing the roof exhaust fans and axial fans are funded using existing CIP funds.

Alignment with Strategic Plan: This project aligns with Goal 5- Accountable, Efficient and Visionary Government. The installation of these new units will provide equipment that meets current environmental standards, reduce maintenance of the units, and reduce utility costs.

Resource Persons: Motiryo Keambiroiro, Director General Services, Shawn Swiatocha, Assistant Director General Services, David Alpaugh Project Facilitator, General Services.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute the proposed contract with Envirotrol LLC, in the amount of \$206,653.00 to install new rooftop exhaust fans and two new return air fans, at the County Detention Center.

Attachments:

[AAF Supplemental Document - Contract Approval](#)

[MWBE Compliance Review Form-AAF for 23-002 RFP 100322](#)

[RFP Packet to purchasing RG](#)

22-0628

Budget Ordinance Amendment No.23BCC00039 to recognize

\$18,000 in Grant Revenue from the Burt's Bees Foundation to support an Updated Biological Inventory for Rare and Unique Plant Communities.

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No.23BCC00039 recognizing \$18,000 in grant revenue from the Burt's Bees Foundation to support updated biological data and mapping regarding Durham's unique and rare plant communities.

Durham County has long been recognized by the State of North Carolina as a special place for its biological and ecological diversity, and it was one of the first counties in the State to have State-led biological inventories. This project will focus on upland rare plant communities throughout Durham County, which have not been comprehensively surveyed since 1987.

Piedmont prairies and diabase glade plant communities are some of the rarest, most threatened habitats in the State of North Carolina, and there are existing unprotected sites in Durham. With this funding, and in partnership with the State's Natural Heritage Program, Durham County will have much needed updated documentation for conservation planning, management, and community education. This work will include fieldwork, data compilation, and report preparation, all of which will be completed by [North Carolina Natural Heritage Program, <https://www.ncnhp.org/>](https://www.ncnhp.org/) a program of the Division of Land and Water Stewardship within the N.C. Department of Natural and Cultural Resources. Fieldwork will span through August 2023 to provide observations during the growing seasons. The final report is expected late next year.

Burt's Bees has its corporate headquarters in downtown Durham, and this will be the third grant Durham County has received from the Burt's Bees Foundation to support improved ecological data in Durham. The Foundation prioritizes funding projects that support ecological health as well as community resiliency, with a focus on the Durham community. Past local recipients have included the John Avery Boys and Girls Club, Farmer Foodshare, the Eno River Association, Triangle Land Conservancy, and the Ellerbe Creek Watershed Association. The study will get underway this fall and will take a full year to complete. No financial match for the grant is required.

Alignment with Strategic Plan: This grant and environmental study supports Goal 4: "Environmental Stewardship and Community Prosperity" as well as Goal 5: "Accountable, Efficient and Visionary Government"

Resource Persons: Jane Korest, Division Head, Open Space and Real Estate, Celeste Burns, Open Space Coordinator, Peri Manns, Deputy Director - Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No.23BCC00039 recognizing \$18,000 in grant revenue from the Burt's Bees Foundation to support updated

biological data and mapping regarding Durham's unique and rare plant communities.

Attachments: [Ag Item Supplemental - Burts Bees Grant for Updated Plant Communities](#)
[Durham County Unique Plant Communities Study Overview Oct 2022](#)
[AAF-39 LEGAL FORM Recognize Grant from Burts Bees - \\$18K](#)

22-0632 **Approval of Interlocal Agreement with the City of Durham for Continuation of the Gang Reduction Strategy in FY23**

Agenda Text: The Board is requested to approve an Interlocal Agreement with the City of Durham for the Continuation of the Gang Reduction Strategy in Fiscal Year 2022-2023.

Durham's Gang Reduction Strategy (GRS) developed as a response to recommendations from the Comprehensive Gang Assessment that was commissioned by the City and County and completed in November 2007. The Gang Assessment highlighted the need for a coordinated approach that includes prevention, intervention and suppression strategies to reduce criminal activity committed by gang members in Durham.

This Interlocal Agreement guides the strategic planning and oversight of the Gang Reduction Strategy, as well as funds a Gang Reduction Strategy Manager and the County's Project Build Program.

Alignment with Strategic Plan: This agenda item aligns with Goal 2 (Health and Well-Being for All) and Goal 3 (Safe Community) of Durham County's Strategic Plan.

Resource Persons: Jim Stuit, GRS Manager; Krystal Harris, Director of Community Intervention

County Manager's Recommendation: The County Manager recommends that the Board approve an Interlocal Agreement with the City of Durham for the Continuation of the Gang Reduction Strategy in Fiscal Year 2022-2023.

Attachments: [AAF 22-0632 , Supplemental Document - FY23 Interlocal Agreement for GRS](#)
[AAF 22-0632, Gang Reduction Strategy Interlocal Agreement, FY2023](#)
[AAF 22-0632, Exhibit A - GRS Interlocal](#)

22-0636 **Budget Ordinance Amendment No. 23BCC00047 Library to Recognize Funds in the Amount of \$24,480 from the Universal Service Connectivity Fund to Offset the Cost of Lending Hotspots to the Public**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 23BCC00047 Library to recognize funds in the amount of \$24,480 from the Universal Service Connectivity Fund to offset the cost of lending hotspots to the public.

The Emergency Connectivity Fund is a federal program administered by Universal

Service Connectivity Fund (USAC) with oversight from the Federal Communications Commission. The Emergency Connectivity Fund Program reimburses schools and libraries for the reasonable costs of eligible equipment such as Wi-Fi hotspots, modems, routers, devices that combine a modem and router, connected devices, and eligible broadband connections for those who may lack access during the COVID pandemic.

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

Resource Persons: Tammy Baggett-Best, Library Director; Kathy Makens, Resources and Finance Officer and Stephanie Fennell, Deputy Director.

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00047 Library to recognize funds in the amount of \$24,480 from the Universal Service Connectivity Fund to offset the cost of lending hotspots to the public.

Attachments: [ECF202200170 - Funding Commitment Decision Letter](#)
[ECF FY23 AAF Supplemental Form](#)
[AAF-047 Legal Form](#)

22-0642 **Budget Ordinance Amendment No. 23BCC00045 FY 2022-23**
Encumbrance Rollover - Increasing Multiple Funds Budgeted
Expenditures and Revenues by a total of \$12,517,840.75

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No 23BCC00045 for FY 2022-23 amending the expenditure and revenue budgets for multiple funds by a total of \$12,517,840.75 for the outstanding encumbrances at fiscal year-end FY 2021-22. Encumbrances outstanding at fiscal year-end represent obligations/commitments entered by the County for either services not yet completed or performed, or goods not yet received. These moneys must be restricted in the fund balance within the equity section of the balance sheet for FY 2021-22 to honor these obligations/commitments once completed and/or received. These encumbrances outstanding at year-end do not represent expenditures or liabilities. These encumbrances outstanding are included in the amount reported as "Restricted Stabilization by State Statute" in the fund balance section of the Balance Sheet in the Annual Comprehensive Financial Report (ACFR).

According to generally accepted accounting principles (GAAP), governmental type funds are the only funds to record encumbrances in the ACFR. However, during the fiscal year, the County maintains encumbrances (purchase orders and service contracts) for all fund types (governmental and proprietary) to ensure funds are set aside for obligations and commitments appropriately at the time that they are ordered and/or entered into.

Because these encumbrances lapse at year-end and are re-appropriated in the subsequent fiscal year, they do not affect unassigned fund balance. It is merely a

re-appropriation in the subsequent fiscal year of funds for obligations and commitments for goods and services already ordered but not yet received in the prior fiscal year. Encumbering these funds is a statutory requirement.

Therefore, authorization is requested to amend the following funds' budgets in FY 2022-23 to honor the outstanding purchase orders and service contracts as of the end of FY 2021-22:

General Fund (1001010000)	\$ 11,305,893.60
Risk Management Fund (1001020000)	\$ 192,390.49
Reappraisal Reserve Fund (1001050000)	\$ 31,451.61
Benefits Plan Fund (1001500000)	\$ 10,146.30
Stormwater Fund (5005500000)	\$ 128,489.46
Sewer Utility Fund (6006600000)	\$ 849,469.29
Total	<u>\$ 12,517,840.75</u>

Alignment with Strategic Plan: This request relates to the following elements of the Durham County Strategic Plan: the effort aligns with Goal #5 (Accountable, Efficient, and Visionary Government).

Resource Persons: Susan Tezai, Chief Financial Officer; Keith Lane, Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No.23BCC00045 for FY 2022-23 amending the expenditure and revenue budgets for multiple funds by a total of \$12,517,840.75 for the outstanding encumbrances at fiscal year-end FY 2021-22

Attachments:

[AAF-045 Legal Form](#)

[AAF-045 Supplemental Form Encumbrance Rollover.pdf](#)

22-0646

Durham County Hacking into History Restrictive Covenant Project Contract Approval

Agenda Text:

The Board of County Commissioners (BOCC) is requested to authorize the County Manager and the Register of Deeds to enter into a contract with DataWorks in the amount of \$50,000 for funding of the non-profit, DataWorks, NC for the historical discovery and education initiative known as the *Hacking into History Project*. This funding was appropriated within the Register of Deeds FY 22/23 budget and authorized by the BOCC as part of the FY22/23 Budget approval.

Hacking into History is a public/private collaboration designed to uncover racially restrictive covenants present in Durham County public records, then through community forums, allow subject matter experts to share how these covenants have impacted Durham across several aspects of society into the modern day.

Through this initiative, the *Hacking into History Project* partners (including the North Carolina Central University's SLIS Library, DataWorks NC, Yinsome Group, the Robinson Bradshaw Law Firm, and the Durham County Register of Deeds

Office) intend to continue:

- Planning and facilitating monthly workshops and community meetups
- Leading a convening in winter-spring to clarify project learnings and goals
- Collecting racial covenants data and developing exhibit materials
- Developing NCCU and DPS curriculum
- Running monthly events for affinity groups, neighborhoods, and all-public participants.
- Continue monthly meetups of the community of practice
- Conducting a co-design process that identifies how residents of Durham want to engage with this knowledge, make it generally accessible, and
- Developing the materials (digital as well as physical) that can transmit this collective knowledge to all Durham residents.

This request has been reviewed and approved by the Durham County Attorney (see attachment for details).

Alignment with Strategic Plan: This effort to uncover racially restrictive covenants and then through community-oriented learning, better understand how they have negatively shaped large portions of Durham’s community falls broadly under Goal 5: Visionary Government.

Resource Persons: J.T. Tabron, Assistant Register of Deeds

County Manager’s Recommendation: The County Manager recommends that the Board authorize the County Manager and Register of Deeds to execute the contract for this project.

Attachments: [Invoice from DataWorks NC 2022](#)
[Durham County Scope and Budget 2022-2023](#)
[Cert. of Insurance DataWorks](#)
[Contract Requisition Form](#)
[DCo Attorney approval](#)
[Service Contract](#)

22-0650

Approve Renaming Capital Project 4190DC080 from “Owned Convenience Site Upgrades” to “Redwood Convenience Site Upgrades”

Agenda Text: The Board is requested to approve renaming Capital Project 4190DC080 from “Owned Convenience Site Upgrades” to “Redwood Convenience Site Upgrades.” The Owned Convenience Site Upgrades Project (4190DC080) originally consisted of renovations to both the Parkwood and Redwood Convenience Sites, but the scope and cost of renovations to each convenience site has since increased and each convenience site must now be budgeted separately. This is a technical change to the

project name and has no budget impact.

Originally, the County planned to renovate the Redwood and Parkwood Convenience Sites, which are located on County-owned property in South Durham, in each site's existing location and under the same capital project: Owned Convenience Site Upgrades (4190DC080). On August 11, 2018, RFQ No 19-006 was advertised for Architectural Services for Upgrades to Southern Durham County Solid Waste Convenience Sites. Smith+Gardner Engineers was selected to provide design services for this project. During the preliminary investigation and design phase, several issues arose that necessitate the need to separate these facilities into two separate projects. The Redwood Convenience Site renovation will require a Special Use Permit, which will take additional time and funding. Combined with the increasing cost of inflation and materials, this will increase the project cost more than originally projected but should be covered with the existing \$2.7 million budget for the "Owned Convenience Site Upgrades." Changing Capital Project 4190DC080's name from "Owned Convenience Site Upgrades" to "Redwood Convenience Site Upgrades" will allow the County to move forward with the Redwood renovations using existing project budget.

The Parkwood design would require obtaining additional property from the neighboring Triangle Wastewater Treatment Plant. Not only is additional property not available, but the long-range plan for the Triangle Wastewater Treatment Plan includes the use of the entire property where the Parkwood Convenience Site is currently located. Therefore, instead of renovating the site in its current location, the County will need to acquire new property in Southern Durham County and build a brand-new facility. The purchase of land, increased construction, and the rising costs of inflation will necessitate a new CIP project request, which will be brought to the Board at a later date.

In addition, both projects will increase the value of separate capital assets. As such, technically, they should be two separate capital projects as they will capitalize as two separate assets.

Alignment with Strategic Plan:

Durham County Government is responsible for providing solid waste services to unincorporated residents in Durham County which includes curbside recycling, litter control and abatement, and the management of residential convenience sites. These responsibilities align with Strategic Plan Goal 4 - Environmental Stewardship and Goal 5 - Accountable, Efficient and Visionary Government.

Resource Persons: Motiryo Keambiroiro, General Services Director and Chrissie Koroivui, Solid Waste Program Manager, Ken Ketterer, Project Facilitator

County Manager's Recommendation: The County Manager recommends that the Board approve renaming Capital Project 4190DC080 from "Owned

Convenience Site Upgrades” to “Redwood Convenience Site Upgrades.” This is a technical change to the project name and has no budget impact.

Attachments: [AAF Supplemental CIP](#)

22-0651

Execute an Amendment to the Architectural/Engineering Services Contract with Smith+Gardner Engineers for Upgrades to the Redwood Solid Waste Convenience Site Capital Project (4190DC080)

Agenda Text:

The Board is requested to authorize the County Manager to execute an amendment to the architectural/engineering services contract with Smith+Gardner Engineers for permitting, design, and construction administration services in the amount of \$344,600 to renovate the Redwood Solid Waste Convenience Site. The Redwood Solid Waste Convenience Site Upgrade Capital Project (4190DC080) was originally titled the Owned Convenience Sites Upgrade Capital Project. Funding for the amendment will come from the existing budget; no new funding is needed.

This renovation will meet the long-term demands of the growing communities and provide flexibility to accommodate future changes to the waste and recyclable materials management program. The final site design will include a review of population trends and best practices in the industry, as well as will seek community feedback.

On August 11, 2018, a Request for Qualifications (RFQ No. 19-006) for Architectural Services for Upgrades to Southern Durham County Solid Waste Convenience Sites was advertised and mailed to potential proposers. A joint team from General Services and Engineering Departments recommended Smith+Gardner Engineers as the selected firm.

Alignment with Strategic Plan: Durham County Government is responsible for providing solid waste services to unincorporated residents in Durham County, which includes curbside recycling, litter control and abatement, and the management of residential convenience sites. These responsibilities align with Strategic Plan Goal 4 - Environmental Stewardship and Goal 5 - Accountable, Efficient and Visionary Government.

Resource Persons: Motiryo Keambiroiro, General Services Director and Chrissie Koroivui, Solid Waste Program Manager, Ken Ketterer, Project Facilitator

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute an amendment to the architectural/engineering services contract with Smith+Gardner Engineers for permitting, design, and construction administration services in the amount of \$344,600 to renovate the Redwood Solid Waste Convenience Site. The Redwood Solid Waste Convenience Site Upgrade Capital Project (4190DC080) was originally titled the Owned Convenience Sites Upgrade Capital Project. Funding for the amendment will

come from the existing budget; no new funding is needed.

Attachments:

[AAF Supplemental SG2](#)

[Contract Amendment SG FY2023](#)

[SOS SG2](#)

[S+G DC Proposal 2022-10-21](#)

[MWBE Compliance Review Form-AAF for 19-006 RFQ Amendment 101722](#)

22-0659

A Resolution of the County of Durham, North Carolina to Authorize the Purchase of Easements or the Acceptance of Easements by Grants of Properties in an Area Commonly Known as the Snow Hill Community, which is Specifically Inclusive of Roads and Streets for the Purpose of Creating, Expanding, and Maintaining the Snow Hill Sanitary Sewer System

Agenda Text:

The Board is requested to adopt the attached Resolution to further the acquisition and conveyance of Permanent Utility Easements and Temporary Construction Easements needed to complete the Snow Hill Road Pump Station and Force Main Replacement Project. The purpose of this Resolution is to authorize the County Manager to pay reasonable sums to compensate property owners for Permanent Utility Easements and Temporary Construction Easements necessary to accomplish this project, and to execute the easement acquisitions as they are negotiated. This Resolution also authorizes Durham County to convey or release any property rights acquired for the City of Durham for inclusion into its sewer system when deemed appropriate. The costs will be covered by the current Snow Hill Road Pump Station capital project (4730DC149) budget; no new funding is requested.

The path along which the new force main will be installed is parallel to the existing force main easements, essentially widening the existing easements. This is necessary to accommodate the larger force main pipe and allowing the existing pipe to be disconnected and abandoned in the ground. The 19 easements range in size from 218 to 17,424 square feet, or .005 to .40 acres. Staff anticipates that the total compensation for all easements to be in the \$50,000 range when negotiations are finalized.

The Snow Hill Road Pump Station (SHRPS) was identified as a limiting factor in growth in the Treyburn business district in 2013. Although the SHRPS was upgraded in 2015, the pump station is no longer capable of being upgraded to sufficiently convey wastewater from the Treyburn business district and must be replaced with a larger station and separate force main. Multiple industries within the Treyburn area are in design or construction for expansions of their current facilities; therefore, economic development and job creation will be halted until the SHRPS is complete.

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 quality delivery of the Snow Hill Road Pump Station to promote economic development.

Resource Persons: Nancy Mitchell, Sr. Real Estate Officer, Vince Chirichella, Sr. Project Manager; Willie Darby, Interim County Attorney.

County Manager's Recommendation: The County Manager recommends that the Board adopt the attached Resolution to further the acquisition and conveyance of Permanent Utility Easements and Temporary Construction Easements needed to complete the Snow Hill Road Pump Station and Force Main Replacement Project.

Attachments:

[SNOW HILL RESOLUTION FINAL](#)

[221013 SEWER LINE TRANSFER TO THE CITY \(002\)](#)

[SHRPSFM Resolution Figure 1](#)

[DTCC Easement Plat PB 203 PG 218](#)

22-0662

Juvenile Crime Prevention Council Appointment

Agenda Text:

The Board is requested to appoint Laylon Williams to the Juvenile Crime Prevention Council in the "Director AMH/DD/SA or Designee" seat-a designated position on the council. Mr. Norman is a Criminal Justice Specialist/Crisis Intervention Team Coordinator at Alliance Health.

The Juvenile Crime Prevention Council (JCPC) reviews the needs of Durham juveniles who are at risk of delinquency or who have been adjudicated, undisciplined, or delinquent, review and evaluate the resources available to address those needs, develop and implement a request for proposals process, and submit a written plan of action for the expenditure of juvenile sanction and prevention funds to the Durham Board of County Commissioners for its approval.

Alignment with Strategic Plan: This appointment aligns with the strategic plan goal of safe and secure community.

Resource Persons: Gudrun Parmer, Director, Criminal Justice Resource Center

County Manager's Recommendation: The County Manager recommends that the Board appoint Laylon Williams to the Juvenile Crime Prevention Council in the "Director AMH/DD/SA or Designee" seat.

Attachments:

[JCPC - Laylon Williams](#)

22-0663

Preliminary Assessment Resolution for Little Acres Drive

Agenda Text:

The Board is requested to approve a Preliminary Assessment Resolution for Little Acres Drive

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.

In February 2022, Durham County approved an Orphan Roads Policy to provide guidance for how the County could assist residents with the repair and transfer of orphan roads to NCDOT. The Policy allows County staff to manage the improvement project and allows for financing of the project subject to budget appropriation by the County.

Residents on Little Acres Drive have submitted a valid petition to Durham County requesting an orphan road project to facilitate the transfer of their road to NCDOT. The Board is requested to adopt a Preliminary Assessment Resolution that includes a description of the project, the terms and conditions of the assessment, and a date and time for a public hearing on the project. Approval of the resolution is the next step in the project and does not obligate the County to fund the project.

Alignment with Strategic Plan: The Little Acres Drive project aligns with Goal 4 of the Strategic Plan by facilitating 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 Preliminary Assessment Resolution for Little Acres Drive.

Attachments:

[AAF - Little Acres Drive Preliminary Assessment Resolution - 2022-11](#)

[Durham County Orphan Roads Policy - adopted 2022-02-28](#)

[Durham County Orphan Road Preliminary Assessment Resolution - Little Acres](#)

[Durham County Orphan Road Petition - Little Acres Completed Redacted](#)

22-0666

Approval of Surplus Personal Property Sale by Electronic Public Auction with GovDeals and Property Room

Agenda Text:

The Board is requested to approve the Resolution Authorizing an Electronic Public Auction Sale and authorize the County Manager or designee to follow the surplus disposal procedures for proper disposal and removal.

As provided by the NC General Statutes 160A-270, the County desires to dispose of accumulated surplus vehicles and equipment. See the attached FY2023 Surplus Vehicle and Miscellaneous Surplus Equipment Listing, Section 5 - Replacement Criteria of the Vehicle/Equipment Replacement Policy, and the Resolution authorizing the electronic public auction sale. The Resolution shall be published in the local newspaper and on the County's website at least ten (10) days prior to the date of sale.

We are recommending the use of GovDeals, the County's governmental on-line auction service provider, for the sale of the surplus equipment. GovDeals will be compensated at 7.5% of the total gross sale price through auction proceeds. Property Room, the County's governmental on-line auction provider for surplus vehicles, is being recommended for the sale of the surplus vehicles and will be compensated at 12.5% which includes charges for towing, storage and commission.

Alignment with Strategic Plan: Promotes accountability and efficiency in government (Goal 5).

Resource Persons: Terry Sineath, Fleet Coordinator; Felipe Gibbs, Warehouse Manager; Motiryo Keambiroiro, Director of General Services; and Angela Perry, Procurement Manager.

County Manager's Recommendation: The County Manager recommends that the Board approves the Resolution Authorizing an Electronic Public Auction Sale and authorize the County Manager or designee to follow the surplus disposal procedures for proper disposal and removal of accumulated surplus vehicles and miscellaneous equipment.

Attachments:

[Surplus Vehicles & Equipment FY2023](#)

[Surplus Replacement Criteria](#)

[Resolution Authorizing Surplus Sale by Electronic Public Auction November 28](#)

[NC General Statute 160A-270 Sale & Disposition of Property pdf](#)

3. Discussion Items (240 min)

22-0676

The Justice Movement Proposal - Reduction of Violence and Poverty (30min)

Agenda Text:

The Board is requested to hear a proposal from The Justice Movement on interrupting the cycle of violence and poverty within the community by organizing and centralizing community resources to provide a pathway to family-sustaining jobs for justice-involved persons and persons without a four-year college degree. The proposed framework coordinates wrap-around services through unified community-based resources that provide workforce readiness training, mentoring, assistance with childcare, housing and transportation, as well as combined reentry services for participants.

Alignment with Strategic Plan: This item aligns with Strategic Goal 1: Community Empowerment and Enrichment and Goal 3: Safe Community

Resource Persons: Brenda Howerton, Board Chair; Dr. Kimberly Sowell, County Manager

County Manager's Recommendation: The County Manager requests that the Board hear the presentation from The Justice Movement to gain an understanding of

the proposed framework in preparation for future funding consideration.

Attachments: [The Justice Movement - 0676](#)

22-0645

Development Concerns and Mitigation Steps Update (45min)

Agenda Text:

The Board is requested to receive a presentation on development trends in Durham County that have brought about citizen concerns and the short-, and long-term steps staff and the Board may choose to take to mitigate those concerns.

Alignment with Strategic Plan: This agenda item supports Goal 4: Environmental Stewardship and Community Prosperity.

Resource Persons: Jay Gibson, PE, General Manager; Sara Young, AICP, Planning Director; Ryan D. Eaves, PE, Stormwater and Erosion Control Division Manager; Chris Salter, Director of Environmental Health Services; Jason B. Shepard, Durham County Chief Fire Marshal

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation and make recommendations on the short- and long-term mitigation steps.

Attachments: [Nov 7 2022 Development Presentation BOCC](#)

22-0657

Comprehensive Plan Community Goals and Objectives Adoption (30min)

Agenda Text:

The Board is requested to receive a presentation on the new Comprehensive Plan.

Summary. The new Durham Comprehensive Plan is in the final stages of development, with a release of the revised policies and Place Type Map released late last month. Planning Staff is providing an update and providing follow-up to questions and concerns raised by the Board at the August Work Session.

Attachments:

Attachment 1: Rural Frequently Asked Questions

Attachment 2: Urban Growth Boundary Changes

Alignment With Strategic Plan: The Community Goals and Objectives emphasizes Goal 4 (Community Prosperity) by promoting equitable prosperity in Durham while adhering to Goal 5 (Accountable, Efficient, and Visionary Government) by maintaining a transparent government and welcoming public input.

Resource Persons: Scott Whiteman, AICP, Planning Manager, and Sara M. Young, AICP, Planning Director

County Manager's Recommendation: The County Manager recommends that the Board receive the presentation, hold a public hearing, and adopt the resolution on the Community Goals and Objectives for the Comprehensive Plan.

Attachments: [Comp Plan Update Cover Memo](#)
[Attachment A Rural FAQs](#)
[Attachment B - Urban Growth Boundary Changes Map](#)

Lunch

[22-0648](#) **Durham County Transit Plan (45min)**

Agenda Text: The Board is requested to receive a presentation on the final recommended Durham County Transit Plan.

The Durham County Transit Plan is required by state legislation that enabled the local option half-cent sales tax for public transit improvements. The plan must be adopted by the Board of County Commissioners, the GoTriangle Board of Trustees, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board. The plan was first adopted in 2011, with an update in 2017, and was centered around the Durham-Orange Light Rail Transit project. In 2019, GoTriangle discontinued the light rail project, and there is now a need for a new Durham County Transit Plan. The plan will guide the use of approximately \$1.1 billion for public transit improvements over the twenty-year horizon.

The presentation will include the final recommended Transit Plan. The final Transit Plan will be released for public comment later in November with a public hearing scheduled for the December 12, 2022, Board of Commissioners meeting. Adoption of the plan is expected in January 2023.

Alignment with Strategic Plan: The development of a new Durham County Transit Plan 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; Aaron Cain, Planning Manager, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization

County Manager's Recommendation: The County Manager recommends that the Board receive a presentation on the Durham County Transit Plan.

Attachments: [AAF Supplemental Form Non Contract - Durham County Transit Plan - 2022-11](#)
[Chapter 1 - Executive Summary Draft 10282022](#)
[Durham Transit Plan - Presentation - 2022-11](#)

[22-0634](#) **Transit Plan Governance Interlocal Agreement (45min)**

Agenda Text: The Board is requested to receive a presentation on the Transit Plan Governance Study and the recommended Interlocal Agreement.

In 2011, Durham County approved a county-wide transit plan, which included the

development of the Durham-Orange Light Rail Transit (DO LRT) project. In 2013, an interlocal agreement (ILA) was developed and approved by the Board of Commissioners, DCHC MPO Board and GoTriangle Board of Trustees. Upon the discontinuation of the DO LRT project, a new governance framework is necessary to guide the implementation of future county transit plans in Durham and Orange counties.

Project goals include:

- Creation of a clear, operationally efficient governance structure that ensures that Durham County priorities are funded and implemented with the County transit taxes and fees.
- Formation of new levels of accountability, which includes development of an equitable set of processes, seeking to gain further community trust.

In the fall of 2021, members of the Board, as well as members of the GoTriangle Board of Trustees and DCHC MPO Board and staff, participated in initial small group interviews. From those interviews, the team learned about overall needs. The study process continued to allow for a facilitated workshop with elected officials from each of the transit plan governing boards in November 2021. Five elements were identified to be incorporated into a new governance framework: Representative, Equitable, Collaborative, Transparent, and Accessible.

Staff from all three parties to the existing governance framework and municipal transit operators in Durham and Orange counties attended joint workshops in March and April 2022. These workshops focused on critical elements that inform the foundation of a new ILA. Discussion focused on multiple alternatives for the following four areas: Membership, Voting Structures, Financial Planning, and Program & Plan Development. Outcomes of the workshops included:

1. Formalizing greater involvement from multiple jurisdictions and entities at the Staff Working Group (SWG) level and associated representative voting structures (the SWG is the technical recommending body for plan implementation).
2. Clearly defining roles and responsibilities for each signatory to the updated interlocal agreement.
3. Solidifying the County's role in annual work program/budget development with the tax district administrator.
4. Defining terminology and language consistently to ensure clarity and transparency for all parties who will use this updated governance framework for plan implementation in the future.
5. While referencing State Statutes, the updated ILA and supporting documentation will further define equity as it relates to utilization of tax revenues throughout the county, as well as accounting for regional transit needs.

In parallel with the development of the ILA, supplemental policies and procedures have been discussed and are being developed. These items include updated Staff Working Group bylaws, financial policies, and plan administration processes. Throughout the summer of 2022, several multi-agency staff meetings were held to finalize elements of the ILA and refine the supplemental policies.

The result is a final Transit Plan Governance Interlocal Agreement that reflects the study goals and the five elements. The Board of Commissioners will first be requested to adopt the final ILA followed by the DCHC MPO Board and the GoTriangle Board of Trustees. The staff team is continuing to finalize the supplemental policies and procedures which will be brought forward for approval at a subsequent meeting.

Alignment with Strategic Plan: Transportation affects many of Durham County's goals including environmental stewardship and community prosperity, access to jobs, healthcare, and opportunities. The Transit Plan Governance Interlocal Agreement also supports Goal 5 by establishing an accountability structure to monitor progress towards implementation and ensure that Durham County taxpayers receive excellent value for the taxes and fees supporting the plan.

Resource Persons: Ellen Beckmann, Durham County Transportation Manager; Adam Howell, AICP, Atkins

County Manager's Recommendation: The County Manager recommends that the Board receive a presentation on the Transit Plan Governance Study and the recommended Interlocal Agreement.

Attachments: [DCo BOCC ILA Adoption Memo - Atkins](#)
[DCo Transit Governance ILA](#)
[DCo BOCC ILA Adoption - 11072022](#)

22-0664

Discussion of Proposed Durham County Legislative items for 2023 Legislative Agenda (30min)

Agenda Text: The Board is requested review and discuss the current list of proposed 2023 Durham County legislative items received from several departments and commissioners. County Commissioners may add additional suggestions for staff to develop. A final list will be completed and prepared for review and vote at the November 14th regular meeting.

Once the final list is approved, it will be shared during an upcoming meeting with members of the Durham legislative Delegation.

Alignment with Strategic Plan: This item aligns with all 5 of the Strategic Plan Goals

Resource Persons: Deborah Craig-Ray, Goal 1 General Manager

County Manager's Recommendation: The County Manager recommends that the Board review and discuss the proposed legislative goals and add any new items so that staff can finalize the list and place on the November 14th agenda for approval.

Attachments: [Durham County Local Legislative Goals 2023 1st proposal](#)

22-0653

Appoint Voting Delegate - North Carolina Association of County Commissioners (NCACC) Legislative Conference (5min)

Agenda Text: The Board is requested to suspend the rules and vote to appoint Commissioner Nida Allam as the voting delegate and Commissioner Nimasheena Burns as the alternate for the NCACC Legislative Conference.

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

Resource Persons: Brenda Howerton, Chair

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and vote to appoint Commissioner Nida Allam as voting delegate and Commissioner Nimasheena Burns as the alternate for the NCACC Annual Conference.

22-0677

Follow-Up on Board Directives (10min)

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: Dionne Hines, Assistant to the County Manager

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

4. Closed Session

22-0668

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 5

Resource Persons: Monica W. Wallace, 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