



Durham County

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

Meeting Agenda Board of County Commissioners

Tuesday, September 5, 2023

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)

[23-0672](#)

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)

[23-0581](#)

Approval of the MMCAP Infuse cooperative agreement to purchase

pharmaceutical supplies and medications from Cardinal Health in an amount not to exceed \$325,000.00**Agenda Text:**

The Board is requested to authorize the use of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Infuse Buying Group cooperative agreement to purchase pharmaceutical supplies and medications from Cardinal Health who is an authorized vendor. The funds are currently in the Office of Emergency Services (OES) EMS Division operating funds.

The OES-EMS Division has historically purchased pharmaceutical supplies and medications through multiple medical suppliers. This year, EMS is changing to Cardinal Health taking advantage of the NC State Contracts and Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Infuse Buying Group, a national cooperative group purchasing organization (GPO) for government facilities that provide health services. Taking advantage of this GPO will allow OES to purchase pharmaceutical supplies and medications at a significant savings over traditional medical suppliers, often 40-60% less than wholesale. Cardinal Health also offers next day delivery to all MMCAP Infuse members.

A cost comparison analysis was performed by the OES Business Services Division (BSD) using historical purchasing data from July 2022 to February 2023. The cost comparison data between purchasing medical supplies and medications from the MMCAP GPO versus using multiple vendors showed that Durham County would be able to save approximately \$53,000 in operating funds, which equates to saving approximately \$90,000 annually. Building resilience into this process, OES will have two (2) other vendors that can be used as secondary or tertiary suppliers should Cardinal Health have inventory or delivery issues.

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

Resource Persons: Jim Groves, OES Director and Marc Ferguson, OES Business Services Supervisor

County Manager's Recommendation: The County Manager recommends that the BOCC authorize the use of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) Infuse Buying Group cooperative agreement using existing FY 24 OES operating funds up to \$325,000.00 for Cardinal Health and authorize the County Manager to execute all documents and agreements with Cardinal Health for pharmaceutical supplies and medications.

Attachments:[269A](#)[AAF Supplemental Document - Contract Approval Template -Cardinal Health1](#)[Boundtree vs Cardinal Comparison](#)[MMCAP Membership Info](#)[Legal approval](#)**23-0601**

Authorization for the County Manager to execute the contract amendment with EMS Technology Solutions, LLC Operative IQ not to exceed \$46,020.00

Agenda Text:

Requesting BOCC approval to authorize the County Manager to sign and execute a contract amendment for the expansion of EMS Technology Solutions, LLC Operative IQ. The contract amendment will streamline Inventory, Asset, Narcotics and Fleet Management services for the Office of Emergency Services (OES) utilizing existing FY24 operating funds of up to \$46,020.

The Emergency Medical Services (EMS) Division of OES has contracted with EMS Technology Solutions, LLC for Operative IQ for eight years to provide software services for inventory management, asset management, and narcotics management. Previous annual contracts have been funded by IS&T in the amount of \$21,480. With the increased operational demands of OES, the need for additional capability from Operative IQ also has increased to cover the growth of OES for inventory, asset, narcotic management as well as a new Operative IQ's Fleet management module.

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

Resource Persons: Jim Groves, OES Director and Marc Ferguson, OES Business Services Supervisor

County Manager's Recommendation: The County Manager recommends that the BOCC authorize the County Manager to execute the contract amendment with EMS Technology Solutions, LLC Operative IQ using OES operating funds not to exceed \$46,020.

Attachments:[AAF Supplemental Document - Contract Approval Template - Op IQ FY231](#)[Fleet Management - OperativeIQ](#)[Inventory and Asset Management - OperativeIQ](#)[Narcotics Module](#)[4 Durham County - OpIQ RenewalQuote \(2024\)](#)**23-0602**

Budget Ordinance Amendment No. 24BCC00019 Transferring \$1,008,044 Within the General Fund from the Public Safety Functional Area to the General Government Functional Area for Ongoing Durham County Detention Center Maintenance Needs

Agenda Text:

The Board is requested to approve budget amendment number 24BCC00019 transferring \$1,008,044, within the General Fund, from the Public Safety functional area to the General Government functional area for support of ongoing Durham County Detention Center maintenance needs. This administrative action is needed to maintain uninterrupted service and oversight of the physical facility. A comprehensive needs assessment, supported by the Sheriff and General Services is on-going to address current and future maintenance requirements that are critical to the operation of the facility.

Alignment with Strategic Plan: Goal 3: Safe and Secure Community to improve outcomes for vulnerable, children, youth, and adults; Goal 5: Accountable, Efficient, & Visionary Government

Resource Persons: Julio Delgado, Assistant County Manager; Dwane Brinson, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board Approve Budget Amendment No. 24BCC00019 transferring \$1,008,004, within the General Fund, from the Public Safety functional area to the General Government functional area for ongoing Durham County Detention Center maintenance needs.

Attachments:

[AAF- 019 LEGAL FORM Transfer detention contract from DCSO to GS \\$1.008](#)

23-0603**Approval of a \$480,395.72 Contract (RFP 23-039) with Farmer Foodshare to be Fiscal Sponsor for Durham County Double Bucks Program****Agenda Text:**

The Board is requested to approve a \$480,395.72 contract (RFP 23-039) with Farmer Foodshare to provide fiscal sponsorship to Durham County farmers' market Double Bucks programs. American Rescue Plan Act funds will support the expense.

These food supports would be available through December 31, 2025 and are a continuation of additional food supports that were provided using local funds starting in April 2023. The funding amount aligns with information presented to the Board at the budget retreat on February 28, 2023.

The aim of this contract is to increase access to fresh, seasonal, local food for low-income individuals in Durham County via matching "double bucks" incentives at farmers' markets, as well as support local businesses and producers, especially historically marginalized groups.

The Double Bucks program, as it operates in the Triangle, is the only program like it in the state in that the program matches not just Supplemental Nutrition Assistance Program (SNAP, formerly food stamps) benefits, but also all Farmers' Market Nutrition Program (FMNP) vouchers and cash for WIC recipients (Special Supplemental Program for Women, Infants, and Children) and Section 8 or public

housing residents. Additionally, these incentives can be spent on any SNAP eligible market purchase, not just fruits and vegetables (which is often the case with incentive programs).

The Double Bucks program allows customers to choose and purchase top quality, culturally appropriate, local food with dignity. Customers say it helps their overall health, their mental health and helps them feel included in the community. It also strengthens our food system, supports local farmers, and helps protect the environment. All the while it draws federal dollars from the SNAP and Farmers' Market Nutrition Program into our local economy.

Durham County issued a Request for Proposals (RFP 23-039) on May 4, 2023. RFP 23-039 was advertised in local newspapers and on the Durham County website. Two proposals were received by June 6, 2023:

1. Farmer Foodshare, bid amount of \$480,395.72
2. Bellwoods Residential Solutions, bid amount of \$480,395.72.

The proposal bid tabulation and evaluation summary are attached.

Alignment with Strategic Plan: Appropriate food security support for Durham County's population aligns with Goal 2: Health and Well-Being for All of the Durham County Strategic Plan.

Resource Persons: Mary Oxendine, County Food Security Coordinator; Donna Rewalt, County Extension Director

County Manager's Recommendation: The County Manager recommends that the Board approve a \$480,395.72 contract (RFP 23-039) with Farmer Foodshare to provide fiscal sponsorship to Durham County farmers' market Double Bucks programs. American Rescue Plan Act funds will support the expense.

Attachments:

[ARPAContract_Farmer Foodshare_Draft](#)

[FFS 2023-2024-COI](#)

[FFS Auto Liability Waiver Approval 4.14.23](#)

[Insurance Waiver Request Form FFS](#)

[MWBE Compliance Review Form-AAF for 23-039 RFP 073123](#)

[RFP 23-039 Fiscal Sponsor for DCo Double Bucks Program](#)

[RFP23-039 Summary of evaluation scores](#)

[Farmer Foodshare Tab4 Approach](#)

23-0605

Approval of the Resolution titled North Carolina State Department of Transportation Request for Addition to State Maintained Secondary Road System

Agenda Text:

The Board is requested to adopt the attached resolution which requests that the

Division of Highways of the North Carolina Department of Transportation process all future private road additions within Durham County without approval of the Board of Commissioners.

Alignment with Strategic Plan: This item aligns with Goal 4 (Environmental Stewardship and Community Prosperity). Transportation affects many aspects of our residents' lives including access to education, jobs, and healthcare which may all provide better opportunities and quality of life.

Resource Persons: Ellen Beckmann, Transportation Director; Ryan Eldridge, Transportation Planner.

County Manager's Recommendation: The County Manager recommends that the Board adopt the Resolution titled North Carolina Department of Transportation Request for Addition to the State Maintained Secondary Road System.

Attachments:

[AAF Supplemental Document - Road Transfer Resolution](#)

[Resolution NC State Dept. of Transportation Request for Addition to State Main](#)

23-0615

Request to Enter into Contract with Comfort Mechanical Contractors in the amount of \$421,900.00 for the Replacement of Sanyo HVAC Split system at Durham County Health and Human Services Facility

Agenda Text:

The Board is requested to enter into a contract with Comfort Mechanical Contractors in the amount of \$421,900.00 for the replacement of five Sanyo HVAC mini-split systems at the Health and Human Services facility. The existing units and parts are no longer manufactured. The units serve electrical and telecom rooms throughout the facility. Request for Bid 23-013 was solicited on June 1, 2023, and responded to by two vendors. This contract, if approved, will allow for the installation of a new system with readily accessible replacement parts. This contract will be supported by General Services HVAC CIP.

Alignment with Strategic Plan: This project aligns with Goal 5, Accountable, Efficient and Visionary Government, this will allow us to make the needed repairs to the facility, improving the functionality and extending the equipment's longevity.

Resource Persons: Motiryo Keambiroiro, Director General Services, Shawn Swiatocha, Assistant Director, David Alpaugh, Project Facilitator; Claude Eubanks, HVAC Supervisor.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to enter into contract with Comfort Mechanical Contractors in the amount of \$421,900.00 for the replacement of the Sanyo HVAC split Systems at the Health and Human Services facility and be given the authority to execute change orders/amendments, if funding is available in the CIP fund.

Attachments:[AAF \(Word\)](#)[AAF Supplemental Document - Contract Approval](#)[MWBE Compliance Review Form-AAF for 23-013R2 RFP 072823](#)[RFP 23-013R2 Replacement of Sanyo Split Sys-DCo HHS Facility](#)[RFP 23-013R2 ADDENDUM #1](#)[Committee overall ranking form](#)[COMFORT BID DOC](#)[ENVIROTROL BID DOC](#)[Justification for comfort Mechanical](#)**23-0621**

Budget Ordinance Amendment No. 24BCC00025 Public Health to Recognize \$420,614 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch to Build Upon existing Epidemiology and Laboratory Capacity Infrastructure

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 24BCC00025 Public Health to Recognize \$420,614 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch to Build Upon existing Epidemiology and Laboratory Capacity Infrastructure

These funds are intended to leverage and build upon existing Epidemiology and Laboratory Capacity (ELC) infrastructure that emphasizes the coordination and critical integration of laboratory with epidemiology and health information systems, thus maximizing the public health impact of available resources. These additional resources, by law, are intended to “prevent, prepare for, and respond to coronavirus” by supporting testing, case investigation and contact tracing, surveillance, containment, and mitigation. Such activities may include support for workforce, epidemiology, use by employers, elementary and secondary schools, child care facilities, institutions of higher education, long-term care facilities, or in other settings, scale up of testing by public health, academic, commercial, and hospital laboratories, and community-based testing sites, mobile testing units, health care facilities, and other entities engaged in COVID-19 testing, and other activities related to COVID-19 testing, case investigation and contact tracing, surveillance, containment, and mitigation.

Please note that this amendment requires no additional County funds.

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 more resources for COVID-19.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager’s Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00025 Public Health

to Recognize \$420,614 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch to Build Upon existing Epidemiology and Laboratory Capacity Infrastructure

Attachments: [AAF AA 543 Supplemental Document FY24 - Noncontract](#)
[AA 543 ELC Enhancing Detection Activities - signed](#)
[AAF-25 Legal Form](#)

23-0622

Budget Ordinance Amendment No. 24BCC00024 Public Health to Recognize \$461,250 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch to Expand Communicable Disease Surveillance, Detection, Control, and Prevention Activities

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 24BCC00024 Public Health to Recognize \$461,250 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch to Expand Communicable Disease Surveillance, Detection, Control, and Prevention Activities

These funds will be used to expand communicable disease surveillance, detection, control, and prevention activities to address the COVID-19 public health emergency and other communicable disease challenges impacted by the COVID-19 public health emergency. The scope and magnitude of the COVID-19 response required an “all hands-on deck” approach that redirected staff from much of their normal day-to-day responsibilities. This created a disproportionate focus on COVID-19 cases at the expense of other communicable diseases. As a result, the ability to perform routine activities (e.g., case investigation/management, patient education, etc.) for these other diseases has been suboptimal compared to pre-pandemic efforts. These funds are intended to assist with a return to, and in some instances exceed, pre-pandemic service delivery for other communicable diseases.

Please note that this amendment requires no additional County funds.

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 more resources for COVID-19.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager’s Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00024 Public Health to Recognize \$461,250 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch to Expand Communicable Disease Surveillance, Detection, Control, and Prevention Activities

Attachments: [AA 546 Communicable Disease Pandemic Recovery - signed](#)
[AAF AA546 Supplemental Document - Noncontract](#)
[AAF-24 Legal Form](#)

23-0623 **Budget Ordinance Amendment No. 24BCC00023 Public Health to Recognize \$98,702 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch to Approve Creation of 2 Full-Time Communicable Disease Control Specialist I Positions (2 FTE's)**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 24BCC00023 Public Health to Recognize \$98,702 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch to Approve Creation of 2 Full-Time Communicable Disease Control Specialist I Positions (2 FTE's) funds will supplement previously recognized funds for FY24 in the amount of \$98,427, bringing the total for the grant to \$197,129. Using these funds, the Board is requested to approve creation of two full time Communicable Disease Control Specialist I positions.

This grant supports the local health department (LHD) HIV and syphilis partner notification capacity. The goal is to control the spread of HIV/STDs by providing case investigation and contact tracing services to county residents infected with or exposed to these organisms. The current grant funds from NC DHHS end May 31, 2024. Per NC DHHS, this funding is expected be renewed and continue through May 31, 2025.

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 expanding essential public health services to control communicable diseases in the community.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00023 Public Health to Recognize \$98,702 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch to Approve Creation of 2 Full-Time Communicable Disease Control Specialist I Positions (2 FTE's)

Attachments: [AA 547 R1 HIV and STI Partner Services - signed](#)
[AAF 547 Supplemental Document - Noncontract main](#)
[AAF-23 Legal Form](#)

23-0625 **Budget Ordinance Amendment No. 24BCC00021 Public Health to**

Recognize \$1,857 from the NC DHHS Division of Public Health Epidemiology Section/Communicable Disease Branch to Provide Funding to Counties to Enhance Latent Tuberculosis (TB) infection and Active TB Disease Screening and Treatment

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 24BCC00021 Public Health to Recognize \$1,857 from the NC DHHS Division of Public Health Epidemiology Section/Communicable Disease Branch to Provide Funding to Counties to Enhance Latent Tuberculosis (TB) infection and Active TB Disease Screening and Treatment

This increase in the grant funds provides temporary funding to the Local Health Department (LHD) to provide additional funding to counties to enhance latent tuberculosis (TB) infection (LTBI) and active TB disease screening and treatment due to the Local Health Department's increased caseload due to Ukrainian refugees and humanitarian parolees.

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 expanding essential public health services to control communicable diseases in the community.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 24BCC00021 Public Health to Recognize \$1,857 from the NC DHHS Division of Public Health Epidemiology Section/Communicable Disease Branch to Provide Funding to Counties to Enhance Latent Tuberculosis (TB) infection and Active TB Disease Screening and Treatment.

Attachments:

[AA 551 R1 TB Control - signed](#)

[AAF 551 Supplemental Document - Noncontract - AA 551 TB Control \(rev1\)](#)

[AAF-22 Legal Form](#)

23-0626

Budget Ordinance Amendment No. 24BCC00021 Public Health to Recognize \$14,220 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch for STD Service Needs

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 24BCC00021 Public Health to Recognize \$14,220 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch for STD Service Needs

These funds are intended to assist the Department of Public Health in meeting the STD service needs for its patients and provides a mechanism

to award federal STD Prevention funds to the Local Health Department to ensure its 340B STD Drug Eligibility. These drugs are used to reduce the morbidity, mortality, and spread of STDs in North Carolina. These funds are to be used exclusively for the treatment of local health department clients who are either diagnosed with or who are sexual partners of someone with an STD.

Please note that this amendment requires no additional County funds.

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 more resources for STD prevention.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00021 Public Health to Recognize \$14,220 from the NC DHHS Division of Public Health Epidemiology/Communicable Disease Branch for STD Service Needs

Attachments:

[AA 894 STD Drugs - signed](#)

[AAF AA 894 STD Drugs Supplemental Document FY24](#)

[AAF-21 Legal Form](#)

23-0641

Requesting the Board to authorize the County Manager to sign and execute the Board of Elections FY23-24 service contract with Coastal Carrier in the amount of \$60,000.

Agenda Text:

The Board is requested to authorize the County Manager to sign and execute the Durham County Board of Elections FY23-24 service contract with Coastal Carrier, Inc., a delivery, and transportation vendor in the amount of \$60,000. This contract requires an RFP, however, due to the timing of the upcoming elections and the amount of time it takes to process an RFP, the County Finance Department suggested we contract this service out for six-months, which will cover the upcoming October and November Municipal Elections. This will allow time for the County Purchasing Department to process the RFP for services we need to cover the remainder of FY23-24. Existing budgeted funds will be used to support this contract.

Coastal Carrier, Inc has worked with us over the past two years and are familiar with our tedious processes, which makes them a great vendor for this service. We are confident they can accommodate our needs.

Preceding each election, service will include the delivery of Election Supplies and Equipment from the Board of Elections Warehouse to One-Stop and Election Day Voting Sites. Once voting has ended, service will include the pick-up of the same items, and delivered back to the Board of Elections Warehouse. Service dates

include the following elections:

- October 10, 2023, Municipal Primary Election
- November 7, 2023, Municipal General Election

Alignment with Strategic Plan: Acquiring this service will permit the Durham County Board of Elections to operate in an efficient and effective manner consistent with Goal 5 of the county's strategic plan. Enabling the Board of Elections to acquire this service will ensure continued statutory compliance and allow the Board to lead in innovative election services and internal administrative controls.

Resource Persons: Derek Bowens, Director of Elections

County Manager's Recommendation: The County Manager recommends that the Board approve the Board of Elections to enter into a contract with Coastal Carriers Inc, in the amount of \$60,000.00, to provide critical election services to the residents of Durham County.

Attachments: [Board of Elections Coastal Carrier Transportation and Delivery Services Contract](#)

23-0645

Approve Budget Amendment No.24BCC00026 and Capital Project Amendment No.24CPA00004 appropriating \$1,263,635 of Fund Balance from the Sewer Utility Fund to Create the New TWWTP Rehabilitation and Upgrade Capital Project (SE063); as well as Approve the County Manager to Execute a Contract with Hazen and Sawyer for the Professional Engineering Services for the TWWTP Rehabilitation and Upgrade Project in the amount of \$1,053,026 and Execute Any Related Contract Amendments Not to Exceed a Total Project Budget of \$1,263,635

Agenda Text:

The Board is requested to approve Budget Amendment No.24BCC00026 and Capital Project Amendment No.24CPA00004, appropriating \$1,263,635 of Fund Balance from the Sewer Utility Fund to the Collection System Rehabilitation Fund to create the new TWWTP Rehabilitation and Upgrade Project for the Triangle Wastewater Treatment Plant (TWWTP) Project SE063. The Board is also requested to approve a service contract to Hazen and Sawyer for the professional engineering services for the TWWTP Rehabilitation and Upgrade Project in the amount of \$1,053,026 and to authorize the County Manager to execute the contract and any related contract amendments, not to exceed a total project budget of \$1,263,635.

Name / Location of Project	Current Budget	Increase/Decrease	Revised Budget	Project Status
TWWTP Rehabilitation and Upgrade Project (SE063)		\$0.00	\$1,263,635.00	\$1,263,635.00
NEW				

Project Background:

Most of the equipment at the Triangle Wastewater Treatment Plant's was installed in the early 2000's and is now at the end of its design and service life. The equipment has either become obsolete or now requires ongoing maintenance beyond routine service recommendations by the manufacturer in order to remain in service. The improvements proposed also will address items to ensure the ongoing structural integrity of existing concrete structures and single points of failure with unit processes to improve the overall long-term performance and resiliency of the plant. A Preliminary Engineering Report provided mechanical, electrical, and structural condition assessments, identified improvements based on risk assessment that accounts for the probability and consequences of failure, and presented preliminary design recommendations.

This project will provide the formal design recommendations and documents necessary to begin implementing the recommendations of the Preliminary Engineering Report. Hazen and Sawyer will provide pre-construction phase services (establish a strategic plan for improvements, develop construction drawings and specifications, secure permits and/or entitlements, and assist in construction bidding), construction phase services (owner-representative and construction observation), and post-construction services (manage equipment turnover, punch list, and warranty items). All phases of work will be done in accordance with keeping Durham County Government Utility System operating in compliance with NPDES Permit NC0026051, good environmental practices, and associated County Policies.

Durham County issued a Request for Qualifications (RFQ 23-030) on March 27, 2023. RFQ 23-030 was advertised in local newspapers and on the Durham County website. Additionally, the requirements were emailed to multiple vendors. Three State of Qualification (SoQ) responses were received on April 25, 2023. The scoring tabulation of the received Statement of Qualifications is attached.

A twenty percent contingency is recommended for the project to cover any unexpected expenses that may arise. The funding will come from the Fund Balance of the Sewer Fund. Hazen and Sawyer will be utilizing 2.2% certified American Indian businesses and 4.9% certified women-owned businesses to perform this work on the project.

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 the Triangle Wastewater Treatment Plant continues to treat wastewater to meet effluent standards as required by NPDES Permit NC0026051.

Resource Persons: Jay Gibson PE, Director of E&ES; Stephanie Brixey, Deputy Director of E&ES; Wade Shaw, Utilities Superintendent; Davis Ades, Assistant Director of Budget & Management Services.

County Manager's Recommendation: The County Manager recommends that

the Board approve Budget Amendment No.24BCC00026 and Capital Project Amendment No.24CPA00004, appropriating \$1,263,635 of Fund Balance from the Sewer Utility Fund to the Collection System Rehabilitation Fund to create the new TWWTP Rehabilitation and Upgrade Project for the Triangle Wastewater Treatment Plant (TWWTP) Project SE063. The Board is also requested to approve a service contract to Hazen and Sawyer for the professional engineering services for the TWWTP Rehabilitation and Upgrade Project in the amount of \$1,053,026, and to authorize the County Manager to execute the contract and any related contract amendments, not to exceed a total project budget of \$1,263,635.

Attachments:[AAF Supplemental Doc](#)[MWBE Compliance Review Form-AAF for 23-030 RFQ 081423](#)[RFQ 23-030 Proposal Tab Rehabilitation and Upgrade Project TWWTP](#)[Hazen Proposal](#)[AAF-026 & CPA-04 LEGAL FORM Creating new TWWTP Rehabilitation and Upgrade Project](#)[CPA-04 & BCC-26 LEGAL FORM Creating new TWWTP Rehabilitation and Upgrade Project](#)[RFQ 23-030 Evaluation Scoring Summary](#)**23-0646**

Approve the County Manager to sign the Local Assistance for Stormwater Infrastructure Investments (ARPA) Acceptance Resolution to receive \$400,000 from the State of North Carolina Division of Water Infrastructure for the Whispering Pines Stream Restoration project.

Agenda Text:

The Board is requested to authorize the Manager to sign a Resolution of Acceptance and “offer-and-acceptance” document for the ARPA-funded Local Assistance for Stormwater Investments Grant in the amount of \$400,000 for the Whispering Pines Mobile Home Stream Restoration Project. North Carolina General Assembly Session Law 2021-180 Section 12.14 established the Local Assistance for Stormwater Infrastructure Investments (LASII) fund to provide grants to eligible entities for projects that will improve or create infrastructure for controlling stormwater quantity and quality. Durham County’s Stormwater Program applied for and was awarded \$400,000 by the Division of Water Infrastructure (DWI). DWI requires a resolution of acceptance and “offer-and-acceptance” document to receive the funds.

The Whispering Pines Mobile Home Park Stream Restoration Project was identified in the County Stormwater Nutrient Management Strategy as a potential project for compliance with the Falls Lake Nutrient Management Rules. The project consists of approximately 1500 linear feet of stream restoration and a bioretention pond to treat stormwater on the property. The LASII Grant will fund the planning and design efforts associated with the project.

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

the objective of improving water quality.

Resource Persons: Ryan D. Eaves, PE, Stormwater and Erosion Control Division Manager; McKenzie Bradshaw, P.E., CFM, Stormwater Manager; Jay Gibson, P.E., CFM, Director of E&ES.

County Manager's Recommendation: The County Manager recommends that the Board authorize the Manager to sign the Resolution of Acceptance and "offer-and-acceptance" document for the LASII Grant.

Attachments: [Durham Co. Signed Scope Approval Transmittal Package](#)
[Resolution \(ARPA\) - finalized 08.18.2023](#)
[WhisperingPinesScope](#)

23-0659

Approval of a Letter of Support for the Durham to Roxboro Rail Trail Planning Study Grant Application

Agenda Text:

The Board is requested to approve a letter of support for the Durham to Roxboro Rail Trail Planning Study grant application.

The Durham County Transportation Department is preparing an application for the U.S. Department of Transportation Reconnecting Communities and Neighborhoods (RCN) grant program. The application will request \$500,000 to conduct a feasibility study for the Durham to Roxboro Rail Trail. The feasibility study will include an equitable community engagement process, technical analyses, assessment of benefits, cost estimates, and recommendations for phasing, segmentation, funding, implementation, and maintenance. Durham County, City of Durham, and Central Pines Regional Council staff are coordinating the preparation of the application, and the study is anticipated to be a joint City and County effort.

The trail corridor aligns with an 18-mile-long non-active rail corridor that passes from the City of Durham through Bahama and Rougemont and into Person County. This trail is in the adopted 2011 Durham Trails and Greenways Master Plan and would connect the Durham Rail Trail (formerly Durham Belt Line Trail) currently in development by the City of Durham, GoDurham Route 9/9A/9B, Bragtown neighborhood, Lakeview School, Sandy Ridge Elementary School, Eno River State Park and conservation lands, Durham Tech North Campus, Little River Elementary School, Treyburn Corporate Park, Stagville State Historic Site, Horton Grove Nature Preserve, Mangum Elementary School, Bahama, and Rougemont. The trail aligns with the goals of the Durham Comprehensive Plan by providing a transportation facility through an urban and rural area of Durham that lacks safe and accessible options for non-motorized travel and recreation.

While full federal funding of \$500,000 is requested as the trail is partially in a historically transportation disadvantaged area, the letter also states that Durham County is committing to a \$33,334 non-federal match if required by US DOT. The City of Durham and the East Coast Greenway Alliance are also committing to a \$33,333 non-federal match.

Alignment with Strategic Plan: Trails align with Goal 4 of the Strategic Plan by providing an environmentally preferred transportation option.

Resource Persons: Ellen Beckmann, Transportation Director; Ryan Eldridge, Transportation Planner

County Manager's Recommendation: The County Manager recommends that the Board approve a letter of support for the Durham to Roxboro Rail Trail Planning Study grant application.

Attachments: [AAF Durham Roxboro Rail Trail Grant Application](#)
[Durham to Roxboro Rail Trail - Notable Adjacent Features](#)
[DCo BOCC Letter Durham Roxboro Rail Trail Grant Application](#)

23-0661

Request for Consent of Access to the North Carolina Department of Environmental Quality to allow its Division of Waste Management and Contractors Access to the 721 Foster Street Site

Agenda Text: The Board is requested to authorize the County Manager to execute the attached Off-site Property Access Consent Form granting access to the North Carolina Department of Environmental Quality (NCDEQ), its Division of Waste Management and its contractor's access to the 721 Foster St. site. (See Attachment 1).

On August 17, 2023, Durham County Legal and Engineering Departments were notified by email of a request from AECOM (DEQ's contractor), As part of NCDEQ's Dry-Cleaning Solvent Cleanup Act (DCSA) Program which investigates releases of dry-cleaning solvents, additional groundwater sampling via soil boring needs to be conducted. (See Attachments 2 and 3).

The County Attorney's Office and Engineering Department have reviewed the request, consulted with County departments located at the property regarding scheduling, and recommend that the Board authorize the consent of access. It is important to note that the possible contamination poses no risk to the safety of the Cooperative Extension building and adjacent property occupants as all facilities in this area are supplied by Municipal water.

Alignment with Strategic Plan: This aligns with Goal 5 - Accountable, Efficient and Visionary Government - by allowing continued monitoring of the potential groundwater contamination.

Resource Persons: Michelle Freidman, Geologist IV, AECOM; Peri Manns, ASLA, Assistant General Manager/Deputy Director, Engineering & Environmental Services; Nathan McKinney, Senior Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute the attached Off-site Property Access Consent Form to the NCDEQ and its contractors for assess to the 721

Foster St. Site to allow for groundwater sampling. (See Attachment 1).

Attachments: [DC320011_721 Foster Street_Soil Sampling access consent](#)
 [Friedman Email](#)
 [DC320011_721 Foster Street_Soil Sampling access consent](#)

23-0665

Approval of Easement Agreement, Legal Description, and Dedication Plat with City of Durham for a Required Sidewalk Easement Necessary for the 300 E. Main St. Mixed-Use Development Project

Agenda Text: The Board is requested to approve an Easement Agreement, Legal Description, and Dedication Plat with City of Durham for a required Sidewalk Easement necessary for the 300 E. Main St. Mixed- Use Development Project. (See attachment 1 - pages 1- ----)

This request meets the City of Durham Zoning Code 12.4.2 for dedication of sidewalks in the Downtown Durham Historic District. In this case, the dedication also includes a bus stop, which will directly benefit the residents and users of the subject property and nearby properties. The previously issued Site Plan for the deck project has a 2-year requirement that all easement agreements, Legal Descriptions and Plats must be executed prior to the end of that term which expires on September 19, 2023.

Per ordinance, a plat must be recorded within six months of City-County Planning Department approval, giving the County (as property owner) a mid-September deadline to grant the easement and sign off on the plat

The County Attorney's Office also has reviewed the Easement Agreement, Legal Descriptions and Plats.

Alignment with Strategic Plan: The project is in accordance with Strategic Plan Goal 4 - Environmental Stewardship and Community Prosperity particularly Strategy 4.2.C - Regional Planning: Participate in smart growth practices and support regional planning partnerships to promote a high quality of life for all.

Resource Persons: Peri Manns, ASLA, Deputy Director, Engineering & Environmental Services; Alan A Andrews, County Attorney.

County Manager's Recommendation: The County Manager recommends that the Board Approve an Easement Agreement, Legal Description, and Dedication Plat with City of Durham for a required Sidewalk Easement Necessary for the 300 E. Main St. Mixed-Use Development Project.

Attachments: [300 E Main Descriptions - Sidewalk and Bus Stops - Stamped](#)
 [300 E Main Plat - Sidewalk and Bus Stop Easements](#)
 [Bus Stop Easement Agreement - 300 East Main](#)

23-0675**Approval of Thirumala Restaurant Lease Amendment****Agenda Text:**

The Board is requested to approve the amendment to the lease between Durham County and Thirumala Hospitality Durham, LLC extending the Rent Commencement to the earlier of 60 days after Tenant's opening for business, or March 1, 2024.

Thirumala Hospitality Durham, LLC entered into a lease agreement for the restaurant suite #150 in the County's Administrative Building II on September 30, 2021. They have diligently pursued the design and bidding of the work required to complete the upfit of the space in accordance with the terms of their lease.

Due to various factors, including:

- Time required to work through installation issues pertaining to the sewer line installation which is located above office space below the restaurant lease space;
- Additional time lost due to delays in working out installation of the sewer pump;
- Working on a solution relating to duct work to the roof top;
- Delays relating to sprinkler system permit.

The schedule in the executed lease calls for Rent Commencement as of May 28, 2022. The lease was first amended by Board action on May 23, 2022, extending the Rent Commencement Date to no later than January 1, 2023, and again extended to September 1, 2023. The Tenant has worked diligently to successfully solicit bids from qualified contractors, complete the work, and secure the necessary permits. As this is a first-generation use of the space, unexpected issues have arisen that could not have been known by either party in advance.

It is worth noting that the Tenant's principal is an experienced restaurant operator that has opened a several restaurant concepts throughout the Triangle and elsewhere. This is the first time this business owner has confronted challenges like this. Notwithstanding these challenges, the Tenant has expressed their commitment to completing this project and opening this new restaurant in Admin II as soon as they are able.

The tenant is seeking an extension of the Rent Commencement Date to the earlier of 60 days after Tenant's opening for business, or March 1, 2024.

Alignment with Strategic Plan: The attached Lease Agreement supports Goal 1 "Community Empowerment and Enrichment," and Goal 5 "Accountable, Efficient and Visionary Government"

Resource Persons: Nancy Mitchell, Senior Real Estate Officer; Peri Manns, Deputy Director of E, E & S.

County Manager's Recommendation: The County Manager recommends that the Board approve the amendment to the lease between Durham County and Thirumala Hospitality Durham, LLC extending the Rent Commencement to the earlier of 60 days after Tenant's opening for business, or March 1, 2024.

Attachments: [THIRUMALA Lease Amendment #3 090123](#)
[5 - D - Comm Date Agr](#)

3. Discussion Items (245 min)

23-0658

Unified Development Ordinance Text Amendment Regarding Phased Development and Tree Preservation (TC2200004) (20min)

Agenda Text:

The Board is requested to review and consider revisions to the *Unified Development Ordinance* Text Amendment, Phased Development and Tree Preservation (TC2200004). The text amendment revisions will also be considered at a public hearing before the Board of Commissioners in September. The motions are as follows:

Motion 1: To adopt an ordinance amending the Durham Unified Development Ordinance, incorporating revisions to Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; and Article 13, Additional Requirements for Subdivisions, effective October 1, 2023; and

Motion 2: To adopt the appropriate consistency statement as required per NCGS § 160D-605.

Attachments:

- A. An Ordinance to Amend the *Unified Development Ordinance*, Phased Development and Tree Preservation
- B. TC2200004 Text Amendment Clean Copy
- C. Community Input
- D. Consistency Statement
- E. Planning Commission Written Comments
- F. Presentation

Summary

This text amendment proposes revisions to the Design Standards (new Section 7.9, Grading Setbacks), Tree Protection and Tree Coverage standards (Section 8.3), Project Boundary Buffer standards (Section 9.4), and Requirements for Subdivisions (new Section 13.9, Phased Development) within the *Unified Development Ordinance* (UDO) in order to:

- Address ongoing concerns regarding soil erosion during the development of large residential sites,
- Incentivize better management and encourage more deliberate design regarding grading and topography during land development, and

- Amend tree coverage and preservation standards in order to prioritize preservation of existing tree coverage instead of tree replacement, where possible.

Alignment with Strategic Plan: The Phased Development and Tree Preservation text amendment aligns with Goals 2 (Health and Well-being for All) and 4 (Environment) of the Durham County Strategic Plan. The proposed requirements for phasing development and tree preservation will increase the ecosystem services and health benefits associated with increased tree canopy, as well as furthering the protection of natural resources within Durham County.

Resource Persons: Robin Schultze, ISA, Senior Planner/Arborist, and Sara M. Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board receive a report on the proposed *Unified Development Ordinance* text amendment and provide comments on the report.

Attachments:

[Phased Development and Tree Preservation Memo](#)

[Attachment F - Presentation](#)

[Attachment A - An Ordinance to Amend the Unified Development Ordinance, Pt](#)

[Attachment B - TC2200004 Text Amendment Clean Copy](#)

[Attachment C - Community Input](#)

[Attachment D - Consistency Statement](#)

[Attachment E - Planning Commission Written Comments](#)

23-0638

Durham Open Space and Trails Interlocal Agreement Update (20min)

Agenda Text:

In 1993 the Durham City Council and the Durham County Board of Commissioners approved an Interlocal Agreement to establish the Durham Open Space and Trails Commission (DOST). This agreement was most recently reauthorized in 2010. Several changes are being proposed including, but not limited to, clarifying the role of City Council and Board of County Commissioner liaisons to the DOST and removing the ability of DOST to self-appoint voting members to the Commission and its various committees.

The Board is requested to review the proposed Durham Open Space and Trails Commission Interlocal Agreement.

Attachments:

Attachment A - Revised DOST Interlocal Agreement

Alignment with Strategic Plan: This item supports Goal 4, by promoting open space and trails development efforts.

Resource Persons: Carl Kolosna, AICP, Senior Planner, and Sara M. Young,

AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board review the draft Interlocal Agreement.

Attachments: [Attachment 000 - DOST Interlocal Agreement Update Memo BOCC](#)
[Attachment A Revised DOST Interlocal Agreement pending](#)

23-0652 **Presentation of the Low-Income Homeowners Tax Relief Program and Emergency Rental Assistance Program (ERAP) by Durham County Department of Social Services (30min).**

Agenda Text: DSS staff will provide informational presentations on the Low-Income Homeowners Tax Relief Program and the Emergency Rental Assistance Program.

The DSS Board voted unanimously on May 19, 2021, to adopt a resolution to approve the Tax program and to work collaboratively with the City with the implementation of this program particularly with respect to shared funding for the cost of administration. The DSS Board updated the eligibility guidelines for the program and will provide an update on the program outcomes and outreach plans for FY24.

The ILA with the City of Durham was approved at the August 14th meeting.

The Emergency Rental Assistance Program has been in effect since May 2021. This presentation will update the community and the Board with current spending and trends that impact housing stability.

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: Maggie Cveticanin, Durham County Department of Social Services Director, Kelly Inman, Chief Operations Officer, Lee Little, Interim Assistant Director, Meghan Russ, Program Manager-Aging and Adult Services.

County Manager's Recommendation: The Board will receive presentations on the Low-Income Homeowners Tax Relief Program and Emergency Rental Assistance Program (ERAP) by Durham County Department of Social Services (30min).

Attachments: [DSS Board LIHR Recommendations Presentation FY 24](#)
[ERAP update for BOCC for Sept. worksession](#)

23-0660 **Adverse Childhood Experiences and Resilience Update and Presentation (30min)**

Agenda Text: The Board is requested to receive a presentation from the Adverse Childhood Experiences and Resilience Coordinator.

The Adverse Childhood Experiences and Resilience Coordinator supports the activities of the Durham Adverse Childhood Experiences and Resilience Taskforce (DART), provides training and technical assistance to increase awareness of ACEs, resilience, and trauma-informed care, and works to increase trauma-informed care within the Durham County Department of Public Health (DCoDPH). DART was established in 2017 to support coordination of efforts to reduce ACEs and support access to trauma-informed care.

The Board of Health received a similar presentation on April 24, 2023.

Alignment with Strategic Plan:

This work aligns with Strategic Goal 2: Health and Well-being for All by providing training to clinicians and other practitioners for health promotion, educating the public about ACEs and positive childhood experiences, and resilience, and promoting social emotional health to prevent and respond to adversity in childhood in Durham County.

Resource Persons: Jess Bousquette, MPH, Adverse Childhood Experiences and Resilience Coordinator; and Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board receive a presentation from the Adverse Childhood Experiences and Resilience Coordinator at the September 5th work session.

Attachments:

[Adverse Childhood Experiences Spending Proposal _ BOCC WS 9-5-23](#)

[DCoDPH Opioid Response Overview and Data Report - 9-5-23](#)

[Item 23-0660 - Opioid Overdose Presentation](#)

[Item 23-0660 ACEs Presentation](#)

Lunch Break

23-0530

FY2023 Farmland Protection Advisory Board (FPAB) Update (10min)

Agenda Text:

The Board is requested to receive an update from the Farmland Protection Advisory Board (FPAB). Durham County's beginning financial basis was agriculture. Over the years, agriculture in Durham has grown to include not only traditional farms but urban, innovative farming.

This Annual Report will highlight the past year's accomplishments and the implementation of the FPAB's goals for all of Durham agriculture. Two key programs administered through the FPAB are vital to the preservation and recognition of farmland in Durham: The Farmland Protection Program and the Voluntary Ag District Program. A representative from the FPAB serves on the Ag Economic Development Grant Program Committee. Active roles played by the FPAB in these programs as well as educational outreach allows agricultural vitality in Durham now and for the future.

Alignment with Strategic Plan: This program aligns with Goal 4 Environmental Stewardship and Community Prosperity and Goal 5 Accountable Efficient and Visionary Government.

Resource Persons: Eddie Culberson, Director Durham Soil and Water Conservation; Nicole Connelly, Farmland Board Chair, Sherry Scully, Ag Development Coordinator.

County Manager's Recommendation: The County Manager recommends that the Board receive an update from the Farmland Protection Advisory Board (FPAB).

Attachments: [Annual Report_FINAL](#)
[FPAB Annual Report Presentation- 9-5-2023](#)

23-0642 **Presentation on Durham County's FY 2025-2029 Strategic Planning Process and Overview of the Office of Strategy & Performance (30min)**

Agenda Text: The Board is requested to receive an introduction to the planning process for the FY 2025-2029 Strategic Plan and the recently renamed Office of Strategy and Performance. The County has been without a revised Strategic Plan for more than 12 months. This presentation will outline the work that has been completed and the process and timeline moving forward.

Alignment with Strategic Plan: This item aligns with Goal 5: Visionary Government

Resource Persons: Josh Edwards, Director Strategy and Performance; Adreanna Johnson, Strategic Initiatives Analyst; Ciji Garner, Strategic Initiatives Analyst; Shannon Trapp, Chief of Staff.

County Manager's Recommendation: The County Manager recommends that the Board receive this informational session on the FY 2025-2029 Strategic Plan from the Office of Strategy and Performance.

Attachments: [BOCC Presentation - Draft 2.0](#)

23-0663 **Presentation from Naming Committee on Request to Name the Carl D. Hodges Conference Room in the County Agriculture Building to Honor First African American Extension Director in Durham County, the State of North Carolina and the United States (20min)**

Agenda Text: The Board is requested to receive a brief update from the Durham County Naming Committee on the request for Carl D. Hodges, first African American Extension Director in Durham County, in the state of North Carolina, and in the United States.

He was the first black extension agent in Durham to have a regular radio program and newspaper column. He was a newspaper columnist for the Herald-Sun/Durham Morning Herald where he wrote the popular educational column, *Durham County Farm Corner*, where he educated farmers, landowners, homeowners, and the

general public about research-based information and Extension events, including 4-H Youth. In addition, he was frequently interviewed for his agricultural expertise.

Following the recommendations - a public hearing and request for final approval will be scheduled for September 11, 2023.

Alignment with Strategic Plan: This item aligns with all strategic priorities of Durham County.

Resource Persons: Al Andrews, County Attorney; Deborah Craig-Ray, Chief Communications Director; Julio Degaldo, Assistant County Manager; Kathy Everette-Perry, Chief Human Resources Officer; Shannon Trapp, Chief of Staff and Monica Wallace, Clerk to the Board

County Manager's Recommendation: The Board is requested to receive a brief update from the Durham County Naming Committee on the request for Carl D. Hodges and provide feedback on the recommendations.

Attachments: [Naming Carl Hodges Conference Room18](#)

23-0669

ARPA Update (45min)

Agenda Text:

The Board has requested to receive an update on the American Rescue Plan Act (ARPA) funds. The American Rescue Plan will deliver \$350 billion for state, local, territorial, and Tribal governments to respond to the COVID-19 emergency. Durham County received \$62,445,275. ARPA funds can support several priorities including a public health response due to COVID-19, address negative economic impacts, replace public sector revenue loss, and fund premium pay for essential workers. Funding use can also address water, sewer, and broadband infrastructure and other priorities as identified in the US Treasury Final rule. Funding must be encumbered by 2024, with all invoices paid by 2026.

The Board has requested to receive an update on the American Rescue Plan Act funding including potential joint funded projects with the City of Durham. Staff will give an update to the Board on the status of the community grant contracts and share highlights on remaining allocations.

Alignment with Strategic Plan: Goal 1: Community Empowerment and Enrichment; Goal 2: Health and Well Being for All; Goal 3: Safe Community; Goal 4: Environmental Stewardship & Community Prosperity; Goal 5, Accountable, Efficient and Visionary Government.

Resource Persons: Claudia Hager, Deputy County Manager; John Keefer, County Grant Administrator; Greg Marrow, Chief Information Officer; Bertha Johnson, Deputy City Manager, City of Durham and Reginald Johnson, Director Community Development, City of Durham

County Manager's Recommendation: The County Manager recommends that

the Board of County Commissioners receive the report.

Attachments: [ARPA Presentation - September 5 2023 - BOCC Worksession](#)
[Supplemental Item - BOCC ARPA Update, September 5, 2023](#)
[ARPA Presentation - April 3 2023, BOCC Worksession](#)
[ARPA Powerpoint - December 12 2022 BOCC Meeting \(2\)](#)

23-0674

Board Discussion and Vote on the Durham Technical Community College (DTCC) Board of Trustees Appointment (10min)

Agenda Text: The Board is requested to discuss the citizen appointment to the Durham Technical Community College Board of Trustees and suspend the rules to vote.

At the August 28, 2023, Regular Session meeting the Board asked staff to research Board policy on citizen terms to boards and commissions. Upon the findings, the Board would vote on the vacant seat of the DTCC board.

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

Resource Persons: Al Andrews, County Attorney; Monica Wallace, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board discuss the citizen appointment to the DTCC Board of Trustees and suspend the rules to vote.

Attachments: [Legistar Attmt - 9.5.2023](#)
[Procedures for Citizen Appointments \(Rev May 2019\)](#)

23-0673

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

23-0643

Closed Session

Agenda Text: The Board is requested to adjourn into Closed Session to establish, or to instruct the

public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; pursuant to G.S. 143-318.11(a)(5)

Alignment with Strategic Plan: This item aligns with Community Stewardship

Resource Persons: Julio Delgado, Assistant County Manager; Peri Manns, Deputy Director of Engineering and Environmental Services

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

5. Adjournment