



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, December 11, 2023

7:00 PM

Commissioners' Chambers

Regular 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.

7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

23-0908 Announcements (5min)

Agenda Text:

1. **Information Session & MWBE Outreach** - Durham County Board of Elections Phase 1B Information Session and MWBE Outreach on Monday, December 18th from 3pm - 5pm in the Commissioners Chambers - located at 200 E. Main Street. Please visit <https://shorturl.at/hkovP> to RSVP or contact Johnny Sigers at jsigers@sametcorp.com [<mailto:jsigers@sametcorp.com>](mailto:jsigers@sametcorp.com)
2. **Give Feedback on Triangle's Future Transportation System** - If you're interested in future highway, bicycle, rail, pedestrian, and transit projects for the Triangle region over the long-term, now's your chance to give feedback on the goals and objectives that will guide the planning process. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) and the Capital Area Metropolitan Planning Organization (CAMPO) are working on Destination 2055, an update to the Triangle Region's

long-range transportation plan, the 2055 Metropolitan Transportation Plan (MTP). Take survey through January 10, 2024, in English at <https://publicinput.com/destination2055goals> or Spanish <https://publicinput.com/destino2055objetivos>. Visit the Destination 2055 website here: <https://Destination2055NC.com>. Comment via email at Destination2055@publicinput.com or voicemail at 855-925-2801, enter code 5731.

3. **Low Income Energy Assistance Program** - The Durham County Department of Social Services is taking applications for the Low-Income Energy Assistance Program (LIEAP) for applicants who are age 60+, as well as those with disabilities and who receive Food and Nutrition Services. The application opens to all Durham County residents on January 3, 2024. Apply at <https://ePass.nc.gov>. Call 919-560-8192 to make a virtual appointment with a LIEAP Specialist.
4. **2023 Tax Bill Payments** - The Durham County Tax Administration allows citizens the option of making partial payments on real property taxes through January 5, 2024. Payment options include check, bank draft, money order or cash. For citizen convenience, equal installment payment coupons are enclosed with real estate tax bills. For more information, visit our website at www.dconc.gov/tax <http://www.dconc.gov/tax>, chat us at <https://bit.ly/dcotaxchat>, or call 919-560-0300.
5. **Feedback Needed for DCONC.GOV Redesign** - Residents are encouraged to give feedback on the Durham County Government website as we begin the process of a comprehensive website redesign. Tell us what you are looking for in a website, if you can find what you need on the current site, and what you like and dislike about it. We have launched a five-minute survey to gather input. Survey is available in English - <https://www.surveymonkey.com/r/VVNLFHC> and Spanish - <https://www.surveymonkey.com/r/SFJ5QNB>
6. **In Touch with Durham County** - Watch the “In Touch with Durham County” TV Show, hosted by Chief Communications Officer Deborah Craig-Ray. This month’s show features a conversation with Durham County Department of Social Services Director Maggie Cveticanin about Medicaid Expansion in North Carolina and Office of Emergency Services Director Jim Groves discusses his DCo career, which ends in retirement in January. The show is available to watch on the DCo YouTube channel at <https://youtu.be/k3HWkqxQJWo>, the Durham County Government website at www.dconc.gov <http://www.dconc.gov>, and the Durham

Television Network.

7. **Winter Holidays Closures** - Most Durham County Government offices will close for the Winter Holidays from Monday, December 25 through Wednesday, December 27, reopening on Thursday, December 28. Most offices will also close on Monday, January 1, 2024, and reopen on Tuesday, January 2. For impacts to specific services, including Convenience Sites and Library locations, visit www.dconc.gov <<http://www.dconc.gov>>.

4. Minutes (5 min)

[23-0909](#)

Minutes (5min)

Attachments: [November 6, 2023 Work Session](#)

5. Ceremonial Items (10 min)

[23-0907](#)

Eno River Association 2024 Calendar Presentation (10min)

Agenda Text: The Board is requested to receive the 2024 Eno River calendars.

Alignment with Strategic Plan: This item aligns with Goal 4: Environmental Stewardship and Community Prosperity

Resource Persons: Jessica Sheffield, Executive Director of the Eno River Association

County Manager's Recommendation: The County Manager recommends that the Board receive the 2024 Eno River calendars.

6. Consent Agenda (15 min)

[23-0808](#)

Budget Ordinance Amendment No. 24BCC00058 Public Health to Recognize \$1,200 from the National Network of Public Health Institutes for the Racial Justice Competency Model (RJCM) Pilot Program

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 24BCC00058 Public Health to Recognize \$1,200 from the National Network of Public Health Institutes for the Racial Justice Competency Model (RJCM) Pilot Program

The grant funds will be used by the Durham County Department of Public Health to pilot RJCM by aligning the departmental policy review process to the recently developed strategic plan. The goal is to use the information in the RJCM to develop a tool by which to evaluate organizational policies, to ensure policies are functioning

through a racial equity lens and identify gaps that new policies may be needed to address.

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 increasing equity and improving internal infrastructure to better serve the public.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00058 Public Health to Recognize \$1,200 from the National Network of Public Health Institutes for the Racial Justice Competency Model (RJCM) Pilot Program

Attachments: [Durham County Department of Public Health RJCM Stipend Acceptance](#)
[Supplemental Document RJCM Funds](#)
[AAF-58 Legal Form](#)

23-0809

Budget Ordinance Amendment No. 24BCC00057 Public Health to Recognize \$100,000 from the National Association of County and City Officials for Covid-19 Education and Access

Agenda Text: Budget Ordinance Amendment No. 24BCC00057 Public Health to Recognize \$100,000 from the National Association of County and City Officials for Covid-19 Education and Access

Durham County Department of Public Health (DCoDPH) was awarded funds from the National NAACHO to collaborate with faith-based partners to identify and implement strategies to improve COVID-19 and routine vaccine confidence, education, and access. The \$100,000 award extends from October 1, 2023 - September 29, 2024, for Durham County to develop and implement an action plan to promote COVID-19 and routine vaccine uptake.

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 mitigating COVID-19 and to increase the number of healthy years that residents live.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00057 Public Health to Recognize \$100,000 from the National Association of County and City Officials for Covid-19 Education and Access

Attachments: [Supplemental Document - NAACHO Faith-based Award](#)
[Notice of Selection Letter](#) [Durham County Dept. of Public Health NC](#)
[AAF-57 Legal Form](#)

23-0832 **Approval of an Interlocal Agreement (ILA) with the City of Durham for a Joint Crisis Communications Plan with Durham County's share not to exceed \$50,000**

Agenda Text: The Board is requested to authorize the County Manager to execute an ILA with the City of Durham for a Joint Crisis Communications Plan (JCCP) with Durham County's share not to exceed \$50,000. The goal of the JCCP is to have a unified approach to crisis communications for any hazard. Funding requirements for the ILA should not exceed \$100,000 and costs will be shared 50/50 between Durham County (\$50,000) and City of Durham (\$50,000). Funding for the JCCP is in the existing FY 2024-25 operating budget.

The Plan will evaluate current crisis communications response capabilities of the City and County, individually and jointly, determine the types of crisis for which both entities would need to prepare, recommend staffing levels; provide customized templates to help prepare responses and communications to the public in multiple ways about various situations, including through the use of media and social media; provide recommendations on how to best coordinate responses when necessary and suggest staging areas to accommodate various situational needs, for public information purposes and for public gathering areas for family and loved ones.

The plan will also recommend and provide online templates for the City and County to prepare for community communication needs for various situations following a crisis to restore and maintain confidence in local government and its services, as appropriate. An example might include a community webpage that informs the public on recovery updates.

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 Elizabeth Schroeder, Chief of Emergency Management

County Manager's Recommendation: The County Manager recommends that the BOCC authorize the County Manager to execute an ILA with the City of Durham for a Joint Crisis Communications Plan (JCCP) with Durham County's share not to exceed \$50,000.

Attachments: [Supplemental Document - Contract Approval Template - Crisis Comms Plan Oc](#)
[ILA Joint Crisis Comms Plan 11-2-23](#)
[RE Approval of Crisis Comms ILA](#)

23-0845 **Approval of McKim & Creed Contract Amendment for the Utilities**

Division for Arc Flash Analysis Services in the Amount of \$10,748 Bringing the Contract Amount from \$94,807 to \$105,555 With a Not to Exceed Amount of \$120,000

Agenda Text:

The Board is requested to authorize the County Manager to enter into a service contract amendment with McKim & Creed, (RFQ 22-018) (FR23-450) to provide engineering services for arc flash analysis, an updated arc flash evaluation report, and associated single line drawings for the Utilities Division, in the amount of \$10,748, bringing the total contract amount from \$94,807 to \$105,555 with a not to exceed amount of \$120,000. Funding will be from the Enterprise Fund operating budget.

Background/Justification

During pre-qualification, McKim & Creed, Inc. submitted the project proposal for the Arc Flash Study using an approved MWBE company as the electrical subcontractor to perform the required electrical field work. After contract approval by Durham County, the subcontractor was contacted to begin work but was non-responsive. A new electrical subcontractor has been approved for use on this project but at a higher cost.

The arc flash analysis will be completed at the Triangle Wastewater Treatment Plant, thirteen lift stations, and the Rougemont well system. The arc flash analysis is required to be completed at a minimum once every five years and must meet the requirements of 2021 NFPA - 70E, Standard for Electrical Safety in the Workplace.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this will keep the County in compliance with required OSHA regulations and ensure the protection of the Utility Division staff and contractors.

Resource Persons: Jay Gibson PE, Director of E&ES; Stephanie Brixey, Deputy Director of E&ES; and Wade Shaw, Utilities Superintendent

County Manager’s Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a service contract amendment with McKim & Creed, (RFQ 22-018) (FR23-450) to provide engineering services for arc flash analysis, an updated arc flash evaluation report, and associated single line drawings for the Utilities Division, in the amount of \$10,748, bringing the total contract amount from \$94,807 to \$105,555 with a not to exceed amount of \$120,000. Funding will be from the Enterprise Fund operating budget.

Attachments:

[AAF Supplemental Document Arc Flash](#)

[Durham County Arc-Flash Report EE_SOW_REV-H Quote 10.26.2023](#)

[RE_MWBE Info RFQ 22-018 Email Purchasing Approval 09.12.2023](#)

[FR23-450 MCKIM & CREED PA Amendment 052223](#)

23-0851

Budget Ordinance Amendment No. 24BCC00034 Public Health to Recognize \$59,743 from Guilford County’s Division of Public Health

for Staff Development and Training**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 24BCC00034 Public Health to Recognize \$59,743 from Guilford County's Division of Public Health for Staff Development and Training

These funds are intended to be used to offer training and professional development to staff members of the Local Health Department. Guilford County's Division of Public Health is the lead for Region 5 ARPA Public Health Workforce Development Grant (AA621). Funds may be used to recruit, hire, and train personnel to fill critical gaps in Public Health Infrastructure Foundational Capabilities in order to respond to the COVID-19 pandemic; promote a diverse workforce who are representative of, and have language competence for, the communities served; and/or train the public health workforce.

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 staff training and professional development.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 24BCC00034 Public Health to Recognize \$59,743 from Guilford County's Division of Public Health for Staff Development and Training

Attachments:

[AAF Region 5 ARPA - Supplemental Document - Noncontract - FY24](#)

[BOC Public Health Contract 90005619_Durha](#)

[AAF-64 Legal Form](#)

23-0853**Public Health Requests Approval for Fee Schedule Changes and a Change in the Chargemaster Rate.****Agenda Text:**

The Board is requested to recognize additions to the Department of Public Health's (DPH) fee schedule and submit a change to the chargemaster rate. On September 11, 2023 the Food and Drug Administration approved new COVID-19 vaccines for the 2023-2024 season. The new COVID-19 vaccines are available primarily through commercial pathways. The addition of 8 current procedural terminology (CPT) codes 90480EP, 90480, and 91318-91322 to DPH's fee schedule will allow the department to request reimbursement from commercial insurers, Medicaid, and Medicare for the cost of the vaccines and an administration fee. CPT code 90619 also needs to be added to properly bill for the Meningococcal vaccine. Uninsured and underinsured patients will be able to access vaccines at DPH at no cost through the Center for Disease Control's (CDC) Bridge Access Program, and pediatric patients

will be able to access vaccines through the NC Department of Health and Human Services (NC DHHS) Vaccines For Children (VFC) Program. Further, DPH's sliding scale policy will apply to self-pay patients ensuring equitable access to healthcare for Durham County residents.

Additionally, DPH requests to submit a 3.07% percentage change to its chargemaster rate to NC Medicaid. This amount represents the aggregate percentage change to the chargemaster for dates of service between July 1, 2022 and July 1, 2023. The NC Division of Health Benefits will use this change in the calculation of DPH's Managed Care Directed Payments beginning July 1, 2023.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: Approval of the requested fee schedule changes aligns with Strategic Goal 2: Health and Well-being for All. The collection of fees supports public health programming and medical service provision for all residents of Durham County.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve additions to Public Health's fee schedule and a change to the chargemaster rate.

Attachments:

[DPH Fee Schedule Changes - October 2023](#)

[Durham County Calculation of Aggregate Percentage Increase v2](#)

23-0854

Approval of Relocation of Abandoned "Emory Cemetery"

Agenda Text:

The Board is requested to approve the relocation of 2 known and 3 probable gravesites located within the abandoned cemetery identified as the "Emory Cemetery" under the supervision of the Health Director or Health Director's designee pursuant to NCGS 65-106.

The request for Board approval is being made pursuant to NCGS 65-106 by the current property owner JOHN G. UPCHURCH (Deed Book 9967, Page 285-287) to provide for perpetual care, safer access, protection from further vandalism, and to reunite the decedents with other deceased family members. The gravesites are proposed to be disinterred from the current location at 3014 Carpenter Pond Rd, Raleigh, NC 27613 (Durham County) to be reinterred at Woodlawn Memorial Park located at 2107 Liberty St, Durham, NC 27703. This is a perpetual-care cemetery maintained by Everstory Partners (formerly StoneMor Inc.).

MR. JOHN G. UPCHURCH has submitted documentation to the Durham County Department of Public Health detailing historical and genealogy investigations of the cemetery and documenting due-diligence efforts regarding next-of-kin and public notice requirements per NCGS 65-106(b). A letter of endorsement from one of the

direct descendants was also provided.

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

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve relocation of 2 known and 3 probable gravesites located within the abandoned cemetery identified as the "Emory Cemetery" under the supervision of the Health Director or Health Director's designee pursuant to NCGS 65-106.

Attachments:

[GS 65-106](#)

[Upchurch Request to Relocate Graves-Final Draft](#)

23-0870

Approve Alternate Appointment to the 2023 Board of Equalization and Review

Agenda Text:

The Board is requested to appoint the 2023 Board of Equalization and Review Alternate Member. Compensation rates for 2023 have been set at \$125.00 (Chairperson) and \$100.00 (Member) for the three-hour session, and \$35.00 per hour for any hour over the three-hour session. A resolution was adopted in February 2002 per North Carolina General Statute 105-322 to appoint a special Board of Equalization and Review to hear tax appeal matters. Members of the 2023 Board of E&R were appointed on April 3, 2023.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. This request is to ensure the county complies with North Carolina General Statutes which ensure we are accountable to our citizens.

Resource Persons: Keyar Doyle, Tax Administrator, Starlin Beatty, Clerk to the Board of Equalization and Review

County Manager's Recommendation: The County Manager recommends that the Board appoint Mr. Gian Hasbrock to the 2023 Special Board of Equalization and Review as an alternate member.

Attachments:

[Board of Equalization Application G Hasbrock](#)

23-0871

Approval of Contract with Woolpert, Inc. (dba Data Cloud Solutions) in the amount of \$88,175.00 for Mobile Assessor product to transition to appraisal field process to paperless environment.

Agenda Text:

The Board is requested to approve the renewal of a contract with Woolpert, Inc. dba Data Cloud Solutions for its product of Mobile Assessor. The contract will need to be renewed on an annual basis. The contract is in the amount of \$88,175.00. Mobile Assessor, in combination with Tax Administration's upgraded tax software solution, will allow the department to facilitate more efficient production processes and permit a giant leap towards a paperless environment. Currently field appraisers must print and manage paper sketches while working in the field. The paper documents must

then be turned into data entry for keying. Mobile Assessor will modernize this process by being completely paperless and permitting data consistency across the board.

The product also has immense workflow management tools that allow for seamless management of work by both the assigned appraiser and supervisor(s). In preparing for an upcoming countywide reappraisal, this tool will be an incredible time saver, accuracy improver while also serving as environmentally friendly.

Existing operating dollars will be used to fund this contract.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government.

Resource Persons: Keyar Doyle, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board approve the renewal of a contract with Data Cloud Solutions for fiscal year 2023/2024 in an amount not to exceed \$88,175.00. In addition, the County Manager recommends the Board provide approval for the County Manager to execute any other related contracts such as amendments and renewals, if necessary, not to exceed \$50,000 for the next three years.

Attachments: [Attachment 1 - Scope of Services Form FY2023 Durham BB](#)
[Data Cloud Solutions Proposed Contract FY24](#)
[FR- 22-1120 Data Cloud Solutions](#)

23-0872

Delegation of Authority to the Tax Assessor to Grant Individual Extensions for the Listing of 2024 Business Personal Property

Agenda Text:

The Board is requested to delegate authority to the Tax Assessor to grant individual extensions for the listing of business personal property upon written request showing good cause that an extension should be granted. Approved individual extensions would extend the listing period until no later than April 15, 2024.

Under G.S. 105-307, the period during which property is to be listed for taxation each year shall begin on the first business day of the month of January, and, unless extended as provided by statute, shall continue through the month of January. The Board of Commissioners shall grant individual extensions of time for the listing of personal property upon written request and for good cause shown. The request must be filed with the Tax Assessor no later than the ending date of the regular listing period. The Board may delegate authority to grant extensions to the Tax Assessor.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, and Visionary Government. Requested action ensures the county complies with North Carolina General Statutes and ensures we are accountable to our citizens. The actions of the Tax Department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: Keyar J. Doyle, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board delegate authority to the Tax Assessor to grant extensions until no later than April 15, 2024 to taxpayers required by North Carolina General Statutes to list business personal property, who request an extension during the month of January and show good cause.

23-0882

Capital Project Amendment No.24CPA00013 Appropriating \$600K of Limited Obligation Bond Funding (LOBS) for the New Emergency Operations Center (EOC) & Backup 911/Sheriff's Call Center Capital Project (4730DC158), and Execution of Contract for Architectural Design Advanced Planning Services with O'Brien Atkins Associates for the EOC & Backup 911/Sheriff's Call Center Project

Agenda Text:

The Board is requested to approve Capital Project Amendment No.24CPA00013 appropriating \$600,000 of Limited Obligation Bond funding (LOBS) for the new Emergency Operations Center (EOC) & Backup 911/Sheriff's Call Center Capital Project (4730DC158); as well as authorize the County Manager to execute a contract with O'Brien Atkins Associates to provide Advanced Planning services for the EOC & Backup 911/Sheriff's Call Center Project located at 2422 Broad Street, Durham for a fee of \$118,000.

Project	Current Budget	Increase/ Decrease	Revised Budget
Emergency Operations Center (EOC) & Backup 911/Sheriff's Call Center Capital Project (4730DC158)	\$0.00	\$600,000.00	\$600,000.00

The goal of this capital project is to replace the existing 1940's era EOC building with a modern, purpose built, complex that will also house the City/County backup 911/Sheriff's call center. The existing EOC facility initially served as the original Durham County Youth Home from 1946 to 1983 and has since undergone multiple renovations to meet the minimum needs of an EOC throughout the following years.

In 2020, a detailed space program was developed by O'Brien Atkins for the EOC facility considering the needs of the EOC through the year 2040. Two program options were developed and determined a need for an approximately 24,000 GSF facility for the EOC itself and the Office of Emergency Management (OES) staff that would be assigned to this location. The programming effort determined the existing building is undersized for the current and future needs of the Emergency Operations Center.

In 2021, The County was approached by the City of Durham to investigate the possibility of including their backup 911 call center into the EOC project. The existing backup 911 call center is leased from Duke University, which is set to expire in Dec. of 2026. Based on the existing interlocal agreements between the City/County EOC

& 911, the City will be assuming approximately 75.5% of the cost, while the County will be responsible for 24.5% of the costs for the entire project. This percentage however is subject to change with the recent discussions to also integrate the Durham County Sheriff's Office backup emergency call center into the project.

This request for creation of a capital project and approval of an advanced planning contract with O'Brien Atkins will facilitate the initial needs of the project to begin space needs programming and conceptual site planning for the site upon which the new facility will be located. Additional funding will be requested at a later date for design development and construction costs.

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

Resource Persons: Peri Manns, Deputy Director of Engineering and Environmental Services. Jim Faress, Senior Project Manager, Joel T. Jones, Project Manager

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No.24CPA00013 appropriating \$600,000 of Limited Obligation Bond funding (LOBS) for the new Emergency Operations Center (EOC) & Backup 911/Sheriff's Call Center Capital Project (4730DC158); as well as authorize the County Manager to execute a contract with O'Brien Atkins Associates to provide Advanced Planning services for the EOC & Backup 911/Sheriff's Call Center Project located at 2422 Broad Street, Durham for a fee of \$118,000.

Attachments:

[CPA-13 LEGAL FORM New EOC.Backup.911 \(\\$600K\)](#)

[Supplemental Document](#)

[DCO EOC Advanced Planning - Proposal Letter - 2023-10-23](#)

23-0885

Recognition of a rebate in the amount of \$49,950.00 from the Duke Energy NC Solar Rebate Program for the New Durham County Youth Home Project.

Agenda Text:

The Board is requested to recognize \$49,950.00 in rebate incentives from Duke Energy as part of the NC Solar Rebate Program. This incentive program is a no-cost Duke Energy sponsored program to provide financial incentives for customers to incorporate solar power generation in new construction, resulting in more sustainable power systems. The County benefits by receiving a \$49,950.00 check from Duke Energy at startup of the solar system in addition to an anticipated \$8,000.00 reduction in annual energy costs for the new Durham County Youth Home. The \$49,950.00 will support paying off the debt service fund related to the construction of the New Youth Home.

Alignment with Strategic Plan: This aligns with Goal 4 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment.

Resource Persons: Joel T. Jones, Project Manager; Peri Manns ASLA LEED GA, Deputy Director, Engineering and Environmental Services; James Faress, P.E., Senior Project Manager; and Keith Lane, Director of Budget and Management Services.

County Manager's Recommendation: The County Manager recommends that the Board recognize \$49,950.00 in rebate incentives from Duke Energy as part of the NC Solar Rebate Program.

Attachments: [Supplemental Document](#)

23-0897

Approve Contract with FMLASource in the amount of \$41,000 for Absence Management Services and ADA Administration.

Agenda Text:

The Board is requested to approve a contract with FMLASource in the amount of \$41,000 to provide Absence Management Services for leave administration under the Family Medical Leave Act, intake administration under the ADA (Americans with Disabilities Act) and other leave types.

FMLASource's provide leave administration services to more than 4,200 customers, covering over 5 million employees throughout the U.S. Their customers range from the Fortune 500 to smaller public and private concerns, as well as government entities. Their single point of entry is designed to provide a fair and consistent leave management process that complies with state and federal laws and regulations. Their focus is helping employers solve issues related to complex leaves, identifying patterns of abuse, management of concurrent leaves and disability or workers' compensation claims, and ADA absence related to leave accommodation that puts organizations at increased risk. To eliminate issues related to absence management, they help customers in three areas: (1) Compliance (2) Administration Ease and (3) Reducing the cost of unplanned absences.

Alignment with Strategic Plan: Aligns with Goal 2: Health and Well-Being for All and Goal 5: Accountable, efficient, and visionary government.

Resource Persons: Deidre Gonzales, Human Resources Manager; Kathy R. Everett-Perry, CHRO/Chief Employment Counsel

County Manager's Recommendation: The County Manager recommends that the Board approve a contract with FMLASource in the amount of \$41,000 beginning January 1, 2024. Funding has already been encumbered.

Attachments: [Durham County FMLA Agreement FY24 ONLY RV APPROVED.docx](#)

23-0901

Approval of 2024 Board of County Commissioners' Meeting Schedule

Agenda Text:

The Board is requested to approve its 2024 meeting schedule. Once the schedule is approved, the Clerk's Office will place all dates on the Outlook calendar and invite all Commissioners and County staff required to attend to accept the meetings.

The approved calendar will be published on the website within 48 hours.

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

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

County Manager's Recommendation: The County Manager recommends that the Board approve its 2024 Board of County Commissioners' meeting schedule.

Attachments: [BOCC 2024 DRAFT MEETING CALENDAR](#)

23-0904

Approval of Property Tax Releases and Refunds for November 2023

Agenda Text:

The Board is requested to approve the Releases & Refunds for the month of November 2023, which includes adjustments to the current year levy as well as prior years' levies. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached reports detail releases and refunds for the month of November 2023.

This month's report includes releases and refunds for tax year 2023 totaling \$ 1,072,121.23. Prior tax years' (2019-2022) releases and refunds are in the amount of \$39,216.97. November 2023 releases and refunds total \$1,111,338.20.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. The reason for the request is to ensure the county complies with North Carolina General Statutes which ensure we are accountable to our citizens.

Resource Persons: Keyar J. Doyle, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board approve the property tax release and refund reports for November 2023 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Releases and Refunds Backup Detail-November 2023-Dec 11, 2023](#)
[Backup-Bill Release Report November 2023-Dec 11, 2023](#)
[Backup-Pending Refund Report November 2023-Dec 11, 2023](#)
[NCVTS October Refunds](#)

23-0912

Approval of American Rescue Plan Act (ARPA) Nonprofit Grant Program Phase 2 - Small Business Support Grants

Agenda Text:

The Board is requested to approve an increase to the previously approved allocation for the ARPA Nonprofit Grants Phase 2 - Small Business Support Grants (Small Business Support Grants) from \$1,500,000 to \$2,250,000, to approve the selection of Forward Cities, Inc. and Knox St. Studios as the grant recipients under the program, and to authorize the County Manager to develop and execute all documents required to enter into a grant agreement with the organizations.

As part of the Board's strategic plan for administering the County's ARPA funding, the Board previously authorized the use of \$1,500,000 for the purposes of providing a grant to an organization to develop and implement a comprehensive ecosystem for entrepreneurial support and to provide targeted supports for small businesses that have been negatively impacted by the pandemic. On September 11, 2023, the County published a Request for Proposals (RFP) for the Small Business Support Grants to solicit applications for grant awards to implement the desired entrepreneurial support system and to provide services to small business owners.

At the time of the closure of the solicitation on October 11, 2023, the County had received 6 eligible proposals that were subsequently evaluated and scored by a review panel using an approved evaluation rubric. Based on the panel's review, it was determined that the Forward Cities, Inc. application was the highest scoring application submitted in response to the RFP. As such, Forward Cities, Inc. is recommended for selection by the Board as a grant recipient for the Small Business Support Grant program. However, because of the overall quality of proposals submitted and the scale of the needs currently facing the Durham County small business community as it recovers from the negative impacts of the pandemic, it is also recommended that the Board approve an increase in the allocation for the Small Business Support Grants of \$750,000 (for a total of \$2,250,000) and approve a second grant recipient - Knox St. Studios - for partial funding of their submitted proposal. The amount is supported in the ARPA budget alignment as shared with the BOCC during the December 4th meeting.

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: John Keefer, Grants Administrator and Andy Miracle, Economic Development Director

County Manager's Recommendation: The County Manager recommends that the Board approve the increase in the allocation for the Small Business Support Grants from \$1,500,000 to \$2,250,000, approve the selection of Forward Cities, Inc. and Knox St. Studios as the recipient of the ARPA Nonprofit Grant Program, and to authorize the County Manager to develop and execute all documents required to enter into a grant agreement with the selected organizations, Forward Cities, Inc. and Knox St. Studios.

Attachments:

[Small Business Grants Board Agenda Supplemental Form.docx](#)

[ARPA Small Business Grant Applications - Recommended for Funding..](#)

[Durham County ARPA Small Business Grants RFP](#)

[Small Business Grants RFP Evaluation Rubric Overview](#)

[ARPA Presentation - December 5, 2023](#)

23-0913**Approval of Emergency Interim Janitorial Services Contracts for Five (5) County Facilities in the total amount of \$151,890.68****Agenda Text:**

The Board is requested to approve the following emergency Janitorial contracts for:

Administration I-DeWhit Facility Services (\$51,714.68)

Justice Resource Center-Green's Commercial Cleaning (\$19,896.00)

North Regional Library, Southwest Regional Library and South Regional Library-CJ Enterprise (\$80,280.00)

Due to the contractual non-compliance of the current vendor for these facilities, we are executing emergency contracts to install current DCo Janitorial vendors on a temporary basis while the RFP process unfolds. The amounts above are based on six months of service.

The contracts will be written month to month until RFP completion.

Alignment with Strategic Plan: Goal 2-Health and Well-being for All: Improve the quality of life through preventive, behavioral and physical care services. Reduce barriers to access services.

Resource Persons: Motiryo Keambiroiro, General Services Director; Shawn Davis, General Services Assistant Director; Tom Kutch, General Services Quality Control & Contract Specialist

County Manager's Recommendation: The County Manager recommends that the Board approves the following emergency Janitorial contracts for: Administration I - DeWhit Facility Services, Justice Resource Center - Green's Commercial Cleaning, North Regional Library, Southwest Regional Library and South Regional Library - CJ Enterprise. And to authorize the County Manager to execute subsequent contract amendments if within the General Services Budget.

Attachments:

[AAF Supplemental Document - Contract Approval](#)

[CJ Enterprise quote](#)

[DeWhit quote](#)

[Greens quote](#)

[DCo Legal Memo](#)

23-0914**Approval of a Contract with Purpose Learning Lab totaling \$200,000 for Fiscal Years 2023-24 and 2024-25 and Budget Ordinance Amendment No. 24BCC00070 Appropriating \$100,000 of General Fund Fund Balance for Implementation of the First Year****Agenda Text:**

The Board of County Commissioners is requested to approve Budget Ordinance

Amendment No. 24BCC00070 appropriating \$100,000 of General Fund fund balance for implementation of a contract with Purpose Learning Lab totaling \$200,000 to support youth enrichment and learning activities for fiscal years 2023-24 and 2024-25. For FY 2023-24 \$100,000 of General Fund Fund balance appropriation will be used to support the expense. The contract was formerly supported with American Rescue Plan Act funds, The contract funding source is being realigned from American Rescue Plan Act federal funds to local dollars to allow for increased flexibility with project implementation.

Purpose Learning Lab will address opportunity gaps and access to enrichment and recreational activities and to provide scholarships to offset or fully fund the cost of attending STEM & Purpose Living Wellness Programs for historically marginalized students in Durham County. This strategy will enhance student access to STEM and social and emotional learning by providing evidence-based curriculums and onsite learning labs during the academic year and summer camp for school-aged students in Durham County. The two-year initiative seeks to reach over 250 program participants.

Alignment with Strategic Plan: Goal 1: Community Family Prosperity and Enrichment

Resource Persons: Claudia Hager, Deputy County Manager; Ella Hargrove, Management Analyst

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 24BCC00070 appropriating \$100,000 of General Fund fund balance for implementation of a contract with Purpose Learning Lab totaling \$200,000 to support youth enrichment and learning activities for fiscal years 2023-24 and 2024-25. For FY 2023-24 \$100,000 of General Fund Fund balance appropriation will be used to support the expense.

Attachments: [Purpose Learning Lab Contract](#)

[AAF-070 Legal Form \\$100,000 of GF FB to support NP Purpose Learning Labs](#)

23-0915

Approval of contract for Village of Wisdom totaling \$75,000 for Fiscal Years 2023-24 and 2024-25 and Budget Ordinance Amendment No. 24BCC00071 Appropriating \$37,500 of General Fund Fund Balance for Implementation of the First Year

Agenda Text:

The Board of County Commissioners is requested to approve Budget Ordinance Amendment No. 24BCC00071 appropriating \$37,500 of General Fund fund balance for implementation of a contract with Village of Wisdom totaling \$75,000 to support youth enrichment and learning activities for fiscal years 2023-24 and 2024-25. For FY 2023-24 \$37,500 of General Fund Fund balance appropriation will be used to support the expense. The contract funding source is being realigned from American Rescue Plan Act federal funds to local dollars to allow for increased flexibility with

project implementation.

Village of Wisdom (VOW) seeks to reverse the emerging legacy of negative socio-emotional, educational, and economic impacts on communities hardest hit by the COVID-19 pandemic emergency by creating a new legacy of healing and wellness for families. Programming will target support services for pre-school and elementary age students and their families. Funding seeks to close the academic opportunity gap by protecting the intellectual curiosity and positive self-concept of program participants. The two-year initiative seeks to reach over 150 student participants and their families.

Alignment with Strategic Plan: Goal 1: Community Family Prosperity and Enrichment

Resource Persons: Claudia Hager, Deputy County Manager; John Keefer, Grants Administrator and Ella Hargrove, Management Analyst

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 24BCC00071 appropriating \$37,500 of General Fund fund balance for implementation of a contract with Village of Wisdom totaling \$75,000 to support youth enrichment and learning activities for fiscal years 2023-24 and 2024-25. For FY 2023-24 \$37,500 of General Fund Fund balance appropriation will be used to support the expense.

Attachments:

[Village of Wisdom Contract](#)

[Village of Wisdom Supplemental Item](#)

[AAF-071 Legal Form \\$37,500 of GF FB to support NP Village of Wisdom \(from,](#)

7. Other Business (30 min)

23-0892

Presentation on Medicaid Expansion (30min)

Agenda Text:

The Board will receive a presentation on Medicaid Expansion which Durham County Department of Social Services launched on December 1, 2023. This presentation is in reference to the Medicaid Expansion Program that was approved during the October 23, 2023, Board of County Commissioners' meeting.

Medicaid expansion legislation was signed into law by Governor Cooper in March 2023 (S.L. 2023-7/House Bill 76) which included funding to offset counties' administrative costs associated with implementing expansion. On September 25, Governor Roy Cooper and North Carolina Department of Health and Human Services Secretary Kody H. Kinsley announced NCDHHS will launch Medicaid Expansion on Dec. 1, 2023, giving more than 600,000 North Carolinians access to health care. The impact for Durham County of new Medicaid enrollees is expected to be 21,622 new enrollees added to the existing 74,233 beneficiaries in Durham County.

Medicaid Expansion increases the eligible population to adults aged 19-64 who have incomes up to 138% of the federal poverty level. For example, expansion gives health care coverage to single individuals making under \$20,000 a year. Likewise, a family of three earning under \$34,000 combined will now be eligible. Beneficiaries will get care the same way as existing Medicaid beneficiaries and be eligible for the same comprehensive benefits and copays as other non-disabled adults in Medicaid.

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, DSS Director, Kelly Inman, Chief Operations Officer, Department of Social Services, Margaret Faircloth, Assistant Director, Department of Social Services.

County Manager's Recommendation: The County Manager recommends the Board to receive this presentation on Medicaid Expansion Program.

Attachments: [Medicaid Expansion](#)

8. Public Hearings (100 min)

[23-0893](#) **Public Hearing - Unified Development Ordinance Text Amendment - Omnibus 18 (20min)**

Agenda Text: The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment - Omnibus 18 and, if appropriate, approve the amendment and adopt the appropriate Consistency Statement.

Summary

City-County Planning Department staff are proposing a UDO update to multiple sections of the ordinance, called Omnibus 18. These updates include clarifying terminology, fixing inconsistencies with new information from outside entities, expanding upon existing definitions and adding new definitions. Specifically, changes are being proposed to the following Articles of the UDO: Article 3, Applications and Permits; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 9, Landscaping and Buffering; Article 14, Nonconformities; and Article 17, Definitions.

Two motions are required to approve this item:

Motion 1: To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits, Article 5, Use Regulations, Article 6, District Intensity Standards, Article 7, Design Standards, Article 9, Landscaping and Buffering, Article 14, Nonconformities, and Article 17, Definitions; and

Motion 2: To adopt a Consistency Statement as required by NCGS 160D-605.

Alignment with Strategic Plan: This item aligns with Goal Four (Environmental Stewardship and Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham.

Resource Persons: Alexander D. Cahill, Senior Planning Manager and Sara Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, approve the amendment and adopt the appropriate Consistency Statement.

Attachments:

[000 BoCC Memo - Omnibus 18](#)

[Attachment A - Omnibus 18 UDO Track Changes](#)

[Attachment B - Omnibus 18 UDO - Clean Version. pdf](#)

[Attachment C - Consistency Statement](#)

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

[Item 23-0893 - Omnibus 18](#)

23-0894

Public Hearing - Unified Development Ordinance Text Amendment - Pedestrian Malls (10min)

Agenda Text:

The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment - Pedestrian Malls, and, if appropriate, approve the amendment and adopt the appropriate Consistency Statement.

Summary

The Pedestrian Mall Text Amendment is a privately-initiated amendment which proposes a change to UDO paragraph 16.4.3C.1 to change the maximum allowable width of pedestrian malls from 50 to 75 feet, and in some instances, up to 100-feet. The proposal aims to provide additional width to allow for more space to be dedicated to street level activities like dining, sitting and playing areas, larger green space and landscaped areas, along with greater transitions between development and adjacent areas.

Two motions are required to approve this item:

Motion 1: To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 16, Design Districts; Section 4, Streetscape, Right-of-Way, Block/Lot Standards; and

Motion 2: To adopt a Consistency Statement as required by NCGS 160D-605.

Alignment with Strategic Plan: This item aligns with Goal Four (Environmental Stewardship and Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham.

Resource Persons: Alexander D. Cahill, Senior Planning Manager and Sara Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, approve the amendment and adopt the appropriate Statement of Consistency.

Attachments: [000 BOCC Memo - Pedestrian Mall Text Amendment](#)
[Attachment A Pedestrian Mall UDO Track Changes](#)
[Attachment B Pedestrian Mall UDO Clean Version](#)
[Attachment C - Consistency Statement](#)
[Attachment D - Planning Commission Written Comments](#)
[Item 23-0894 - Pedestrian Mall Presentation](#)

23-0895

Public Hearing - Unified Development Ordinance Text Amendment - Conservation Subdivisions (10min)

Agenda Text: The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment - Conservation Subdivisions and, if appropriate, approve the amendment and adopt the appropriate Consistency Statement.

Summary

Intent and purpose statements in the Unified Development Ordinance (UDO) have not been used by staff as a regulatory tool, and instead, have been used as general policy guidance. This has applied to all these statements in the UDO in the past, including in reference to subdivision purpose and intent statements. As such, this text amendment seeks to clarify the intent of the conservation subdivision language and make clear what the standards for a conservation subdivision are.

Two motions are required to approve this item:

Motion 1: To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 6, District Intensity Statements; and

Motion 2: To adopt a Consistency Statement as required by NCGS 160D-605.

Alignment with Strategic Plan: This item aligns with Goal Four (Environmental Stewardship and Community Prosperity) by offering fair and reasonable regulations

for the citizens and business community of Durham.

Resource Persons: Alexander D. Cahill, Senior Planning Manager and Sara Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, approve the amendment and adopt the appropriate Consistency Statement.

Attachments:

[000 BoCC Memo - TC2300005 - Conservation Subdivision](#)

[Attachment A - Conservation Subdivisions UDO Track Changes](#)

[Attachment B - Consistency Statement](#)

[Attachment C - 6.2.4H Primary Conservation Areas](#)

[Attachment D - Map of Selected Features](#)

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

[Item 23-0895 - UDO Amendment Conservation Subdivisions-12-11-23](#)

23-0896

Public Hearing - Unified Development Ordinance Text Amendment - Simplifying Codes for Affordable Development (SCAD) (60min)

Agenda Text:

The Board is requested to conduct a public hearing to receive comments on the Unified Development Ordinance Text Amendment - Simplifying Codes for Affordable Development and, if appropriate, approve the amendment and adopt the appropriate Consistency Statement.

Summary

Text Amendment TC2200001 is a privately initiated request to amend various provisions of the Unified Development Ordinance (UDO), which the applicant contends will support more affordable development and allow additional flexibility in siting and design, predominantly targeted at developing infill housing and small-scale commercial opportunities.

Two motions are required to approve this item:

Motion 1: To adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; Article 12, Infrastructure and Public Improvements; Article 13, Additional Requirements for Subdivisions; Article 14, Nonconformities; Article 16, Design Districts; and Article 17, Definitions; and

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

Alignment with Strategic Plan: This item aligns with Goal Four (Environmental Stewardship and Community Prosperity) by offering fair and reasonable regulations for the citizens and business community of Durham.

Resource Persons: Bo Dobrzanski, AICP, CZO, Assistant Planning Director, and Sara Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board conduct a public hearing on the proposed Unified Development Ordinance text amendment and, if appropriate based on the comments received during the hearing, approve the amendment and adopt the appropriate Consistency Statement.

Attachments:

[Attachment 0 - TC2200001 BOCC Staff Memo](#)

[Attachment A - Application](#)

[Attachment B - Ordinance](#)

[Attachment C - Consistency Statement](#)

[Attachment D - Engagement Plan](#)

[Attachment E - Community Engagement Overview -UPDATED](#)

[Attachment F - Planning Commission Sub-Committee Report](#)

[Attachment G - Planning Commission Written Comments - TC2200001](#)

[Attachment H - Letters from Habitat for Humanity](#)

[Attachment I - Social PinPoint Community Input](#)

[Attachment J - Detailed Analysis by Topic - updated 11-21-23](#)

[Item 23-0896 - SCAD - 11Dec23](#)

[Attachment M - Detailed Analysis by Topic - final approved](#)

9. Board and Commission Appointments (10 min)

23-0906

Board and Commission Appointments (10min)

Agenda Text:

Monica Wallace, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:

- City-County Appearance Commission
- Durham Open Space and Trails Commission

The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees, and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards; two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from these term limits.

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

Resource Persons: Monica Wallace, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint members to the aforementioned Boards and Commissions.

Attachments: [Legistar Attmt - 12.11.2023](#)

10. Items Pulled from the Consent Agenda (20 min)

11. Adjournment