



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, October 7, 2024

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.

"Land Acknowledgment"

As we convene for the Durham County Commissioners meeting, it's crucial to recognize the painful truth of history. We stand on the stolen ancestral lands of the Catawba, Eno, Occaneechi, Shakori, and Tuscarora peoples, whose deep connection to this land predates our arrival. We acknowledge with humility the unjust displacement and violence that occurred, leading to the dispossession of indigenous peoples from their homelands. Their resilience in the face of such adversity is a testament to their strength and spirit.

May we humbly honor the ancestors and elders of these nations, both past and present, by committing ourselves to fostering understanding, healing, and justice for all who inhabit this land. Let us walk forward together with open hearts, acknowledging the past and embracing a future guided by compassion, respect, and unity.

9:00 am Work Session Agenda

1. Closed Session (To be held from 9:00am - 10:00am)

[24-0588](#)

Closed Session

Agenda Text:

The Board is requested to adjourn into Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee; pursuant to G. S. 143-318.11(a)(6)

Alignment with Strategic Plan: This item aligns with Strategic Goal: High Performing Organization

Resource Persons: Curtis Massey, Interim County Attorney

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

2. Citizen Comments (30 min)

24-0635

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.

3. Consent Agenda (30 min)

24-0424

Approval of Contract with CML Security, LLC in the Amount of \$472,300 to Install Food Pass Doors Inside the Durham County Detention Facility for the Durham County Sheriff's Office

Agenda Text:

The Board is requested to approve and authorize the County Manager to enter into a contract with CML Security, LLC for the Sheriff's Office in the Amount of \$472,300 to Install Food Pass Doors Inside the Durham County Detention Facility. The Board is also requested to authorize the County Manager to execute any amendments not to exceed \$495,915. Funding for this contract was previously approved as a capital project.

Food pass doors (FPD) will allow officers to distribute meals to detainees without having to completely open doorways. This maintains control and security and prevents threats of physical harm to officers. These doors will also provide the opportunity to apply and remove restraining devices from detainees when security threats are elevated. COVID-19 created a variety of challenges for congregate living environments, and certainly in jails and prisons across the country. Infrastructure

played a key role in safety strategies developed after large COVID-19 outbreaks in the jail. These strategies identified that food pass doors would mitigate exposure risks for officers and other detainees.

CML Security, LLC was the lowest qualified bidder for this project RFP#24-022R1.

Alignment with Strategic Plan: This request aligns with the Strategic Goal 3 - Safe Community.

Resource Persons: David LaBarre, Director of Planning and Development, Durham County Sheriff's Office; Marie Spencer, Chief of Detention Services, Durham County Sheriff's Office; Clarence Birkhead, Sheriff of Durham County.

County Manager's Recommendation: The County Manager recommends that the Board approve and authorize the County Manager to enter into a contract with CML Security, LLC for the Sheriff's Office in the amount of \$472,300 to install food pass doors inside the Durham County Detention Facility. The Board is also requested to authorize the County Manager to execute any amendments not to exceed \$495,915. Funding for this contract was previously approved as a capital project.

Attachments:

[CML Security, LLC Service Contract FY2025](#)

[Attachment 1 CML Security, LLC Scope of Services](#)

[Attachment 1A CML Security RFP quote](#)

[Attachment 1B MWBE Compliance Review Form-AAF for 24-022R1 RFP 0705](#)

[FPD Sup](#)

[Durham County Updated Sig Page CML 9.16.24](#)

[DCO Legal Approval - CML](#)

24-0589

Budget Ordinance Amendment No. 25BCC027 to Recognize \$370,261 in Year 3 Grant Funding to the Office of Emergency Services-EMS Division (OES-EMS) from the US Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), and to Authorize the County Manager to Sign and Execute All Contracts for Authorized and Approved Uses Associated with the Grant Program throughout the Grant's Period of Performance

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 25BCC027 to recognize \$370,261 in year 3 grant funding to the Office of Emergency Services-EMS Division (OES-EMS) from the US Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), and to authorize the County Manager to sign and execute all contracts for authorized and approved uses associated with the grant program throughout the grant's period of performance. The full grant amount for year 3 funding is \$419,941, of which \$49,680 was included in the approved FY 2024-25 budget for existing

personnel costs.

The First Responders - Comprehensive Addiction and Recovery Support Services Act (FR-CARA) grant's purpose is to provide resources to first responders and members of other key community sectors at the state, tribal, and other government levels to train, carry and administer Federal Food, Drug, and Cosmetic Act (FD&C Act) approved drugs and devices for emergency reversal of known or suspected opioid overdose. As part of the grant application, OES has committed to establish processes, protocols, and mechanisms for: (1) referral to appropriate treatment and recovery support services support services, and (2) promote safety around fentanyl, carfentanil, and other dangerous licit and illicit drugs, and (3) provide naloxone to first responders for use during opioid overdose calls for service.

The grant has a period of performance from September 30, 2022, through September 29, 2026. Year - 1 period of performance ended September 29, 2023, and was recognized by the BOCC in the October 3, 2022, work session. Year - 2 period of performance ended September 29, 2024, and was recognized by the BOCC in the October 2, 2023, work session. It is a four (4) year project that is funded year to year subject to the availability of federal funds. Therefore, OES is requesting approval of the year-3 funds and will bring this item back to the Board to request approval of future funding subject to federal fund availability and satisfactory progress on the project from SAMHSA. The total federal funding potential if all 4-years are authorized and funded is \$1,657,944. Activities in the third through fourth years of the grant will continue to support the harm reduction activities implemented in year one.

OES-EMS will follow all County purchasing and contract guidance. Payments to the County under this award will be made available through the HHS Payment Management System (PMS). PMS is a centralized grants payment and cash management system, operated by the HHS Program Support Center (PSC), Division of Payment Management (DPM).

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Safe and Resilient Community

Resource Persons: Mark Lockhart, Office of Emergency Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No.25BCC027 to recognize \$370,261 in year 3 grant funding to the Office of Emergency Services-EMS Division (OES-EMS) from the US Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), and to authorize the County Manager to sign and execute all contracts and purchases for authorized and approved uses associated with the grant program throughout the grant's period of performance.

Attachments: [5H79TI084839-03-Noa](#)
[AAF Supplemental Document - Year 3 - First Responder Addiction and Recovery](#)
[AAF-27 LEGAL FORM OES to recognize \\$370,261 from US DHHS SAMHSA](#)

24-0596 **Approval of Memorandum of Agreement Central Pines Regional Council (CPRC) in the amount of \$1,861.78 to provide planning and technical assistance for the Triangle Region Solid Waste Consortium.**

Agenda Text: The Board is requested to approve the Memorandum of Agreement with Central Pines Regional Council (CPRC), formerly known as the Triangle J Council of Governments, and to authorize the County Manager to sign the agreement. Per the agreement, CPRC will provide planning and technical assistance for the Triangle Region Solid Waste Consortium. The Consortium was formed to facilitate collaboration and coordination between local government jurisdictions in solid waste and recycling. The dues for the Solid Waste Division to participate in the Consortium will be \$1,861.78 and will be funded through the Solid Waste Division's operating budget.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Sustainable Infrastructure & Environment.

Resource Persons: Motiryo Keambiroiro, General Services Director and Chrissie Koroivui, Solid Waste Program Manager.

County Manager's Recommendation: The County Manager recommends that the Board approve the Memorandum of Agreement with Central Pines Regional Council (CPRC) in the amount of 1861.78 to provide planning and technical assistance for the Triangle Region Solid Waste Consortium and to authorize the County Manager to sign the agreement.

Attachments: [CPRC Memorandum of Agreement FY25 Durham County Final](#)
[AAF Supplemental Document - TJCOG FY25](#)

24-0597 **Approval to Enter into a Contract with Chirpy Bird, Inc. in the amount not to exceed \$74,5000 to Provide a HIPAA Privacy & Security Risk Assessment & GAP Analysis**

Agenda Text: The Board is requested to authorize the County Manager to approve a new contract with Chirpy Bird, Inc. in the amount not to exceed \$74,500.00 for the biennial HIPAA Privacy & Security Risk Assessment & GAP Analysis, using FY 2024-25 operating funding. The Health Insurance Portability and Accountability Act of 1996 (HIPAA), and the regulations promulgated thereunder by the United States Health and Human Services, establishes standards to protect the privacy and security of individually identifiable health information. The HIPAA Security Regulations require all covered entities to conduct an accurate and thorough assessment of potential risks and vulnerabilities to the confidentiality, integrity, and availability of the electronic protected health information it holds (45 C.F.R. 164.308(a)(1)(ii)(A)).

The County Attorney's Office has prepared a Request for Proposal (RFP #24-051) and Chirpy Bird, Inc presented a proposal that was deemed best suited to carry out the requested services. Chirpy Bird, Inc. was deemed the most qualified firm for the project based on the company having significant experience in conducting HIPAA privacy and security assessments as well as working with governmental entities. In addition, the corporation offers follow up assistance as well as assistance with Office of Civil Rights audits.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: High Performing Organization.

Resource Persons: Curtis Massey, Interim County Attorney; Larissa Williamson, Deputy County Attorney; Kierra Simmons, Compliance and Privacy Officer; and Lyvon Garth, Chief Information Security Officer.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to approve a new contract with Chirpy Bird, Inc. in an amount not to exceed \$74,500 using FY 2024-25 operating funding. This contract is for the biennial HIPAA Privacy & Security Risk Assessment & GAP Analysis.

Attachments: [AAF Supplemental Document - Contract Approval-RFP24-051](#)
[MWBE Compliance Review Form-AAF for 24-051 RFQ 082324](#)
[Service Contract Template_FY2025_CHIRPY BIRD_e](#)
[Contract Attachments_AAF](#)

24-0600 **Budget Ordinance Amendment No. 25BCC028 Public Health to Recognize \$196,508 from NCDHHS Division of Public Health to Improve Community Health**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 25BCC028 Public Health to Recognize \$196,508 from NCDHHS Division of Public Health to Improve Community Health

Through efforts to recruit and retain highly qualified staff, these funds will support the foundational service areas and core functions of Durham County Public Health. Core functions include: (1) preventing the spread of communicable disease, (2) ensuring food, air, and water quality are safe, (3) supporting maternal and child health, (4) improving access and linkages to clinical care services, and (5) preventing chronic disease and injury. This grant (AA 117: Public Health Infrastructure - Local Workforce Development) has been awarded for a five-year period ending October 31, 2027. The total award amount is \$862,450. However, DPH is requesting just \$196,508 be added to the FY 24-25 budget at this time.

Please note that this amendment requires no additional County funds.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Healthy and Inclusive Community.

Resource Persons: Rodney Jenkins, DrPH, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 25BCC028 Public Health to Recognize \$196,508 from NCDHHS Division of Public Health to Improve Community Health

Attachments: [AA 117 Budget Plan August2024 v2](#)
[AA 117 FY25 - signed](#)
[AAF for AA117 Funds FY25](#)
[AAF Supplemental Doc for AA117 FY25](#)
[EH Trainer & Bonuses August2024](#)
[AAF-28 Legal Form](#)

24-0601 **Budget Ordinance Amendment No. 25BCC029 Public Health to Recognize \$60,234 from The Duke Endowment to Support the Partnership for a Healthy Durham**

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 25BCC029 Public Health to Recognize \$60,234 from The Duke Endowment to Support the Partnership for a Healthy Durham

These funds will be used to support the Partnership for a Healthy Durham, a coalition improving the health of Durham's residents. This endowment supports a full-time position that is already included in FY 24-25 budget and activities that fulfill the Community Health Improvement Plan to equitably decrease chronic illness in Durham residents. An annual amount of \$150,000 has been awarded to the Durham County Department of Public Health for each year through FY 27-28. Eighty nine thousand seven hundred and sixty-six dollars (\$89,766) has already been approved in the FY 24-25 budget, thus this amendment only requests the remaining award to be recognized.

Please note that this amendment requires no additional County funds.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Healthy and Inclusive Community.

Resource Persons: Dr. Rodney Jenkins, DrPH, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that

the Board approve Budget Ordinance Amendment No. 25BCC029 Public Health to Recognize \$60,234 from the Duke Endowment to Support the Partnership for a Healthy Durham

Attachments:

[7124-SP DUHS Award Letter](#)

[AAF FY 24-25 The Duke Endowment](#)

[AAF The Duke Endowment Supplemental Document - Noncontract FY 24-25](#)

[AAF-29 Legal Form](#)

24-0612

Approval of Contract Amendment for Sanford Electrical Contractors, LLC, for Electrical Services in the Amount of \$80,000 Bringing the Total Amount to \$120,000

Agenda Text:

The Board is requested to authorize the County Manager to enter into a service contract amendment (FR# 24-484) with Sanford Electrical Contractors, LLC to provide scheduled and emergency electrical services (RFP# 23-031R1) for the Triangle Wastewater Treatment Plant (TWWTP), Collection System, and Rougemont Water System in an amount of \$80,000, bringing the total contract amount from \$40,000 to \$120,000. Funding will be from the Sewer Utility Enterprise Fund operating budget.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Sustainable Infrastructure & Environment as this contract ensures circuit breakers and electrical controls are maintained in a continual state of readiness.

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

County Manager's Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a service contract amendment (FR# 24-484) with Sanford Electrical Contractors, LLC to provide scheduled and emergency electrical services (RFP# 23-031R1) for the Triangle Wastewater Treatment Plant (TWWTP), Collection System, and Rougemont Water System in an amount of \$80,000, bringing the total contract amount from \$40,000 to \$120,000.

Attachments:

[Sanford Electric AAF Supplemental Document Amendment](#)

[FR 24-484 SANFORD ELECTRICAL_for Board Approval](#)

24-0613

Approval for Sole Source Exemption and Contract Amendment for Southern Ionics, Inc. for PHOS-SORB in the Amount of \$100,000 Bringing the Total Amount to \$130,000 With a Not to Exceed of \$150,000

Agenda Text:

The Board is requested to provide approval for sole source exemption for the purchase of PHOS-SORB and to authorize the County Manager to enter into a contract amendment with Southern Ionics, Inc. (FR# 25-141) for PHOS-SORB in the amount of \$100,000, bringing the total contract amount from \$30,000 to

\$130,000, with a not to exceed amount of \$150,000. Funding will be from the Sewer Utility Enterprise Fund operating budget.

This item has been reviewed by the Purchasing Division for compliance with the request for sole source exemption. North Carolina General Statute 143-129(g) (3) allows local governments to be exempted from competitive bidding requirements when a sole source is available, performance or price competition for a product is not available, a needed product is available from only one source of supply, or standardization or compatibility is the overriding consideration.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Sustainable Infrastructure & Environment as this chemical is necessary for the Triangle Wastewater Treatment Plant to meet permit limitations for phosphorus as specified in the facility's NPDES permit.

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

County Manager's Recommendation: The County Manager recommends the Board provide approval for sole source exemption for the purchase of PHOS-SORB and authorize the County Manager to enter into a contract amendment with Southern Ionics, Inc. (FR# 25-141) for PHOS-SORB in the amount of \$100,000, bringing the total contract amount from \$30,000 to \$130,000, with a not to exceed amount of \$150,000.

Attachments: [AAF Supplemental Document - PHOS-SORB](#)

[PHOS-SORB Sole source letter for Durham From Southern Ionics Inc August 2'](#)

[SII FR25-141 Contract Pkg Legistar](#)

24-0616

Approval to Enter Into a Contract with O'Brien Atkins Associates, PA, in the Amount of \$78,575.00 for the Replacement of the Fire Pump, Control System, and Backflow Preventer at the Durham County Detention Center.

Agenda Text:

The Board is requested to authorize the County Manager to enter into a contract in the amount of \$78,575.00 with O'Brien Atkins Associates, PA utilizing budgeted capital improvement funds from the Ongoing Facilities Systems Capital Project (4190DC087). The contract will allow for the designs of the fire pump, control system, and backflow preventer system for the Durham County Detention Center.

This system has been in operation since the mid-1990's and is the original Fire Safety system to this building. Due to mechanical failures of the current system and the manufacturer no longer supports this model for replacement parts or total replacement. We are required to redesign and replace the existing system with one that will meet present code.

Alignment with Strategic Plan: This project aligns with the DCo Forward 2029 Strategic Plan Objectives (Goals): Sustainable Infrastructure & Environment SI 1: Plan for long-term use of County land, facilities, and equipment; and Safe & Resilient Community SR2: Lessen the potential for harm and dangerous situations in the community and SR 3: Improve quality-of-life outcomes for justice-involved individuals.

Resource Persons: Motiryo Keambiroiro, Director General Services; Shawn Davis, Assistant Director Environmental Maintenance; and Howard Heldreth, Plumbing Supervisor.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to enter into a contract in the amount of \$78,575.00 with O'Brien Atkins Associates, PA utilizing budgeted capital improvement funds from the Ongoing Facilities Systems Capital Project (4190DC087). The contract will allow for the designs of the fire pump, control system, and backflow preventer system for the Durham County Detention Center.

Attachments:

[AAF Supplemental Document Detention Center Backflow Project](#)

[Proposal for Jail Fire Pump Replacement Rev 3 Detention Center](#)

[Internal Memo](#)

24-0617

Approval of Standard Non-Reimbursable Utility Contracts for the Extension of the County Sanitary Sewer System

Agenda Text:

The Board is requested to authorize the County Manager to execute four (4) Utility Contracts for extensions of the County sanitary sewer system. These contracts are the County's Standard Non-Reimbursable Contract. Attached are copies of the signed Standard Non-Reimbursable Utility Contracts with location maps (each labeled).

1. Triangle Landscape Supplies (Project #22-044) - Contract with Triangle Landscape Supplies to extend the County sewer system by approximately 1,573 linear feet of 8-inch PVC sewer pipe and five manholes to serve a commercial landscape supply company located at 2102 Sedwick Road in Durham.
2. Cambrey Crossing (Project #21-009) - Contract with Ashton Raleigh Residential, LLC to extend the County sewer system by approximately 76 linear feet of 8-inch ductile iron pipe and one manhole to serve 115-unit townhome development, located at 2001 Regal Drive in Durham.
3. Alexander Crossing (Project #22-015) - Contract with Piedmont Alexander Crossing Owner, LLC to extend the County sewer system by approximately 131 linear feet of 8-inch ductile iron pipe, 161 linear feet of 8-inch PVC sewer pipe, and five manholes to serve 176-unit multi-family development, located at 405 T.W. Alexander Drive in Durham.
4. Pineview Glen Townhomes (Project #24-007) - Contract with SAB Page, LLC to extend the County sewer system by approximately 22 linear feet of 8-inch PVC pipe and one manhole to serve Pineview Glen Townhomes, a 67-unit townhome

development, located off Page Road in Durham.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Sustainable Infrastructure & Environment, as these extensions will serve multiple home sites and businesses.

Resource Persons: Jay Gibson PE, Director of E&ES; Stephanie Brixey, Deputy Director; Vince Chirichella PE, Senior Project Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to execute the four (4) Utility Contracts for extensions of the County sanitary sewer system.

Attachments: [AAF Sewer Acceptance Supplemental Document - Non-contract](#)
[22-044 Triangle Landscape Supplies](#)
[21-009 Ashton Raleigh Residential LLC](#)
[22-015 Piedmont Alexander Crossing Owner LLC](#)
[24-007 SAB Page LLC](#)

24-0621 Approval of Capital Project Amendment No.25CPA016 and Budget Ordinance Amendment No.25BCC031 Appropriating \$100K of Debt Service Fund Fund Balance and Transferring \$100K to the PAYGO Fund to Support the Execution of the Duke Energy Lighting Agreement for a Not-to-Exceed Amount of \$51,840.43 for Decorative Light Poles for the 115 N. Queen St. Parking Garage (300 Block East Main Redevelopment Capital Project 4730DC150)

Agenda Text: The Board is requested to approve Capital Project Amendment No.25CPA016 and Budget Ordinance Amendment No.25BCC031 appropriating \$100K from Debt Service Fund Fund Balance and transferring \$100K to the PAYGO Fund to support the Duke Energy Lighting Agreement, a one-time payment amount not-to-exceed \$51,840.43 for five decorative lights/poles at the 115 N. Queen St. Parking Garage (300 Block East Main Redevelopment Capital Project 4730DC150).

| Durham County Capital Projects | Current Budget | Increase/Decrease | Updated Budget |
|---|-----------------|-------------------|----------------|
| 300 Block East Main Redevelopment (4730DC150) | | \$24,787,884.00 | \$100,000.00 |
| | \$24,887,884.00 | | |

The (5) lights/poles along Queen St. are the responsibility of Durham County, and the developer is working with Duke Energy to get the necessary site lighting along Main and Liberty Streets. The 115 N. Queen St. garage has been occupied since March 2023, and the affordable housing wrapper is approaching completion, with occupancy anticipated to commence in January/February 2025. The site lighting is needed for safety and security of pedestrians and vehicular traffic during low-light and night-time hours.

Alignment with Strategic Plan: This aligns with the Strategic Plan Goal of

Sustainable Infrastructure and Environment.

Resource Persons: Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services, Engineering Department; Jay Gibson, P.E., Director of Engineering and Environmental Services; Keith Lane, Director of Budget and Management Services and David Ades, Assistant Director of Budget and Management Services; Crystally Wright, Interim Chief Financial Officer.

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No.25CPA016 and Budget Ordinance Amendment No.25BCC031 appropriating \$100K from Debt Service Fund Fund Balance and transferring \$100K to the PAYGO Fund to support the Duke Energy Lighting Agreement, a one-time payment amount not-to-exceed \$51,840.43 for five decorative lights/poles at the 115 N. Queen St. Parking Garage (300 Block East Main Redevelopment Capital Project 4730DC150).

Attachments:

[300 E MAIN \(N QUEEN ST\) - COST ESTIMATE](#)

[300 E Main St Durham WS JL 8-23-22](#)

[New Dev Slight ltr 300 Main St](#)

[AAF-31 LEGAL FORM \\$100,000 for 300 Deck Lighting](#)

[CPA-16 LEGAL FORM \\$100,000 for Lighting for Queen Street](#)

[AAF - Supplement Document Form - CPA No. 25CPA016 and BOA and Execut](#)

24-0624

Approve Submission of a Letter to N.C. Department of Health & Human Services Outlining the Aggregate Percentage Change of 0% to Public Health's Chargemaster Rate

Agenda Text:

Approve submission of a letter to N.C. Department of Health & Human Services outlining the aggregate percentage change of 0% to Public Health's chargemaster rate.

For Managed Care Medicaid claim activity, Public Health receives Quarterly Separated Directed Payments. The Separate Directed Payment calculation is based on Public Health's specific Ratio of Costs to Charges (RCC) as determined from the Base Year (State Fiscal Year 2019) Medicaid cost report and trended forward annually for inflation. The rate is annually adjusted if the aggregate price changes (Chargemaster change) are more or less than the allowed inflationary increase. To that end, Public Health attests to periodic chargemaster changes. This letter attached reflects Public Health's aggregate chargemaster changes to applicable codes between July 1, 2023, and July 1, 2024, which is 0%. Even though there is no change, Public Health is still to report this to N.C. Department of Health & Human Services.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Healthy and Inclusive Community.

Resource Persons: Dr. Rodney Jenkins, DrPH, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve the submission of a letter to N.C. Department of Health & Human Services outlining the aggregate percentage change of 0% to Public Health's chargemaster rate.

Attachments:

[AAF DPH Chargemaster Rate Changes - FY25](#)

[Calculation of Aggregate Percentage Increase SFY 2024 v4](#)

[Certification of LHD Chargemaster Change - SFY 2024 - Durham County](#)

4. Other Business (5 min)

24-0630

The Board is Requested to Suspend the Rules and Authorize County Manager to Execute Contract Amendment for Uniformed Security Services with Nighthawk Security and Consulting, LLC Funds Reservation 2500000110 under RFP22-019R1 Increasing the Contract by \$36,345.64 for an Amended Amount of \$4,310,734.60 to support security at the Early Voting Sites and Election Meetings.

Agenda Text:

The Board is requested to suspend the rules and authorize the County Manager to execute an amendment to the service contract with Nighthawk Security and Consulting, LLC. Under RFP No. 22-019R1 Contracted Uniformed Security Services in the amount of \$36,345.64 for FY2024-2025 to an amended total of \$4,310,734.60 to support security at the Early Voting Sites and Election Meetings.

Durham County utilized contract security to provide unarmed and armed security officers, as well as company police officers, for multiple county buildings. This includes parking lots, parking structures, building security, and roving patrols.

This Amendment is to provide needed security services for Board of Elections early voting sites and Election meetings inside the County.

General Services and the County Security Manager request that the Board of County Commissioners suspend the rules to allow this contract to be in place prior to the beginning of Early Voting.

Alignment with Strategic Plan: This action item aligns with Goal SR 2 - Create happy, healthy, and safe places for residents and County employees; and Goal SI 2 - Increase the physical security of County facilities.

Resource Persons: Isaac Alderman, Security Manager; Motiryo Keambiroiro, Director, General Services

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and authorize the County Manager to enter into an

amendment to the contract with Nighthawk Security and Consulting, LLC. for Contracted Uniformed Security (RFP No. 22-019R1) in the amount of \$36,345.64 for a total of \$4,310,734.60, to support security at the Early Voting Sites and Election Meetings, as well as authorizing the County Manager to execute future contract amendments if cost of future amendments have been allocated within the operational budgets of the Board of Elections.

Attachments: [AAF Supplemental](#)
 [Contract Amendment BOE Security](#)
 [FY25 Security Request BOE Amendment](#)
 [BOE Meeting Security Needs](#)

5. Discussion Items (255 min)

[24-0619](#) **Update Presentation on the Durham County Public Art Program (30min)**

Agenda Text: The Board is requested to receive an update from staff on the Public Art Program highlighting the recently completed and planned work. The BOCC adopted a Resolution in September 2019 for the Public Art Program which authorized up to 1% of Capital Project funding be set aside to encourage and fund Public Art in Durham County.

Alignment With Strategic Plan: This item aligns with Strategic Plan Goal of Sustainable Infrastructure and Environment.

Resource Persons: Sarah Martin, Public Arts Coordinator; Brenda Hayes-Bright, Assoc. AIA, CDT, Project Manager/Public Arts Manager, Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services, Jay Gibson, P.E., Director of Engineer and Environmental Services.

County Manager's Recommendation: The County Manager recommends that the Board receive the update and provide input to County staff if appropriate.

Attachments: [Public Art Resolution _FINAL](#)
 [20241007 Public Art Update to BoCC](#)

[24-0620](#) **Update Presentation on the CIP Planning Process (45min)**

Agenda Text: The Board is requested to receive an update from staff on the CIP Planning Process necessary for upcoming CIP adoption.

The purpose of this update is as follows:

1. Provide an overview of the CIP Planning Process
2. Review the list of projects for consideration

Alignment with Strategic Plan: This item aligns with Strategic Plan Goal of Sustainable Infrastructure and Environment.

Resource Persons: Claudia Hager, Deputy County Manager; Julio Delgado, Assistant County Manager; Keith Lane, Director of Budget and Management Services; David Ades, Assistant Director of Budget and Management Services and Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board receive the update and provide direction to staff if appropriate.

Attachments:

[DCo CIP Update Presentation - 10-7-24 WS - BOCC](#)

[Memorandum, CIP Process Update, K. Lane](#)

[DRAFT - FY 2024-2033 CIP Development Project Description Pages](#)

LUNCH BREAK

24-0622

Receive and Discuss a Report and Brief Presentation on the Community Engagement Phase Results of the USDA-Funded Feasibility Study for the Proposed Farm Campus (30min)

Agenda Text:

The Board is requested to receive and discuss a report and brief presentation on the community engagement phase results for the proposed Farm Campus. The community engagement study results are part of a comprehensive process funded by the USDA Urban Agriculture Innovative Production (UAIP) Grant awarded to Durham County Cooperative Extension in 2022 to explore the feasibility of a Farm Campus.

The phasing of the grant and the Farm Campus feasibility study require a presentation of the community engagement results of the study to the BOCC followed by the functional aspects of the full feasibility study at a later date. In January 2024 CoSpero, the contracted consultant, began community engagement work through a historical and contextual analysis followed by a countywide survey targeting aspiring, beginning, and established farmers, food entrepreneurs, and community partners to gather feedback on Farm Campus' components and surface common barriers experienced by farmers and food entrepreneurs.

In May 2024 CoSpero conducted in-person focus groups across audiences to better understand the community's priorities for Farm Campus' programming, operations, and leadership. Aspiring and beginning farmers and food entrepreneurs were further represented in focus groups, elevating their experiences and helping to shape the recommendations presented in this report. Participants offered suggestions on how Durham County can prioritize accessibility and inclusivity while involving the community in the ongoing development of Farm Campus.

This report addresses key insights that emerged throughout the process and

recommendations pertaining to community governance, the programmatic approach and space utilization of the campus.

Alignment with Strategic Plan: This item aligns with the DCo Forward strategic focus areas of Healthy and Inclusive Community, Empowered Community, and Sustainable Infrastructure and Environment.

Resource Persons: Donna Rewalt, County Extension Director; Raina Goldstein Bunnag, County Food Security Coordinator; John Lyttle, Agriculture Agent - Small Farms & Local Foods

County Manager's Recommendation: The County Manager recommends that the Board receive and discuss a report and brief presentation on the community engagement phase results of the USDA-funded feasibility study for the proposed Farm Campus.

Attachments: [Farm Campus Community Engagement Report _2024](#)

[Farm Campus Community Engagement Phase Presentation 10-07-2024](#)

24-0611 Discussion of the Updated Business Recruitment & Expansion Policy (45min)

Agenda Text: The Board is requested to receive a presentation on an update to Durham County's Business Recruitment & Expansion Policy and provide direction to staff.

The policy was most recently updated in 2020. Since that time, the Business Recruitment & Expansion Program has been successful, supporting \$2.9 billion in projected investment, 6,000 jobs, new and growing industries, and numerous community partnerships. At the 2023 National Association of Counties (NACo) conference, the program won a national achievement award in economic development.

At the September Work Session, staff presented recommended topics and principles to guide the policy update and collected feedback from the Board.

At the October Work Session, staff will present the draft policy update to the Board and solicit their input, comments, and guidance on the proposed changes. Staff anticipates at this time bringing the final version back to the Board for a vote at the October 14, 2024 Regular Session.

Alignment with Strategic Plan: This item aligns with Regional Leadership 1b.

Resource Persons: Matthew Filter, Economic Development Manager; Andrew Miracle, Economic Development Director; Maurice Jones, Deputy County Manager External Affairs

County Manager's Recommendation: The Board is requested to receive a presentation on an update to Durham County's Business Recruitment & Expansion

Policy and provide direction to staff.

Attachments: [2024 Business Recruitment & Expansion Policy \(Proposed Update\)](#)
[2020 Business Recruitment Program Policy \(Current\)](#)
[Presentation - Business Recruitment Policy Update WS 10-7-2024](#)

24-0623 **American Rescue Plan Act Update (30 minutes)**

Agenda Text: The Board will 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, addressing negative economic impacts, replacing public sector revenue loss, and funding 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.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goals: Empowered Community and Financial Stewardship

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

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners receive the report.

Attachments: [ARPA Presentation - October 7, 2024.](#)
[ILA with Durham Public Schools.School Capital.v3forBoard](#)
[ARPA ILA with Durham Public Schools.Pre-K-General Title.v3forBoard](#)
[Draft - RFP 5 Youth Initiatives - Community Grant Impact Analysis](#)
[Summary - ARPA Projects, August 5, 2024](#)
[SLFRF-Final-Rule-FAQ](#)

6. Closed Session

24-0634 **Closed Session**

Agenda Text: The Board is requested to adjourn into Closed Session for the following:

- To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee; pursuant to G. S. 143-318.11(a)(6)
- To consult with an attorney employed or retained by the public body in order

to preserve the attorney-client privilege between the attorney and the public body, to discuss the National Opioid Litigation which privilege is hereby acknowledged; pursuant to G. S. 143- 318.11(a)(3)

- For two separate matters - To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged to G.S. 143-318.11(a)(3)

Alignment with Strategic Plan: This item aligns with Strategic Goal: High Performing Organization

Resource Persons: Curtis Massey, Interim County Attorney

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

7. Adjournment