

**THE BOARD OF COUNTY COMMISSIONERS  
DURHAM, NORTH CAROLINA**

Monday, March 7, 2022

9:00 A.M. Virtual Work Session

**MINUTES**

Place: Commissioners' Chambers, second floor, Durham County Government  
Administrative Complex, 200 E. Main Street, Durham, NC

Present: Chair Brenda Howerton, Vice-Chair Wendy Jacobs, and Commissioners Nida Allam, Nimasheena Burns, and Heidi Carter

Presiders: Chair Brenda Howerton

**Citizen Comments**

The Clerk announced that no Citizen Comments were received.

**Consent Agenda**

The Board was requested to review the following Consent Agenda items for the March Regular Sessions.

**22-0112 Budget Ordinance Amendment No. 22BCC00070 to Recognize \$23,552.01 in Federal Pass-Through Funding Provided by the North Carolina Division of Emergency Management for Emergency Management Performance Grant funding**

Jim Groves, Office of Emergency Services Director, described what the grant funds were typically used for, namely training, exercises, and plan development. He noted these were unexpected funds and stated that one of the proposed uses would be to revise the East Durham Evacuation Plan.

**22-0113 Approve the Final Budget for the Douglas Daye II Farm Conservation Easement and Approve Capital Project Amendment No.22CPA00020 Decreasing the Open Space & Farmland Preservation Capital Project (4730DC083) by \$127,900 and Budget Amendment No. 22BCC00071 Transferring \$127,900 from the Pay-As-You-Go Capital Project Fund to the General Fund to Support the Purchase of the Second Phase of the Douglas Daye Farm Conservation Easement**

Vice-Chair Jacobs celebrated Jane Korest, Open Space and Real Estate Manager, and her staff for all their work on this and the Len Needham Farm conservation easement items. She spoke on the importance of how the conservation easements not only helped preserve farmland but also their family's wealth and legacy.

Vice-Chair Jacobs advocated for a press release regarding items 22-0113 and 22-0114 to inform the public and other farmers about the significance of the conservation easements. Ms. Korest appreciated the idea of a press release or interviews, but noted some farmers were open to press

and attention while others preferred more privacy. She agreed to discuss this with each landowner to determine their stance.

Commissioner Carter announced the Durham Open Space and Trails Commission (DOST) recommended another Open Space position and she hoped the Board would get a chance to discuss this soon.

**22-0119 Budget Ordinance Amendment No. 22BCC00073 Public Health to Recognize \$ 25,000 from the North Carolina Department of Health and Human Services Division of Public Health for Comprehensive Suicide Prevention Programming**

Kristen Patterson, Deputy Public Health Director, provided more information on the item.

**Directive: Staff to provide the Board with an update before the end of the year regarding the progress and work of the Counseling on Access to Lethal Means (CALM).**

**22-0140 Authorize the County Manager to Execute the Master Declaration Agreement between Durham County and ZOM Living for the 500 E. Main St. Market-Rate Housing Development**

Peri Manns, Deputy Director of Engineering and Engineering Services, confirmed the County planned to sell the property associated with market rate development along Main Street – the purchase price was around \$2.5 million. He stated the public areas would be maintained by ZOM Living.

Mr. Manns described why the deck used shared parking and how it would work in theory.

Vice-Chair Jacobs acknowledged this milestone and thanked the staff for all their work in the County’s first ever mixed used development.

**22-0141 Approve the Acceptance of a Donated Conservation Easement by Deborah Fowler for a Portion of 3111 Cheek Road**

Ms. Korest described why this non-farm conservation easement was important in terms of ecological value and as the County’s initial conservation of that area.

There were no questions regarding the items below:

**22-0089 Approval to Enter into a Contract with “Strategic Connections, Inc.” to Upgrade the Audio Visual Equipment in the Criminal Justice Resource Center Building Using FY 2021-2022, Criminal Justice Resource Center Funds in the Amount of \$72,695.46**

**22-0093 Approval of Policy for BOCC Involvement in Approving Salaries for ABC System General Managers**

**22-0098 Approve an Amendment to Increase a Contract with “Davenport Group” in the Amount of \$930,000.00 for IS&T Hardware and Services**

**22-0105 Update Regarding Design of the Structural Public Art Screen Wall at the 318 E Main Street Parking Deck and Approval of an Amendment to the Public Art Agreement with Parasoleil, LLC for its Fabrication/Installation in the amount of \$520,000 including 3% contingency for a not-to-exceed amount of \$705,000 for this project.**

**22-0114 Approve the Final Budget for the Len Needham Farm Conservation Easement and Approve Capital Project Amendment No.22CPA00021 Decreasing the Open Space & Farmland Preservation Capital Project (4730DC083) by \$101,288 and Budget Amendment No. 22BCC00072 transferring \$101,288 from the Pay-As-You-Go Capital Project Fund to the General Fund to Support the Purchase of the Needham Farm Conservation Easement**

**22-0135 Budget Ordinance Amendment No. 22BCC00074 for the Department of Social Services to recognize funds in the amount of \$55,966.00 from the Adult Protective Services (APS) Essential Services Funds (CFDA #93.747)**

**22-0137 Sole Source Exemption for Purchase of Weirs at the Triangle Wastewater Treatment Plant**

**22-0142 Capital Project Amendment No.22CPA00019 and Budget Amendment No.22BCC00076 Appropriating \$4,425,502.00 of Debt Service Fund Fund Balance, Transferring \$4,425,502.00 out of the Debt Service Fund to the PAYGO Fund and Using PAYGO Funding to Create the New Detention Center Critical Infrastructure Capital Project (41904200DC086)**

**22-0146 Approve a Contract in the Amount of \$126,150 with Woolpert, Inc. dba Data Cloud Solutions for a Mobile Assessor Software using Capital Project Funds**

### **Discussion Items**

#### **22-0116 Review of Commissioner Directives**

The Board was requested to review staff follow-up on Commissioner directives.

Vice-Chair Jacobs noted the plastic bag ordinance was not included in the list of directives. Interim Manager Hager stated it was being worked on, but it had accidentally been omitted from the list.

**Directive: Staff to add the plastic bag ordinance to the list of directives.**

#### **22-0117 Review of 2021 City-County Resident Survey Results**

Jason Morado, Director of Community Research (ETC Institute), provided the Board with a presentation on the 2021 resident survey results.

For the seventh consecutive year, Durham County partnered with the City of Durham to conduct a resident survey. The survey, conducted in late Fall 2021, presented information about service quality and resident prioritization of services. This data, which included trends from the past several years, would be used to help Durham County make service improvements in the spirit of the County's continuous improvement model, Managing for Results. The survey also enabled Durham County to compare itself to other, similar-sized communities across America.

Mr. Morado noted the key highlights from the survey results:

- Residents had a positive perception of Durham County
  - 82% felt Durham was an excellent or good place to live
  - 79% were satisfied with the overall quality of life in their neighborhood
- Overall satisfaction ratings were similar to 2020 ratings
- Durham County rated 10% above the national average in the overall quality of county services

- Durham County rated 30% above the national average in customer service from county employees

The top community priorities were police protection, public schools, street maintenance, and affordable housing. The top County priorities were public schools, sheriff protection, and Department of Social Services.

Mr. Morado confirmed they calculated a margin of error—it was 3.1%—at a 95% confidence interval. This meant that if staff conducted this survey 100 times, 95 times the results would be the same plus or minus 3.1% from what was reported. He stated the demographic tabulation information was included in the full report.

Commissioner Allam inquired as to whether it was possible to overlay results to find more specific concerns, such as adding an overlay from specific categories of service to the “quality of life in your neighborhood” to see if specific locations had specific service concerns. Mr. Morado confirmed it was possible to look at the data in a more granular level and stated the raw data would soon be provided to the County. Drew Cummings, Chief of Staff, added that this information could also be viewed as tabular data according to geography.

Vice-Chair Jacobs voiced her appreciation for the joint City-County survey. She congratulated staff on the improvements in services even during the pandemic. She hoped there would be changes as to how the County disseminated information to the community since the results indicated most residents received their news from the Nextdoor app rather than the County’s social media accounts.

Commissioner Carter praised County staff for helping make Durham what it was.

**Directive: Staff to provide the Board with satisfaction rating data according to demographics such as age and race.**

### **22-0136 Durham County Transit Plan Update**

The Durham County Transit Plan was required by state legislation that enabled the local option half-cent sales tax for public transit improvements. The plan had to be adopted by the Board of County Commissioners, the GoTriangle Board of Trustees, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization Board. The plan was first adopted in 2011, with an update in 2017, and was centered around the Durham-Orange Light Rail Transit project. In 2019, GoTriangle discontinued the light rail project, and there was now a need for a new Durham County Transit Plan. The plan would guide the use of approximately \$1.05 billion for public transit improvements over the twenty-year horizon. The Board of Commissioners last received an update on the plan on October 4, 2021.

GoTriangle staff provided a brief presentation on the financial status of the Tax District as a follow-up to the presentation on the Annual Report that was given in February 2022. Two additional documents were provided as a follow-up to the February presentation: a summary page from the City of Durham’s FY22 budget on transit and summary pages from the FY22 Annual Work Program for Durham.

Saundra Freeman, Chief Financial Officer, GoTriangle, presented information on the financial status of the Transit Plan.

Ellen Beckmann, Durham County Transportation Manager, provided the Board with an update on the development of the Durham County Transit Plan. The presentation reviewed the financial metrics and the development of the recommended plan.

Ms. Freeman confirmed the Special Tax District continuously looked for and discussed opportunities for additional revenue sources.

Vice-Chair Jacobs expressed her frustration and concerns regarding the lack of transparency around funding and how often the County was being asked to fund projects or positions to cover the City's duties—such as the transportation, affordable housing, and the Snow Hill Road Pump Station. She asked staff to be mindful of the balance between all the regional and local transportation needs.

**Directives:**

- **Ellen Beckmann to provide the Board with information regarding the total dollar amounts of how much funding was going to GoTriangle and how much was going to the City of Durham out of the \$15.9 million in Durham Transit Plan expenses.**
- **Ellen Beckmann to provide the Board with more information regarding the following:**
  - **Bus stops**
  - **Governance Study and the policies and procedures the were used to govern the Durham Transit Plan**
  - **Breakdown of the \$2 million the County was paying GoTriangle for administrative costs**
  - **Breakdown of the almost \$400,000 being spent on legal and real estate support staff**
  - **County's funding for City of Durham's transportation needs**
  - **City's allotted funding for transit, how it is managed, and whether it increases**

**22-0138 GoTriangle Commuter Rail Study Update**

The Greater Triangle Commuter Rail (GTCR) project would provide commuter-oriented passenger rail service between Durham, Wake, and Johnston counties in the existing North Carolina Railroad (NCR) corridor. This project was in the adopted Durham County Transit Plan. In March 2020, the Board of Commissioners approved a Memorandum of Understanding (MOU) between the regional partners to support continued development of this project. The MOU authorized a study led by GoTriangle that would provide information on the benefits, costs, risks, engineering challenges, public engagement, and stakeholder support to inform a decision by the regional partners on whether to continue development of this project. The Board of Commissioners last received an update on this project on May 3, 2021.

Chuck Lattuca, GoTriangle CEO, provided the Board with a presentation on the Greater Triangle Commuter Rail project. The presentation touched on the current activities of this study and focused on the Downtown Durham engineering study.

Moriah Ellington, Engineering Lead STV, discussed the Downtown Durham design concepts.

Erin Convery, GoTriangle Senior Transportation Planner, described the opportunity analysis study that would look into land use and affordable housing. Mr. Lattuca added the study would find complementary results between the transit project and the County's affordable housing projects.

Commissioner Burns encouraged staff to be mindful of the Fayetteville Street Corridor, the Durham Business & Professional Chain, and a soon to be mixed-use affordable housing development. This was the area that the Durham Freeway (North Carolina Highway 147) went through; many promises were made regarding how much businesses would prosper as a result, but the reality was that it misplaced Black people and disrupted Black Wall Street.

Ms. Ellington, Ms. Convery, and Mr. Lattuca discussed the possibility of increasing future capacity in the two concepts presented.

Vice-Chair Jacobs believed funding gaps should be looked at sooner rather than later. She inquired whether staff was engaging Representative Price on this as well as looking at the Infrastructure Bill or other sources of funding.

Commissioner Carter suggested staff consider briefly making a case as to why a commuter rail was necessary before every update presentation on it in order to provide the public with important background information. She hoped to see pedestrian improvements at difficult-to-cross intersections, such as Mangum Street and Blackwell Street.

**Directives:**

- **Staff to add North Carolina Central University and Durham Technical Community College as stakeholders**
- **Staff to provide very detailed information regarding how the Durham-Orange Light Rail Transit timeline corresponded to how the project developed and why different amounts of money had to be spent at different times according to how the federal funding process worked. A document or illustration which showed a timeline with a breakdown of how much money was spent, what it was spend on, and the different agreements that were in place which required the spending to occur in this way was recommended.**

**22-0144 FY 2022-31 Capital Improvement Plan Update**

The Board was requested to receive a presentation from staff on the FY 2022-2031 Capital Improvement Program (CIP) update. The presentation provided a high-level overview on the requested CIP projects, an update on the County Master Facility Plan, explained the project evaluation and financing process, and discussed a proposed timeline for future discussions. This conversation was meant to lay the foundation for upcoming months as staff refined the 2022-2031 CIP and clarified the approaches required to liquidate debt to support future capital project needs.

Keith Lane, Budget Director, noted the following CIP changes: a new Board of Elections building, County Stadium upgrades, IS&T, new Emergency Operations Center, Public Safety

Complex, new Animal Shelter, Renewable Energy Plan, DPS, and two major DTCC projects – all updates totaled \$744,721,161. The three major revenue sources were GO Bonds, LOBs, and bank financing with the majority of projects requested for completion in the first five years. He announced that the General Obligation Bond Referendum the County was proposing for November 2022 as a part of the 10-year CIP was \$550,231,000.

Douglas Carter, Durham County Financial Advisor, discussed inflation and its effect on the CIP as well as other factors as to why it appeared to require such a large amount of funds. He noted this pattern was being seen in many other counties nationwide.

Commissioner Burns expressed concerns regarding raising the tax rate to the point of forcing residents to leave Durham. She inquired as to whether staff believed inflation would not be as high as was being planned for. Claudia Hager, Interim County Manager, discussed the increase of prices in current projects and stated she was hopeful they would decrease in the future, but there was no certainty.

Mr. Lane and Interim Manager Hager discussed the next steps in the CIP process.

Vice-Chair Jacobs requested staff consider what was implementable and executable at what time because the County could not do a bond to raise taxes while knowing those funds could not be spent until much later. She emphasized the importance of understanding the County's true capabilities in terms of actionable steps. She wanted staff to consider the prioritization of everyone's projects and was concerned about the numerous projects the Board had yet to hear about that were in the CIP. Vice-Chair Jacobs believed there was much more work required to fully vet the CIP.

Commissioner Carter hoped to hear more information regarding the projects in the CIP she had yet to learn about.

Mr. Lane stated staff would compile a list of the questions the Board had during the meeting and send to the Board for confirmation as well as to allow for any additional questions.

Commissioner Burns discussed the emails sent to the Board requesting their support for a \$40 million Green Energy Bond for schools. She encouraged the asking of questions and obtaining more information.

**Directives:**

- **Staff to provide the Board with revised numbers for the Board of Elections project.**
- **Staff to provide the Board with information as to whether ARPA could be used to fund broadband.**
- **Staff to request a response from requesting entities (DPS, Durham County departments, Museum of Life & Science, etc.) as to their capacity to get their projects shovel-ready and spend the money on time.**
- **Staff to provide the Board information regarding a sort of crosswalk with ARPA funding eligibility to determine if any projects could be offloaded to ARPA.**
- **Staff to provide the Board with a document listing/describing the County's specific plans for building green infrastructure and responding to climate change.**

- **Staff to provide the Board with a response from DPS as to whether their Bond request considered or included green initiatives.**
- **Staff to provide the Board with a document detailing the cost—both qualitative and quantitative—of not funding some of the requested Bond projects.**

### **22-0147 Tax Administration Revaluation Update**

At its February 8, 2021 Regular Session, the Board of Commissioners, upon recommendation of the Durham County Tax Administrator, voted to delay the County’s next countywide reappraisal from January 1, 2023 to January 1, 2026. The main impetus behind this delay, in addition to the COVID-19 pandemic, was aging tax software that not only affected Tax Administration operations, but also extended workflow restrictions to other departments. Delaying the next reappraisal allowed the Tax Administration Department to immediately pursue a modern tax software solution which allowed best practices and enhanced workflow management. Farragut Systems’ NCPTS product was selected and scheduled to go live in Spring 2022.

T. Dwane Brinson, Tax Administrator, provided the Board with current market statistics and information regarding how current market statistics could impact the timing of Durham County’s next countywide revaluation. Mr. Brinson clarified that the County had to complete a reevaluation by January 1, 2025.

Commissioner Carter lamented the loss of tax value and tax dollars from homes in the upper end of the spectrum the County would experience by having the reevaluation in 2025 as opposed to 2024.

Mr. Brinson discussed the valuation of commercial properties and noted it was a different process for residential properties. He described the letters that residents would receive with information regarding the reevaluation.

Commissioner Burns felt comfortable with the Tax Administrator and staff moving forward.

Mr. Brinson discussed the practice of investors buying properties, performing minimal remodeling, and selling them a few months later for a dramatically increased price. He has also seen instances of investors buying properties and raising rent prices.

### **21-0291 Commissioner Comments**

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

Commissioner Allam congratulated the Public Health Director and staff. The lab team at the Department of Public Health passed their CLIA inspection and received zero citations. She stated the CLIA Inspection Team were impressed with the exceptional work performed by Durham County and highlighted the following laboratory team members: Felicia, Chan, Fabricio, Kim, Marty, Saundra, Liz, Lane, Mike, Dr. Jenks, and Josie.

Vice-Chair Jacobs acknowledged Interim Manager Hager for her work and noted this was her last Work Session as the Interim County Manager. Chair Howerton announced there would be



more pomp and circumstance for Interim Manager Hager at the March 14<sup>th</sup> Regular Session as that would be her final meeting before the new County Manager was in place.

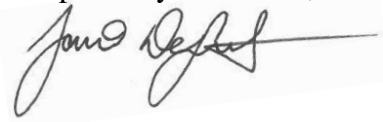
**Adjournment**

Vice-Chair Jacobs moved, seconded by Commissioner Allam, to adjourn the meeting.

The motion carried unanimously.

The meeting was adjourned at 2:26 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tania De Los Santos", is written over a light gray rectangular background.

Tania De Los Santos  
Administrative Assistant