

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

Monday, May 6, 2024

9:00 A.M. Work Session

MINUTES

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

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

Presider: Chair Nida Allam

Zoom Hybrid

Participants: 1

Citizen Comments

The Board of County Commissioners provided a 30-minute comment period to allow Durham County citizens an opportunity to speak. Citizens were given the option to deliver their Citizen Comments in-person or virtually via email to the Clerk no later than Sunday, May 5th at 12 noon.

DeWarren Langley asked the Board of County Commissioners to make a financial commitment to boys and young men of color in our community in the upcoming budget.

Consent Agenda

The Board reviewed the following Consent Agenda items for the May Regular Sessions.

24-0229 Budget Ordinance Amendment No. 24BCC00101 Public Health to Recognize Funds in the Amount of \$241,116 From the Division of Child and Family Well-Being, North Carolina Department of Health and Human Services for Durham's Innovative Nutrition Education (DINE) Program Implementation

County Manager Sowell stated that it was included in the total amount of what we fund.

Directive:

- **Commissioner Jacobs requested the number of schools, students and families that were being served by this program and the impact with this additional position.**

24-0240 Approval of the FY24 Durham Transit Work Program Q4 Amendments

Vice-Chair Burns asked what the close to \$1,000,000 decrease was from. Ellen Beckman, Transportation Director, stated that the decrease was reflective of what they learned from the short-range transit plan and due to the shortage of bus drivers and their ability to deploy services.

24-0263 Approval of a Contract Amendment with RND Architects related to the Board of Elections facility, 3825 South Roxboro Street, in the amount of \$90,402.00 (Renovation Project.4730DC155)

Directive:

- **Commissioner Wendy Jacobs requested to get the actual plans attached to the final agenda.**

There were no questions regarding the items below:

24-0197 Budget Ordinance Amendment No. 24BCC00095 Appropriating General Fund Restricted Fund Balance to Increase Expenditure Authority for the Library to receive Coronavirus State Fiscal Recovery Funds in the amount \$70, 819.40.

24-0224 Approval of Budget Ordinance Amendment No. 24BCC00098 for the Department of Social Services to recognize Duke Energy Carolinas, LLC - 2024 “Share the Light” (STL/EEF) Funds of \$20,568.39.

24-0226 Approval of Budget Ordinance Amendment No. 24BCC00099 for the Department of Social Services to recognize Duke Energy Carolinas, LLC - 2024 NC Rate Settlement Funds of \$20,000.00.

24-0228 Budget Ordinance Amendment No. 24BCC00100 Public Health to Recognize \$50,000 from NC DHHS Division of Public Health’s Local and Community Support Section.

24-0237 Approval of Capital Project Amendment No.24CPA00024 and Budget Ordinance Amendment No. 24BCC00096 Appropriating \$1,875,250 of Sewer Utility Fund Fund Balance and Transferring Those Funds to the New Chin Page Road Lift Station, Force Main, and Outfall Capital Project (SE064) to Fund \$1.4M of Pre-Construction Services Costs with the Design-Build Firm Garney Companies, Inc. and Pay the \$385,961 Clean Water State Revolving Fund Loan Fee for the \$19.3M Project Loan, as well as Authorize the County Manager to Execute the Contract with Garney Companies, Inc. and Any Related Contract Amendments Not To Exceed \$1,875,250.

24-0250 Approval to Enter into a Contract with Info-Tech Research Group in the Amount of \$432,000.00 to Implement the Next Phase of Execution in Selection of the County ERP System.

24-0258 Request the Board Authorize the Interim County Attorney to Execute a Contract with Arthur J. Gallagher Risk Management Company, LLC for Insurance Brokerage and Risk Management Services in the Amount of \$42,000.00

24-0260 Acceptance of Federal Aviation Administration (FAA) Grant Offer No. 3-37-0056-066-2024 in the amount of \$15,000,000.00 to Raleigh-Durham Airport Authority (RDUA).

24-0261 Approve the transfer of the County’s existing conservation easement on 4100 Pickett Road (partial) to Triangle Land Conservancy.

24-0262 Approval of the Interlocal Agreement between the City of Durham, Durham County, and the Central Pines Regional Council regarding the Durham-to-Roxboro Rail Trail Planning and Feasibility Study

24-0264 Approval of the Purchase of Goods contract with Various Vendors for the Workstations, Private Office, Conference, miscellaneous furnishings and Equipment from the Omnia/GSA

and/or NC State Contracts Buying Programs for the Board of Elections Renovation Project No.: (4730DC155) with a total budget amount of \$609,817.11.

24-0266 Lease Amendment for Angie's Jamaican Grill at 3825 S Roxboro Rd. Suite 123 at the Shoppes of Hope Valley Shopping Center

Discussion Items

24-0232 Departmental - City-County Planning Department FY25 Work Program

The Board received a presentation on the proposed FY 25 Work Program in preparation for its approval at a Regular Session.

Sara Young, AICP, Planning Director shared a presentation and answered questions pertaining to the FY25 City-County Planning Department Work Program. The work program was broken down into two basic categories, one was ongoing processes that were legally mandated or dictated by policy, for example zoning. The second category was Discretionary Projects, these were things that change year to year. Mrs. Young presentation highlighted the following:

- New Unified Development Ordinance
- Research Triangle Park South Design District
- City Code Amendments for Water and Sewer Connections
- Community Goals and Objectives Report Card
- Small Area Plan Scoping
- Prioritized Small Area Plans
- Landscape Manual Update
- Urban Growth Boundary Tree Canopy Analysis

Chair Allam requested further discussions on the County having more input on zoning and annexations. Mrs. Young recommended that this topic be discussed in the Joint City-County Planning Committee meeting and agreed to add it to an upcoming agenda. Chair Allam asked about the cost for the residents to connect to water and sewer. Mrs. Young stated that they would look into assistance programs to help residents with the cost, possibly in the form of loans. Commissioner Jacobs asked for a more detailed explanation of "small area plan scoping." Mrs. Young responded that in definition, small area plan scoping was a comprehensive plan for a discreet area of the County, focusing on localized needs.

Directive:

- **Vice Chair Nimasheena Burns requested for staff to make sure that information and dates pertaining to the open house for Research Triangle Park South Design District was on the Durham County website.**
- **Chair Nida Allam requested mapping reports or graphs of Durham County services to growth.**
- **Commissioner Jacobs requested a sample of the recent rezoning report and asked that the future rezoning requests that were not consistent with urban growth boundaries and the Comprehensive Land Use Plan be presented to the Board. She also requested a larger discussion concerning cost share with the City of Durham in the Planning Department.**

24-0269 ARPA Update (45min)

The Board received an update on the American Rescue Plan Act (ARPA) funds.

The American Rescue Plan delivered \$350 billion for state, local, territorial, and Tribal governments to respond to the COVID-19 emergency. Durham County received \$62,445,275. ARPA funds supported several priorities including a public health response due to COVID-19, addressed negative economic impacts, replaced public sector revenue loss, and funded premium pay for essential workers. Funding use also addressed 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.

Claudia Hager, Deputy County Manager, and John Keefer, Grants Administrator, shared updates on overall projects, presented recent treasury final rule changes and conversations for upcoming changes. Mrs. Hager stated that 89% of the funds were committed with remaining project approvals in process and that requests for proposals and project allocations were underway for the remaining projects. The deadline for expenditures was December 31, 2026, with the intent for most of the projects to be completed as related to the community grant by the end of summer 2025, the remaining projects to be completed by the fall of 2025.

Mr. Keefer shared a presentation and answered questions concerning the US Treasury guidelines recent updates. The presentation highlights included:

- Local governments may now utilize ARPA funding for personnel costs through December 31, 2026, if the position was established and filled by December 31, 2024.
- Funding could be moved between projects if there was a difference between budgeted costs and actual costs after December 31, 2024, so long as both projects were obligated before that date.
- While the County could not generally enter into new contracts after December 31, 2024, it could amend a contract, utilize a change order, or contingency clause to adjust the scope of existing projects.
- The County could enter into a replacement contract after December 31, 2024, if a contract was cancelled for cause or convenience, provided the replacement contract was for substantially the same services.
- County could shift projects among categories (e.g., Negative Economic Impacts to Revenue Replacement) after December 31, 2024, if needed.

Vice-Chair Burns questioned how many ARPA funded positions were temporary versus full-time and was the County being transparent with temporary staff concerning an end date. Mrs. Hager responded that the County was very conservative with hiring staff and transparent in communicating with contractors and temporary staff concerning end dates.

Commissioner Jacobs requested for the Board to have input with the remaining balance during future Budget Work Sessions. She wanted to know, with the end of the Federal Support for Broadband Access, how many people would be impacted and were there any programs available

for our residents to receive additional support. Mrs. Hager requested to come back to the Board with more specific information and understanding of what was available.

Commissioner Howerton questioned revenue replacement and what would happen in the future. Mrs. Hager noted that when the dollars ended for the contractual period and most of the contracts ended in Summer or Fall 2025 there would no longer be funding available.

Commissioner Carter asked if there was room or capacity available within ARPA funds to assist with the needs related to housing insecurity. Mrs. Hager stated that, unfortunately, there were not sufficient funds.

Directive:

- **Chair Allam requested a presentation for the Opioid Settlement funds.**
- **Commissioner Jacobs requested an updated list of approved projects and the FAQ's on the ARPA page of the Durham County Website.**

24-0280 Review of County Commissioner Directives

The Board reviewed staff follow-up regarding previously issued directives. The Board will provide comments or questions on the working Excel document.

Shannon Trapp, Chief of Staff, stated that Review of County Commissioner Directives will return as a standing topic of discussion at the Work Sessions.

Adjournment

Vice Chair Burns moved, seconded by Commissioner Howerton, to adjourn the meeting.

The motion carried unanimously.

The meeting was adjourned at 10:57 a.m.

Respectfully submitted,


Georgina Nicole Moreno
Administrative Assistant