

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

Monday, August 5, 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, Commissioners Heidi Carter, Brenda Howerton, and Wendy
Jacobs

Absent: Vice-Chair Nimasheena Burns

Presider: Chair Nida Allam

Zoom Hybrid

Participants: 10

Closed Session

The Board requested to adjourn to 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).

Chair Allam moved, seconded by Commissioner Howerton, to adjourn into Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Chair Allam stated the Board met in closed session and provided direction to staff.

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, August 4th at 12 noon.

There were no citizens signed up to speak.

Discussion Items

24-0461 Presentation from Alliance Health

Alliance Health provided the Board with a presentation regarding updates to the Tailored Plan, finances, and their work with providers and the community.

Rob Robinson, Chief Executive Officer, Alliance Health, presented information on Tailored Plans that began operating July 2024. Tailored Plans were integrated managed care products that provided physical health, behavioral health, long-term services and supports, and pharmacy benefits to Medicaid recipients.

Kelly Goodfellow, Chief Financial Officer, Alliance Health, provided the Board with a budget overview. Alliance historically fully spent County funds until FY21-FY23 when they received \$22.6M in COVID funding from the state for uninsured individuals which left \$2.4M in total unspent County funds for FY22-FY23. The County approved the reinvestment of \$400K in Bridge Housing that opened August 2024. The remaining unspent funds were returned to the County.

Ms. Goodfellow stated that multiple factors impacted FY23-FY24 spending. Those factors included Medicaid Expansion approval in December 2023, the State's Direct Care workforce shortage, provider capacity issues, and the receipt of unexpected State funds which decreased spending of County funds. This resulted in a balance of \$5M unspent funds.

Alliance Health's response to the FY24 underspending was:

- Effective July 1
 - Alliance matched State rates to Medicaid rates for services covered by both benefit plans
 - Increased State Only service rates between 5-25%
- Evaluating State Benefit Plan to match level of services covered by Medicaid
- Reinvestment proposals included:
 - Supportive housing
 - Day services
 - Non-profit support
 - Medications for uninsured folks (opioid treatment)

Sean Schreiber, Chief Operating Officer, Alliance Health, shared an overview of services available to the community in Durham County.

The Durham Network highlights included the following:

- Meeting 100% of Tailored Plan Network Adequacy requirements
- Contracted with all three opioid treatment providers in the County to serve both Medicaid and the uninsured
- Implemented new child and adolescent services aimed at meeting the needs of youth with complex needs
- Implementing a community-based service for adult justice-involved individuals

Approximately 16,178 Durham residents received behavioral health services through Alliance’s provider network. Duke provided integrated care management to 1,100 Alliance Tailored Plan members. 568 Durham residents received evidence-based opioid treatment. A one-time allocation from the State of \$141,000 was expended through Gurley’s Pharmacy for medications for uninsured individuals, including suboxone.

Commissioner Jacobs emphasized the importance of diligent tracking throughout the year to ensure efficient reallocation of unspent funds and the need for Alliance Health to be fully integrated and collaborating with the services the County offered.

Directives:

- **Rob Robinson to provide a detailed proposal for FY23-24 unspent funds.**
- **Kelly Goodfellow to provide a better process to make use of unspent funds during the current fiscal year.**

24-0433 Informational Item – Omnibus 19 Text Amendment (TC2400001)

The Board reviewed and provided comments on the proposed Unified Development Ordinance text amendment. The public hearing for this item was scheduled for the August 12, 2024 Regular Session.

Omnibus 19 was a staff-initiated text amendment to update multiple sections within the Unified Development Ordinance (UDO). Robin Schultz, Senior Planner/Arborist, City of Durham, presented updates below that included clarifying terminology, correcting inconsistencies, updating information provided by outside entities, and expanding definitions.

The simplifying Codes for Affordable Development (SCAD) corrections included:

- Removed mentions of “required” parking
- Height calculations corrected
- Corrected the density requirement in CN zoning districts
- Clarified that SCAD did not remove mass grading boundary buffers
- Clarified that exceeding 20 ADUs requires a site plan

Amendments to State Legislation included:

- Updated public notification requirements for street renaming’s
- Removed design regulations for anything included within the NCRBC
- Removed any ordinance standard which conflicted with DEQ’s purview.

Staff met with Habitat for Humanity, who proposed two additional changes to the grading setbacks to be included within the draft of Omnibus 19.

24-0486 Benefits Update

The Board received an update regarding the Self-Funded Medical Plan. The update included the financial implications of reversing the employees’ medical plan from the current tiered plan.

Alex Doberstein, Vice President, Acentria Insurance, provided an update with some historical context regarding the County Medical Plan. IBA-Acentria was awarded a consulting services contract on November 1, 2023. The previous consultant was advised against increasing the

medical budget for the 2024 renewal. The rationale included changing Pharmacy Benefit Manager for estimated significant cost decreases. The claim experience reports used for calculations did not match the budget or Third-Party Administrator numbers—actual medical claims experienced were 25% higher than expected.

Initial medical renewal projections called for 18.8% increase (estimated \$6M). Staff considered the following renewal options:

- Reducing coverage or services
- Access to care
- Vendor changes
- Plan Design
- Contributions

After benchmarking analysis, the decision was made to offer a dual option plan designed to offset some of the 18.8% increased projections. A zero-contribution health plan was maintained but increased out-of-pocket cost to participants. A buy-up plan (\$70 per month) was offered as an employee-only option, and this decreased out-of-pocket costs to participants. Recent claims continued to trend high and utilizing the most recent claims data to project the 2025 plan spend, as a result the total medical plan was expected to be \$2.5M higher than the 8% budgeted renewal.

Directives:

- **Chair Allam requested staff tally up the number of employees that were earning less in their paycheck after the Cost-of-Living Adjustment pay increase and the insurance cost increase.**
- **Commissioner Jacobs requested for this presentation to be shared with all Durham County employees and wanted to include employee input for the FY2025 benefit planning starting immediately.**

24-0487 Aging Well Durham (AWD) Presentation

The mission of AWD was to promote collaborative efforts to build a safe, affordable, accessible, connected and inclusive community for aging adults in Durham. AWD convened ongoing livability groups to update, implement, monitor and evaluate Durham’s Comprehensive Aging Plan. The presentation included goals, strategies and lead agencies for the 2024 Durham Comprehensive Plan and examples of how the plan aligned with Durham County’s strategic goals.

Shelisa Howard-Martinez, Executive Director, Aging Well Durham, provided the Board with a presentation on the recent activities of AWD, including the 2024 Durham Comprehensive Aging Plan. The presentation touched on the age-friendly plan cycle, livability groups and their cross-cutting issues that identified 13 implementation goals. Participating organizations and their rolls in the new Aging Plan were highlighted. An eight-month implementation timeline was presented as well.

Directive: Commissioner Jacobs requested for AWD to present annually at a Joint City-County meeting and County staff to insure that Aging Well Durham was connected to new and existing planning processes in Durham County.

24-0454 Update Presentation on the CIP Planning Process

The Board received an update from staff on the Capital Improvement Planning (CIP) Planning Process necessary for the upcoming CIP adoption.

Claudia Hager, Deputy County Manager, provided an update on the CIP Planning Process and provided an overview of the Draft CIP Calendar. Peri Manns, Deputy Director of Engineering, highlighted upcoming CIP projects listed below, answered questions, and provided brief updates and timelines. Staff planned to present these projects with more detailed discussions at future meetings for approval.

- Animal Shelter
- Sheriff's Training Facility
- Justice Services Transition House
- Project Build
- Fire and EMS #19
- EMS Operations
- Emergency Operations Center
- OES Temporary Fleet Maintenance Facility
- Renewable Energy Plan Implementation
- TWWTP Administration Building II
- Fleet Maintenance Facility

Directive: Commissioner Jacobs requested that staff provide a list of properties owned by the County and highlight properties not being utilized.

24-0430 Initial Discussion of Proposed Items for 2025 NCACC Legislative Goals Process

Deborah Craig-Ray, Chief Communications Officer, presented to the Board the initial development of statewide items for the 2025 NCACC Legislative Goals process and requested legislative ideas that would have statewide implications from the Board. These goals would return for approval at the August 12, 2024 Regular Session meeting.

The Board proposed the following legislative goals:

- Modify the Machinery Act to provide local governments the authority to tax private colleges and universities.
- Classify broadband internet access as a public utility service in the same manner as gas and electricity.
- Give counties more jurisdiction over land use development.
- Allow publicly owned land of cities, counties and school districts to be used to provide workforce housing.
- Allow public sector employees to organize.
- Increase funding to support childcare funding structures that help provide affordable childcare to help workers remain in the workforce.
- Allow local governments the authority to require that landlords accept housing vouchers.
- Appropriate \$180M annually to increase investment in the NC Pre-K program.
- Restore the Earned Income Child Tax Credit to help working families.

- Increase funding for school capital needs.
- Increase funding for salaries of certified and classified school staff.
- Increase funding flexibility for local governments to provide transportation needs in rural and urban areas for projects involving biking, pedestrians, transit, and safety.
- Increase various counties' vehicle registration fees that support transit and/or tie the rate to inflation.
- Amend GS 90-113.22 and 90-113.22A to permit governments and nongovernmental entities to use drug testing equipment for identifying or analyzing the strength, effectiveness, or purity of controlled substances.

24-0459 ARPA Update

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 shared an update on projects with mandated key dates to be presented in detail to the Board at future meetings for approval.

John Keefer, County Grants Administrator, highlighted the following interlocal initiatives agreements (ILA) that would be presented in detail to the Board at future meetings for approval.

Digital Equity ILA with City of Durham (\$750,000)

An ILA that was developed to provide a grant to the City to carry out the activities listed below. The Board ARPA Framework reserved \$750,000 from SLFRF award for purposes of supporting the City of Durham's goal to improve digital equity. Over 75% of provided funding was to be used for direct internet service provision, either at Durham Parks and Recreation sites or through connecting residents with cellular-based connectivity services. The project would run through September 30, 2026.

- Provide outdoor high-speed internet access at several Durham Parks and Recreation Sites (including Community Family Life and Recreation Center at Lyon Park, Durham Teen Center, East Durham Recreation Center, Edison-Johnson Recreation Center, I.R. Holmes, Sr. Recreation Center, and the Holton Career and Resource Center).
- Provide affordable internet access to more than 600 income qualified households (e.g., MiFi and hotspot services).
- Support development of digital readiness and resilience of seniors in communal living facilities.
- Provide workforce exposure and training opportunities for youth to learn about digitally supportive education and employment pathways (Digital Brilliance Hour project).
- Conduct community engagement around the direction of future digital inclusion efforts in Durham.
- Support development, capacity building, and implementation of City's Digital Inclusion Program, including salaries for Digital Navigator and Digital Inclusion & Community Engagement Manager.

ILAs with Durham Public Schools (Pre-K School Capital)

The County Manager’s Office and Grant Administration Department finalized research into the various Federal requirements that applied to both projects in advance of developing Scopes of Work and Budgets for both ARPA Subgrant ILAs. Both projects would fall under the “Negative Economic Impacts” allowable use-case of ARPA funding as well as potentially the “Public Health” use-case for some of the school capital funding (so there would be heightened reporting and compliance requirements associated with the projects). The goal was to have a strong understanding of all the requirements dynamics to ensure that the projects were designed in such a way as to protect both the County and DPS from compliance risks. The development of the Scope of Work and project budgets would begin soon with an initial meeting scheduled to begin collaboration. Staff tentatively planned to present this item to the Board by August 26, 2024.

24-0455 Appoint Voting Delegate - 2024 North Carolina Association of County Commissioners (NCACC) 117th Annual Conference

The Board was requested to suspend the rules and vote to appoint voting delegates for the 2024 NCACC 117th Annual Conference held on August 8-10, 2024, in Forsyth County, NC.

Commissioner Jacobs moved, seconded by Commissioner Howerton to suspend the rules.

The motion carried unanimously.

Commissioner Jacobs moved, seconded by Commissioner Howerton to appoint Vice-Chair Nimasheena Burns as the voting delegate and Commissioner Heidi Carter as the voting alternate for the NCACC Annual Conference.

The motion carried unanimously.

Consent Agenda

The Board reviewed the following Consent Agenda items for the August 12, 2024 Regular Session meeting.

24-0419 Approval of a Contract with Express Employment Services to provide a Second 11-Month Contract Term for the Public Arts Coordinator for Engineering in the Amount of \$100,800.00

Directive: The Board requested a presentation of all projects at a future Board meeting.

24-0428 Approval of a Contract Amendment with Hayti Reborn - Justice Movement totaling \$1,000,000.

Directive: The Board requested a detailed breakdown of the personnel expenses that were paid out and requested updated performance guidelines that included the number of people served/helped.

24-0473 Approval of FY2025 Contract with Alliance Health in the amount of \$6,503,803.00
Directive: The Board requested to delay the vote on this item pending information from Alliance Health.

24-0481 Approval of FY2024-2025 Annual Contract with Urban Ministries of Durham in the Amount of \$380,356.00.

Directive: The Board requested that this item be added to a future Joint City-County Committee meeting.

No comments were made regarding the following consent agenda items:

24-0392 Approval of 2024 Durham County Emergency Operations Plan

24-0396 Approval of FY 2024-25 Governor’s Highway Safety Program (GHSP) Grant Funding Resolution

24-0402 Budget Ordinance Amendment No. 25BCC00006 to Recognize \$5,324.00 in Grant Funding from the North Carolina Department of Public Child Nutrition Program for the Youth home

24-0410 Budget Ordinance Amendment No.25BCC008 to Recognize \$40,300 in Grant Funding from the State Library of North Carolina LSTA Grant in Support of Meeting the Makers Where They Are

24-0411 Approval of Capital Project Amendment No.25CPA00006 Transferring \$6,800,568.99 of Budgeted Debt Service Fund Dollars to the PAYGO Fund to Support the Multi-Department Radio and Tower Capital Project (4330DC005) for County Wide Radio Replacement (\$6,189,247.08), Create a New Durham Public Schools Radio Replacement Capital Project (59105400SH321) with \$317,834.30 and a New Durham Technical Community College Radio Replacement Project (59205300CC021) with \$293,487.61, as well as Approval of a \$7,740,324.20 Contract with Motorola Solutions, Inc. for the Upgrade and Replacement of Public Safety Radio Equipment

240-418 Approval to Amend a Contract with Adecco for Temporary Services in the Amount of \$225,409.25 for a new total of \$462,451.37

24-0420 Recognize a \$500,000 Grant from the State of North Carolina’s Soil and Water Conservation Commission’s Streamflow Rehabilitation Assistance Program (SRAP) for the Whispering Pines Mobile Home Park Stream Restoration Project

24-0423 Approval of Service Contract with Animal Protection Society of Durham, Inc in the Amount of \$1,123,435

24-0427 Award of Contract to Meritech, Inc. for Laboratory Services for the Durham County Utilities Division in the Amount of \$158,692.00 with a Not to Exceed Amount of \$190,000.00

24-0429 Award of Contract to Source Technologies, LLC for Collection System Odor and Corrosion Control for the Utilities Division in the Amount of \$71,000.00 With a Not to Exceed Amount of \$90,000.00

24-0431 Approve Sole Source Exemption for Utilities Division Purchase of Reclaimed Water System Compressor in the amount of \$23,411.38

24-0432 Budget Ordinance Amendment No. 25BCC012 County Administration to Appropriate \$300,000 In General Fund fund balance for the Durham County Master Aging Plan

24-0434 Approval of a Contract with W/Architecture in the Amount of \$197,410 for Architectural and Engineering Services for the Renovation of the Justice Services Center, as well as the Authority to Execute Change Orders/Amendments to the Contract Using Available Funding in the County Building Envelope Upgrade Capital Project (4190DC078)

24-0435 Approval to Enter a Contract with Data Network Solutions in the Amount of \$70,493.74 to Continue Support and Maintenance for DCO Enterprise Palo Alto Firewalls

24-0436 Approve Capital Project Amendment No.25CPA00007 Transferring \$600,000 of Budgeted Debt Service Fund Funding to the PAYGO Fund to support the 500 E. Main St. Downtown Parking Deck Capital Project (47302635DC151); as well as Authorize an Increase in the Owner's Contingency in the Amount of \$1,300,000 to Execute Any Necessary Change Orders for the Deck Development Agreement with ZOM Living for a Total Not-to-Exceed of \$34,001,100.00

24-0437 Approval of a Contract with Envirotrol, LLC, for \$330,033 to Replace Underground Condenser Piping, as well as the Authority to Execute Change Orders/Amendments to the Contract Using Available Funds in the Ongoing HVAC Replacement Capital Project (4190DC076)

24-0442 Amend a Prior Approval of the Interlocal Agreement (ILA) for the Station 18 Co-located Fire/EMS Facility to Reduce the ILA Cost-Share Funding Amount by \$188,241

24-0443 Approve Budget Ordinance Amendment No.25BCC010 to Recognize \$12,500 in Grant Revenue from the Burt's Bees Foundation to Support Ecological Restoration and Educational Signage at New Hope Creek Bottomlands Trail Preserve

24-0448 Award of On-Call Machinery and Repair Services (RFP 24-033R2) Contracts for the Utilities Division to Clayton Electric Motor Repair, Inc. and Rocky Mount Electric Motor, LLC in the amount of \$35,000 each with a not to exceed amount per contract of \$50,000 each, and to Dixie Electro Mechanical Services, Inc. and Holland Industrial Services, Inc. in the amount of \$92,000 each with a not to exceed amount per contract of \$120,000 each

24-0449 Approval to Enter into a Contract with Brady Trane, in the Amount of \$120,556.05 for the Replacement of the AFD Drive for Chiller #2 at the Detention Center

24-0450 Approval to Grant a Permanent Utility Easement to Duke Energy to Provide Electrical Service to the Sheriff's Training Facility (100 Electra Road, Durham)

24-0451 Award three (3) Public Art Contracts to Lacey Crime, Jhonatton and Samantha Arango (Anon Art), and Mayanthi Jayawardena, in a total amount not to exceed \$ 158,210.80 for Public Art Murals to be located at the 500 E. Main Street Parking Deck, Durham NC., Project No.: (47302635DC151)

24-0460 Approve Contract Award to Raftelis for Financial Planning, Rate Study, and Support Services for the Durham County Utilities Division in the Amount of \$55,000 with a Not to Exceed Amount of \$65,000

24-0462 Approve a Conservation Easement agreement with Neil and Catherine Frank for 30 acres at 1300 Red Mountain Road, Rougemont

24-0463 Approve Fiscal Year 2024-2025 Contract with Made in Durham for Workforce Development Services in the Amount of \$250,000

24-0464 Approve Fiscal Year 2024-2025 Contract with the Greater Durham Chamber of Commerce for Business Recruitment and Retention Services in the Amount of \$225,000

24-0465 Approve Fiscal Year 2024-2025 Contract with Downtown Durham, Inc. for Economic Development Services in the Amount of \$200,000

24-0466 Approve Fiscal Year 2024-2025 Contract with the Greater Durham Black Chamber of Commerce for Small Business Support Services in the Amount of \$50,000

24-0470 Approval to Enter into a Contract with FMLASource in the amount of \$82,800 for Absence Management & ADA Administration

24-0474 Approve the Creation of a Temporary Part-Time Parent Educator Position (.72 FTE) in Cooperative Extension for the Welcome Baby Program's Fatherhood Initiative Supported by Duke Endowment Grant funds

24-0475 Approval of FY2025 Contract with Museum of Durham History in the amount of \$139,700.00

24-0476 Approval of Service Contract with Just A Clean House for the Justice Services Transitional Living Facility in the Amount of \$101,808.84

24-0477 Approval of Service Contract with Psychiatric Services and Consultation in the Amount of \$146,718.00 for Mental Health Services in the Durham County Detention Center

24-0482 Removal of Citizen Board Member Due to Poor Attendance

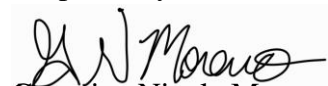
Adjournment

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

The motion carried unanimously.

The meeting was adjourned at 2:46 p.m.

Respectfully submitted,



Georgina Nicole Moreno
Administrative Assistant