



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, April 27, 2020

7:00 PM

Commissioners' Chambers

Regular Session

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 pm Regular Session

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

20-0150 Announcements

Agenda Text:

1. **Help Us Feed Durham** - The Triangle Nonprofit & Volunteer Leadership Center has launched a "one-stop" volunteer portal where you can sign up to help nonprofits that are feeding our community right now. This page will be continuously updated with new opportunities to serve Durham. These organizations need your help getting food to our neighbors. Find a ton of food relief volunteer opportunities at <https://tinyurl.com/feeddurham>
2. **There is Still time for Census 2020** - For the first time ever, the Census can be completed by phone, email, or online. Due to health concerns, the time to complete the Census has been extended to October 31, 2020. Please visit <https://2020census.gov/> to complete the Census today!
3. **Emergency Operations Center, the Heartbeat for COVID-19 in**

Durham - Since early March, Durham County Public Health and the Emergency Management Division of the Office of Emergency Services have combined efforts under the activated Durham County Emergency Operations Center (EOC). Their collaborative efforts are focused on response to COVID-19 and the cyber malware attack.

Since the EOC activation, the Board of County Commissioners have issued a Stay-At-Home (SAO) Order and unified the order with the City of Durham on April 3. The EOC is tasked with executing emergency management plans and supporting the SAO. Durham County Department of Public Health has played a critical role in leading the monitoring and preparedness efforts for Durham.

To stay abreast of the COVID-19 situation in Durham and to learn more about how to help reduce the potential spread of this virus, residents are encouraged to visit <https://www.dcopublichealth.org/> or follow the DCoPH's Facebook, Twitter, and Instagram pages.

4. **Charter Offers Free WiFi for Eligible Students** - Charter will offer free Spectrum broadband and WiFi access for 60 days to households with K-12 and/or college students who do not already have access. To enroll please call 1-844-488-8395.
5. **Daily Dose of Parenting Wisdom for Welcome Baby** - Cooperative Extension's Welcome Baby Early Childhood Program has started a live chat with parenting experts each day in English and Spanish.

Sessions are everyday Monday - Thursday at 11 a.m. in Spanish and 7 p.m. in English. Interested parents can visit <https://www.facebook.com/welcomebabydurham/> for more information.

6. **Durham Pre-K is now accepting ONLINE applications for the 2020-21 School Year** - Please visit <http://www.durhamprek.org> on instructions on how to apply.
7. **Funding Opportunities/Unemployment Assistance (for independent contractors and self-employed)**
 - a. **Salesforce Care Small Business Grants**-- Salesforce is partnering with Ureeka to offer eligible small businesses the opportunity to receive a \$10,000 grant to help them through the COVID-19 outbreak. The application period opened today and will close Friday, May 1st at 11:59PM.

https://apply.salesforce.ureeka.biz/prog/salesforce_small_business_grants_east/

b. Duke Durham Fund Phase 1 - \$1 million for emergency relief - OPEN NOW

Duke is now providing rapid relief grants up to \$5,000 to community-based organizations that are supporting basic needs in Durham. Eligible organizations may complete the short application online at any time, and organizations that received funding in April may reapply for additional funding during round two in May and round three in June. Applications for emergency relief for the community are available at www.community.duke.edu/give.
<<http://www.community.duke.edu/give>>.

c. NEW!!!! Pandemic Unemployment Assistance-NC Independent contractors and self-employed workers out of work because of COVID-19 can apply for federal Pandemic Unemployment Assistance beginning Friday, April 24th. Pandemic Unemployment Assistance is a federal program for people who are unable to work as a result of COVID-19 and not eligible for regular state unemployment benefits, such as self-employed workers and independent contractors (1099 employees). More information to include how to apply can be found <<https://des.nc.gov/>>.

4. Minutes (5 min)

20-0155 Minutes

Attachments: [9March20 - Regular Session](#)
[9March20 - Special Session](#)

5. Ceremonial Items (10min)

20-0154 Resolution - Board of Elections (10mins)

Agenda Text: The Board is requested to approve the attached resolution which is intended to support safe elections in the upcoming 2020 General Election. The resolution is similar to a resolution approved recently by the Durham Board of Elections which is intended to support legislative recommendations submitted to the leadership of the General Assembly by the Executive Director of the State Board of Elections. The recommendations requested changes related to absentee by mail, in person voting and other applicable election laws to ensure a safe and healthy voting environment considering the anticipated continuance of the COVID-19 pandemic into the fall.

The Durham Board of Elections views the recommendations as “moderate modification requests to current laws that will be implemented for the safety and

well-being of Durham County residents and those across the state that desire to exercise their constitutional right to vote in this important election.”

In addition to approving the resolution, it is requested that the Board share a copy with the leadership of the North Carolina General Assembly, and also share the resolution with the North Carolina Association of County Commissioners and ask for its support to encourage all counties to adopt similar resolution.

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

Resource Persons: Derek Bowens, Director, Durham County Board of Elections

County Manager’s Recommendation: The County Manager recommends that the Board approve the resolution and send copies to the leadership and members of the Durham legislative Delegation as well as to Kevin Leonard, Executive Director of the North Carolina Association of County Commissioners.

Attachments:

[Resolution - Board of Elections](#)

[SBE Legislative Recommendations COVID-19](#)

[2020_04_09_Resolution_Supporting_Executive_Director_Recommendations](#)

6. Consent Agenda (15 min)

20-0148

Resolution of Support of the Eno River Water Supply

Agenda Text:

The Board is requested to adopt a resolution of support for reclassifying a segment of the Eno River for Water Supply in Durham County, North Carolina.

Summary. Teer Quarry, owned by the City of Durham, is critical for meeting the City’s emergency water supply needs. A new water supply intake, located on the Eno River, is necessary to use Teer Quarry as a water supply source. The location of the new water intake will require changes to the Eno-A (E-A) and Eno-B (E-B) watershed protection zoning overlay districts, which Planning staff will initiate later this year.

Attachments:

Attachment A: Map of Watershed Critical Area Options

Attachment B: Resolution of Support for Reclassifying a Segment on the Eno River for Water Supply

Alignment with Strategic Plan: The presentation emphasizes Goal 4 (Environmental Stewardship and Community Prosperity) by protecting sources of clean drinking water.

Resource Persons: Scott Whiteman, AICP, Planning Manager, and Patrick Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board adopt a resolution of support for reclassifying a segment of the Eno River for Water Supply in Durham County, North Carolina.

Attachments:

[Attachment A Map](#)

[Attachment B Durham County Eno River WS Classification Resolution](#)

[Memo BOCC Eno River Intake](#)

20-0149

Request to Approve Expenditure Increase of \$39,000 for the Purchase of eBooks, eAudiobooks, and streaming video from Overdrive for fiscal year 2020

Agenda Text:

The Board is requested to provide approval to increase the spending cap of \$320,000 to purchase individual eBooks, and eAudiobooks from Overdrive by \$39,000 for the remainder of FY20.

On June 26, 2017, The Board approved a sole source exemption for the purchase of digital content management services from Overdrive in the amount of \$10,000 annually for three years. The Board also approved expenditures for goods not to exceed \$223,000 in fiscal year 2018 for the purchase of individual eBooks, eAudiobooks, and streaming video from Overdrive. On June 25, 2018, The Board also authorized the County Manager to execute any other related contracts such as amendments, if necessary, for purchases not to exceed \$320,000 annually in the remaining two years of the contract. The closing of libraries due to the COVID-19 virus has increased the demand for digital content. \$39,000 will raise the FY20 spending cap to \$359,000. The \$39,000 will be reallocated from the Library's existing budget.

Alignment with Strategic Plan: This request aligns with the Strategic Plan Goal 1 "Community and Family Prosperity and Enrichment" by providing library materials which support and enhance the educational, creative and cultural opportunities available to library users.

Resource Persons: Tammy Baggett, Library Director; Katherine Makens, Resources and Finance Officer; Jan Seabock, Collection Development Administrative Librarian

County Manager's Recommendation: The County Manager recommends that the Board increase the spending cap of \$320,000 to purchase individual eBooks, and eAudiobooks from Overdrive by \$39,000 for the remainder of FY20.

Attachments:

[AAF Supplemental Document Overdrive April 27 2020](#)

[Overdrive agreement 7 1 18 6 30 20](#)

[BOCC approval certification 6 2018 for expenditures](#)

[BOCC approval certification 6 2017 Overdrive agreement](#)

20-0152

Contract Amendment for NightHawk Security Services Resultant

from the COVID-19**Agenda Text:**

The Board is requested to amend the contract for Nighthawk Security and Consulting, LLC in the amount of \$51,034.53 resultant from COVID-19. This contract amendment will increase the existing approved contract amount of \$1,930,284.23 to \$1,981,318.76.

The recent impact of COVID-19 has caused a change in security service levels. Staffing realignments have occurred between buildings to adjust for the hours of operations and the type of patrol required for buildings during this COVID-19 period. The contract changes will include the addition of Unarmed Security assigned to the HHS Tent for COVID-19 screening, Unarmed security for the HHS Ramseur Street Door, Armed Security for Duke Health Warehouses SNS Shipments, and a LEO Sergeant position. In addition, there will be an armed officer for the Emergency Operations Center, and an additional 15 hours added to the present Nightshift armed patrol. Detailed contract changes are included in the contract amendment.

In addition to amending the contract, General Services is requesting to reallocate funds from several specific lines in the existing contract to cover additional expenditures. This reallocation will total \$104,320.00, which is referred to as “savings” in the contract language. As a result of COVID-19 many County facilities are not being utilized. Primarily, the library system and its regional libraries around the County are currently not in operation, resulting in the ability to redistribute security personnel. To track the actual cost of providing security services, the reallocation of funds within the Nighthawk Contract are requested as outlined in the table below.

This reallocation of funds within the existing contract (\$104,320.00), combined with supplemental funding (\$51,034.53) which was approved by the Board of County Commissioners during the April 13, 2020 board meeting will allow for realignment of security personnel to better meet the security needs triggered by COVID-19.

Alignment with Strategic Plan: Goal 3: Safe and Secure Community

Resource Persons: Edwin Miller, Security Manager; Motiryo Keambiroiro, Director General Services.

County Manager’s Recommendation: The County Manager recommends that the Board approves Contract Amendment #6 to NightHawk Security and Consulting for security services resultant from the COVID-19 pandemic.

Attachments: [FINAL - AAF Supplemental Corona Virus Nighthawk Security Costs 04.23.2020](#)

20-0153**Contract Amendments for Increased Janitorial Services resultant from COVID-19****Agenda Text:**

The Board is requested to amend contracts for janitorial services for the following contractors including; The A Plus Group, B & R Janitorial, CJ Enterprise, DeWhit Facility Services, Freddrick's Housekeeping, & Kreative Koncepts for regular/routine janitorial services in County owned facilities. The contract amendments are needed to support increased cleaning levels required due to COVID-19 pandemic. The additional funding needed to support this expense was approved at the April 13, 2020 BOCC meeting in the amount of \$253,715.84. The contract changes made are as follows: A Plus Group (\$52,252.80), B & R Janitorial (\$48,755.84), CJ Enterprise (\$6,428.80), Kreative Koncepts (\$57,568.00), Freddrick's Housekeeping (\$28,757.12), and DeWhit Facility Services (\$57,953.28). The total increase in all contracts listed here is \$253,715.84, which is the amount appropriated by the BOCC during the April 13, 2020 meeting.

As a result of the increased need for custodial services related to the COVID-19 pandemic the county has expanded the service cleaning levels in all active county facilities to ensure the safety of both the employees and general population. Cleaning efforts are consistent with CDC guidelines established during the COVID-19 epidemic period. The increased cleaning requires a higher number of additional staff (day porters) to clean and wipe down all hard surfaces that are frequently touched, i.e. door handles, elevators, walkway rails, tabletops. Prior to the pandemic, the cleaning standard based on the original contracts did not include intensive cleanings on a higher rotation. Wipe downs and cleaning happened once a day, instead of multiple times a day to help mitigate against potential COVID-19 related illness. High traffic areas are also being cleaned on a more frequent basis. The additional contract increases cover the costs for using the increased use of supplies and disposable personal protective equipment has also increased operating cost.

The increased amount takes into account an hourly rate for special/emergency services that has been negotiated with each contractor as specified and included in each janitorial contract. The contracts are realigned for active buildings and reduced cleaning levels in other buildings. Buildings are not being cleaned on a more frequent basis consistent with the Center for Disease Control guidelines.

Alignment with Strategic Plan: Goal 2: Health and Well-being for all.

Resource Persons: Motiryo Keambiroiro, Director of General Services, Joel T. Jones, Quality Control & Contract Specialist

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to amend and increase janitorial contracts for A Plus Group (\$52,252.80), B & R Janitorial (\$48,755.84), CJ Enterprise (\$6,428.80), Kreative Koncepts (\$57,568.00), Freddrick's Housekeeping (\$28,757.12), and DeWhit Facility Services (\$57,953.28) for a total of \$253,715.84 additional janitorial expenditures related to COVID-19.

Attachments: [FINAL - COVID-19 Janitorial Contract Amendment Supplemental 4.23.2020](#)
[All Janitorial Contract Amendments for 4.27.2020 BOCC Session](#)
[Interim Recommendations for US Community Facilities with Suspected Confirrm](#)

7. Other Business (45min)

20-0158 **Discussion on Face Covering Options for High Risk Durham County Residents (15mins)**

Agenda Text: The Board is requested to receive information regarding face covering options for high risk Durham County Residents.

Mr. Henrion along with Duke physicians and medical students have been leading an effort to get face coverings to high risk residents in the Durham community. In the past few weeks they have distributed thousands of masks within the community including coverings to the Detention Center for detainees, long term care facilities, Durham Housing Authority communities and the Durham Bus Station.

Commissioner Brenda Howerton agreed to take the lead on exploring what the community needs were and how the Board may be able to support.

Alignment with Strategic Plan: This item aligns with Strategic Goal 2

Resource Persons: Commissioner Brenda Howerton and Isaac Henrion, Coordinator of Covering the Triangle

County Manager's Recommendation: The Board is requested to receive information regarding face covering options for high risk Durham County Residents

Attachments: [Face coverings for Durham County](#)

20-0156 **Durham County Update on the COVID-19 Crisis (15mins)**

Agenda Text: The Board has requested an update from County staff on the COVID-19 response and efforts.

Alignment with Strategic Plan: This item aligns with Goal 2: Health and Well-Being for All

Resource Persons: Rodney Jenkins, Public Health Director; Jim Groves, Director of Emergency Services; Leslie O'Conner, Division Chief of Emergency Management; Jodi Miller, General Manager; Joanne Pierce, General Manager

County Manager's Recommendation: The County Manager recommends that the Board receive an update from County staff on the COVID-19 response and efforts

20-0157 **Durham County Cybersecurity Malware Attack Recovery Update (15mins)**

Agenda Text:

On March 6th, 2020, Durham County Government experienced a ransomware attack. Ransomware is a form of malware (malicious software) that encrypts a victim's files. This malware attack was very similar to what hit the City of New Orleans in 2019 where their Mayor declared a State of Emergency due to the impact on the City there. Feedback from our external entities and partners have said, this was an extraordinarily complex cyber-attack on both the City and County of Durham.

The County enlisted resources from the private sector and received assistance from federal and state entities that specialize in complex cyber-attacks and restoration of those operations. This has been an all-hands on deck exercise working 24-hour shifts and weekends to restore IT services here in the County. Restoration of the public facing systems have been the highest priority.

As of today, staff is pleased to report Durham County has made significant progress since the March 6th date. We have now completed many of the IT prerequisites, like reimaging all 2000+ County laptops/desktops, to begin re-enabling public facing services. Further, nearly 300 servers, 800 data bases and over 2 million documents were scanned to ensure systems servers and data was clean. In addition, our communication vehicles are now back online, Email, Phones, Voicemail, and our employee portal, MyDCo. In addition, several critical business applications used by departments like Register of Deeds, Tax, Public Health, DSS, Budget, and Human Resources are back online.

We have made significant enhancements to our IT environment throughout the restoration process and plans are underway to address additional short-term and long-term investments needed to mitigate future attacks. While we cannot prevent such attacks from occurring, the IT security enhancements we are putting in place will help to mitigate and lessen our risk if such an attack happens again.

Staff will keep the Board and public aware of the progress as we work towards maintaining a secure technology infrastructure.

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

Resource Persons: Greg Marrow, Chief Information Officer

County Manager's Recommendation: The County Manager recommends that the Board receive the update on the malware attack recovery process.

8. Board and Commission Appointments (10 min)

20-0145

Board and Commission Appointments (10min)

Agenda Text:

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

- Durham County Hospital Corporation Board of Trustees

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

Alignment with Strategic Plan: This item aligns with Goal 5 Accountable, Efficient and Visionary Government. When citizens are engaged and partners on our Boards and Commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant diverse community with abundant opportunity for all residents to live, work, learn, play and grow.

Resource Persons: Monica Toomer, Clerk to the Board

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

Attachments: [4.27.2020 Boards and Commissions Appointments](#)

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

10. Adjournment