

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

Monday, November 2, 2020  
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 Wendy Jacobs, Vice Chair James Hill, and Commissioners Heidi Carter,  
Brenda Howerton and Ellen Reckhow

Presider: Chair Wendy Jacobs

**Citizen Comments**

There were no Citizen Comments

**Consent Agenda**

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

**20-0561 Requesting Approval to Utilize Existing Operational funds in the amount of \$82,199.44 this 2021 fiscal year to Renew Contract Support with NetApp**

Discussion was held regarding whether the maintenance renewals and amendments would have fiscal or budgetary impacts as well as how contracts were incorporated into the County's annual budget renewal. Antonio Davis, Information Technology Manager for Platform Services, confirmed that there would be no fiscal or budgetary impact because IS&T planned for contract maintenance and renewals at least a year in advance and they were funded from the existing operating budget. David Ades, Assistant Director of Budget and Management Services, clarified that the contract would be added as a line item in IS&T's annual budget.

Questions were raised regarding the process for contracts that experienced high renewal rates and whether this would require staff to return to the Board for approval or whether departments covered such increases from their operational budgets without Board approval.

Regarding removing the language authorizing the Manager to approve contract maintenance renewals and amendments, General Manager Claudia Hager stated that whether this language was added depended on the type of contract at hand, but it was applied mostly to contracts which were time sensitive. She confirmed staff would follow up with IS&T to determine whether this was the best arrangement.

Lyvon Garth, Chief Information Security Officer, stated that the amendment was to cover additional seats, enough for the entire County staff.

**20-0587 Land Lease for 410 West Chapel Hill Street**

The County Manager was encouraged to consider parking needs in Brightleaf Square and the surrounding areas during nights and weekends once the pandemic was over.

Discussion was held regarding GoPasses for County staff and whether there was a need for bikeshare in the downtown area.

**20-0597 Approve the Final Budget for the McFarland Farm Conservation Easement and Approve Capital Project Amendment No. 21CPA000017 Decreasing the Open Space & Farmland Preservation Capital Project (4730DC083) by \$296,173 and Budget Amendment No. 21BCC000049 transferring \$296,173 from the Pay-As-You-Go Capital Project Fund to the General Fund to Support the Purchase of the McFarland Farm Conservation Easement**

The Board recognized Real Estate staff for their work as well as the McFarland family.

Jane Korest, Open Space & Real Estate Division Manager, gave special thanks to Celeste Burns, Open Space & Real Estate Coordinator, and noted the maps initially attached to the item were incorrect. The correct maps had since been attached.

**20-0598 Budget Ordinance Amendment No. 21BCC000040 - Budget Changes Related to Board of County Commissioner Policy on Capital Finance Program Dedicated Revenues, Transferring \$411,927 of General Fund Fund Balance to the Capital Financing Fund**

Keith Lane, Budget Director, confirmed that this item was typical at this time of the year and noted the amount was not nearly as much as they over-collected in sales tax in previous years.

Mr. Lane and David Ades, Assistant Budget Director, discussed the collection trends in occupancy taxes and the possibility of the County under-collecting in the future.

**20-0600 Budget Ordinance Amendment No. 21BCC000050 to Appropriate \$100,000 in General Fund Fund Balance to Offset Unplanned Expenses for the Durham County Youth Home**

Angela Nunn, Youth Home Director, confirmed that the counties that did not have youth detention centers had to pay for out-of-county placement services. The costs were split evenly between the county in question and the State. Ms. Nunn stated FEMA did not provide funding for the Youth Home.

Ms. Nunn stated there was one out-of-county juvenile in the Durham Youth Home was in the facility for over a year and a half. The juvenile's long stay was due to pending adult charges in superior court.

Discussion was held regarding how the capacity reduction of 70 percent and the Raise the Age law affected the Youth Home.

Ms. Nunn discussed the mental health and care of the Youth Home staff and residents.

**Directive: Keith Lane to provide the Board with information on where the County was with funding this item in terms of COVID-19 related funds as well as the County's general fund balance.**

**20-0608 Approve Capital Project Amendment No. 21CPA000018 and Budget Amendment No. 21BCC000052 Appropriating \$40,000 in Debt Service Fund Fund Balance for the New Durham County Youth Home Project (DC001)**

Commissioner Reckhow discussed her previous suggestions regarding constructive or outdoor activities in the Youth Home for residents (e.g. a Makers lab and a garden). Peri Manns, Deputy Director of Engineering and Environmental Services, stated staff would look into these options and how they could be safely incorporated into the Youth Home.

There were no questions regarding the items below:

**20-0593 Purchase of Real Property Lot 22 Electra Road PIN 171572**

**20-0594 Purchase of Real Property Lot 24 Electra Road PIN 171574**

**20-0607 Budget Ordinance Amendment No 21BCC000051 to Appropriate \$50,000 in General Fund Fund Balance to Execute the Previously Approved Consultant Contract with Ecoshift Consulting, LLC to Develop the County's Renewable Energy Plan**

**Discussion Items**

**20-0584 Quarterly Update on Durham County Early Childhood Action Plan Progress**

In January 2020, Durham County contracted with the Durham Children's Initiative (DCI) to create an Early Childhood Action Plan (ECAP) for Durham County, budgeted for \$150,000 over 18 months. Durham County was on track to be the first county in the state to develop a county-level version of the State's ECAP.

While the work had a slow start because of the COVID-19 pandemic, the planning effort went ahead with four workgroups developing Durham-specific ECAP goals, targets, and strategies to improve outcomes in areas of maternal/infant health, child development and school success, family support, and basic needs.

Needs and asset assessments for each of these focus areas were drafted and shared with the workgroups. County staff from the Department of Social Services, Department of Public Health, Cooperative Extension, and Durham County Library were well represented in each of the workgroups, with multiple County staff serving as co-chairs. Over 100 stakeholders, including parents, community leaders, representatives from early childhood nonprofits and child/family-serving institutions, as well as County staff, were engaged and playing leadership roles in the process. Cate Elander, Early Childhood Coordinator, worked closely with DCI and the ECAP team in every phase of the planning process.

The ECAP team was developing and rolling out multiple opportunities for family engagement and leadership with the ECAP project, including participation on workgroups, in focus groups, and providing information about experiences and ideas through surveys.

The project was on budget and schedule, working toward presenting the Board with high-level recommendations in time for consideration in the 2021-2022 County budget. The full ECAP, including a braided funding plan, would be completed by June 2021.

David Reese, DCI President and CEO, confirmed the County's Racial Equity Officer, Kweli Rashied-Henry, was involved in the ECAP work. Bonnie Deluane, DCI's ECAP Program Manager, noted Jess Bousquette, Adverse Childhood Experience and Resilience Coordinator, was in the Safe and Nurtured workgroup.

Ms. Elander stated that the DCI and workgroup co-chairs worked intentionally to align with the many early childhood-related collaborative efforts in Durham County in order to ensure the ECAP reflected the deep knowledge and leveraged the work already underway in the community that aligned with ECAP goals.

Ms. Deluane noted that the Parents Survey was still open, and, thus, she did not have an assessment of the responses yet. She described the workgroup recruitment strategies as well as the next steps in the ECAP process.

DCI and County staff were commended for their efforts and work in this process.

Discussion was held regarding the affect of the pandemic on Durham's families, notably on women who left the workforce at higher rates.

Mr. Reese confirmed they would return to the Board in February or March 2021.

**20-0596 Budget Ordinance Amendment No. 21BCC000053: Durham Recovery and Renewal Task Force (RRTF) Funding: Remaining Back on the Bull Communications Plan-\$37,098**

The Board was requested to receive an update on the county-wide public health communication campaign developed by the Recovery and Renewal Task Force (RRTF) called "Back on the Bull" (BotB)—the website for the campaign was [www.backonthebull.com](http://www.backonthebull.com). RRTF was asked in August to provide an update on the campaign in the fall for further consideration of the remaining \$37,098 requested during the Monday, August 3, 2020 Work Session. The request matched the City of Durham's commitment to split the full cost of the campaign, fulfilling the remaining balance of the initial \$132,098. The Board approved \$95,000 upfront during the August Work Session.

Approximately 250 local Durham businesses and organizations completed the BotB health and safety checklist. Benefits to those participating included access to an evidence-based health and safety plan, marketing support from the promotion of the campaign, and increased consumer confidence as patrons were more informed about safety measures implemented. The remaining \$37,098 were to ensure the RRTF Communications Group led by Discover Durham (with participation from the City and the County) could continue to effectively reach various population groups, which helped the local economy rebound in a responsible way by driving demand to support businesses and organizations committed to health and safety. The advertising plan prioritized connecting with minority and traditionally disadvantaged groups.

The outstanding funds would be used to continue advertising with the media outlets as well as to print bilingual collateral to be distributed at public health education events, door-to-door by community health ambassadors, etc. The remaining funds were critical to supporting local business owners concerned about surviving the colder fall and winter months. Widespread awareness of the campaign among residents was also crucial to reinforce the steps that combated

the virus as flu season began and people were tempted to gather with friends and family over the holiday season.

The funds requested would only be allocated to buying media and the production of collateral pieces to aid grassroots outreach. All creative development would continue to be completed pro bono. BotB was developed through over \$100,000 in pro bono contributions from McKinney and Duke's Center for Advanced Hindsight. The City provided an additional \$24,100 to support translation of all campaign materials into Spanish as well as funds for initial marketing expenses. The City of Durham also entered into an interlocal agreement with Discover Durham who continued to handle all media purchases and lead communication efforts.

Susan Amey, Discover Durham CEO, presented examples from the BotB advertising campaign. She spoke about how BotB tied in with the Community Health Ambassador Program. Ms. Amey noted that the BotB model was adopted in Hawaii as Back on the Wave.

Discussion was held regarding adapting the Streeter's hours for winter to optimize the warmest hours of the day. Ms. Amey stated she would discuss this with Downtown Durham, Inc. (DDI).

Ms. Amey stated the RRTF would be discussing expectations and plans for 2021—current efforts and campaigns were scheduled to end in December. Jodi Miller, General Manager stated the funding for the current campaign was through the County's CRF plan and there was no indication that additional State or Federal dollars would be available for business support in 2021. Therefore, any additional media campaigns that would go beyond the December 30<sup>th</sup> timeframe would need to look to County general fund dollars for support.

Ms. Miller confirmed this item would be on the Monday, November 9<sup>th</sup> Regular Session consent agenda.

The Board discussed business and corporate donations and contributions as alternative funding sources.

**Directive: Staff to provide the Board with information on where the County was with funding this item in terms of COVID-19 related funds as well as the County's general fund balance.**

#### **20-0590 Development Agreement Priorities**

The Board was requested to endorse the Guiding Principles for Development Agreement Community Benefits.

At the September 28, 2020 Regular Session, the Board approved an amendment to the Unified Development Ordinance (UDO) that added an affirmative statement on statutory development agreements, set limitations on their use, and prescribed a process for them. Prior to the vote, the Board directed the County Manager to schedule a discussion at a subsequent Work Session to allow the Board to provide guidance to staff on the priorities and expected community benefits for development agreements. Planning staff drafted the Guiding Principles for Development Agreement Community Benefits for the Board's consideration.

Sara Young, Planning Director, and Scott Whiteman, Planning Manager, presented the item and read the Guiding Principles out loud for the public listening in on the virtual meeting.

Discussion was held regarding the next steps for the item. Staff agreed to add the item to the Monday, November 23<sup>rd</sup> Regular Session consent agenda.

**Directive: Staff to make the following edits to the Guiding Principles:**

- **Add language about iconic architectural design in areas of key visibility.**
- **Add language for public gathering spaces like plazas or other outdoor areas open to the public as well as incorporating public art or public history into those spaces.**
- **“Financial participation in the development of critical infrastructure and public services such and transit and bike and pedestrian projects, wastewater capacity, or capital facilities.”**

**20-0592 Comprehensive Plan Update**

Lisa Miller, Senior Planner, provided the Board with a presentation on the Comprehensive Plan.

Planning Department staff continued to adapt the Comprehensive Plan process to the realities created by COVID-19. The Department continued to pilot remote engagement strategies and was working through a qualitative data analysis of the Listening and Learning input to draft objectives for resident engagement from October to December 2020.

Ms. Miller discussed the Latino Outreach position and noted there were four candidates who would be interviewing soon. She noted the Thursday, September 24<sup>th</sup> focus group session was hosted in Spanish and had participants from the Latinx community.

Ms. Miller stated there were residents focused on reaching seniors for their participation in the community engagement efforts and described the planned next steps once the goals and objectives were identified in Spring 2021.

**Directive: Ms. Miller to provide the Board with age demographic information gathered from the engagement summary of the sessions.**

**20-0558 Stormwater Utility Update and Upper Neuse River Basin Association (UNRBA) Update**

The Board was requested to receive an update on the Durham County Stormwater Utility adopted as part of the FY2021 Budget and included on the 2020 Property Tax Bills.

Ryan Eaves, Stormwater and Erosion Control Division Manager; McKenzie Myers, Stormwater Manager; and Keith Readling, Raftelis; presented to the Board regarding the work performed to date, outreach activities, billing and customer response, fee credits, alternative compliance, and information on the next steps in further development of the stormwater program and strategies for meeting the requirements of the Falls and Jordan Lake Nutrient Management Strategies. This included discussion of the UNRBA’s proposed Interim Alternative Implementation Approach (IAIA) to Stage I of the Falls Rules, scheduled to go before the North Carolina Environmental Management Commission in January 2021.

Commissioner Reckhow summarized the events that led up to this point as follows: The State was supposed to have issued a model program several years ago that was repeatedly put off and failed to provide guidance regarding what steps to take during Phase 1 (the current phase). This prompted the UNRBA to push a number of items through the State process to get approved as being beneficial to water quality. This created a cookbook approach—i.e. the IAIA—of actions local counties could take to improve water quality. These counties joined together to commit to a fair-share approach of using the cookbook of guidelines that the State approved based on the research the UNRBA performed.

Mr. Readling addressed questions regarding potential credits for agriculture.

Mr. Eaves discussed alternatives to the IAIA. He confirmed he was working closely with the Soil and Water Conservation District.

### **20-0572 Stormwater Ordinance Update**

The Board was requested to receive a presentation on proposed updates to the County Stormwater Ordinance for development. The Ordinance outlined the stormwater requirements for new development in the County including how development addressed water quality and quantity in its stormwater runoff under the Neuse, Jordan, and Falls Rules. County Stormwater staff evaluated the ordinance and determined that several updates were necessary. The presentation discussed these updates in detail.

The minor changes were as follows:

1. Reorganization for better understanding and more efficient processes
2. Modifications to align with state law changes
3. Adding exemptions for small projects

The major changes included:

1. Moving stream determination requests to in-house
2. Updating of Permitting Process for better outcomes

Ms. Myers confirmed this item would be on the Monday, November 9<sup>th</sup> Regular Session consent agenda.

### **20-0595 Junction Road Site Update**

The Board was requested to receive an update on the Junction Road site previously purchased by Durham County as a potential Economic Development site.

Jay Gibson, General Manager, and Peri Manns, Deputy Director of Engineering and Environmental Services, provided the update and discussed plans for further consideration of uses of this property such as for a new animal shelter and public safety center. Mr. Manns estimated that they would return to the Board in February 2021.

### **20-0611 Board Discussion on the Letter of Support for Alliance Health Tailored Plan Application**

The Board was requested to discuss the letter of support of Alliance Health's Tailored Plan Application.

Rob Robinson, Alliance Health CEO, stated that part of the Medicaid Transformation included establishing a Tailored Plan—a plan for how the State would manage costs for health and medical services for a “tailored” population with more intense needs including individuals with intellectual/developmental disabilities, severe mental illness, and severe substance use. The State would soon put out an RFA to all LME/MCOs to apply to become a Tailored Plan. He believed a letter of support from Durham County would be advantageous in Alliance’s application process and noted Alliance would likely cease to exist if it failed to become a Tailored Plan.

Commissioner Carter noted Alliance was one of the key essential partners in the provision of behavioral health services to some of the County’s most vulnerable populations. It would be to the County’s benefit for Alliance to have a strong application.

The Board was in favor of the letter of support.

### **20-0599 Follow-Up on Commissioner Directives**

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

Board directives from previous meetings as well as staff follow-up were reviewed at monthly Work Sessions. Staff attempted to have all directives submitted into the system as accurately as possible soon after they are issued and to follow-up with the Board and/or with other relevant parties in an appropriate time frame.

General Manager Deborah Craig-Ray provided the Board with an update on the Language Equity Policy and noted the Implementation Plan would be developed once the Policy was finished. She also provided an update that the Durham MBK meeting regarding the MBK Durham Advisory Council as suggested during the September Work Session’s citizen comments had not able to occur yet.

### **Adjournment**

Commissioner Reckhow moved, seconded by Commissioner Carter, to adjourn the meeting.

The motion carried unanimously.

The meeting was adjourned at 1:30 p.m.

Respectfully submitted,



*Tania De Los Santos*  
*Administrative Assistant*