

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

Monday, June 6, 2022

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

Presiders: Chair Brenda Howerton

**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, June 5<sup>th</sup> at 12 noon.

Erik Landfried, Transit Equity Campaign Manager at Bike Durham, stated the transit system needed to focus on dignifying riders and attracting user from all income levels. He stated three key elements: *frequent and reliable service running 24/7, safe and pleasant connections, and safe, shaded, and sheltered coverings at transit stops*. He spoke on Bike Durham supporting the improvements and urged the Board to lead collaborative efforts with City counterparts to resolve differences and how to fund positions and projects. He asked not let disagreements over cost shares continue to halt project delays. Mr. Landfried stated Bike Durham did not support the County staff position to require cost sharing for sidewalk projects connected to transit stops.

**Consent Agenda**

The Board was requested to review the following Consent Agenda items for the June Regular Session.

**22-0278 Budget Ordinance Amendment No. 22BCC00092 Public Health to Recognize \$364,074 from the NC DHHS Division of Public Health Epidemiology Section/Communicable Disease Branch to expand Communicable Disease Surveillance, Detection, Control and Prevention Activities to Address COVID-19**

Rodney Jenkins, MHA, Public Health Director, clarified the recognized funds were nonrecurring regular CIP funds and could be used for any matter, not just to hire nurses. He added the recruitment process was tough due to low traction; however, the Department of Public Health partnered with the library to offer job fairs.

**22-0285 Request to Approve Contract with “Innovative Interfaces, Inc.” for an Integrated Library System in the Amount of \$120,000 Using FY 2023 Operating Funds**

Vice Chair Jacobs commended the library for providing extensive detail on how the bidding process worked.

**22-0288 Budget Ordinance Amendment No. 22BCC00096 department of Social Services to Recognize Additional Revenue of \$1,105,910.00 for the Low-Income Energy Assistance Payments Program**

Ben Rose, Director, Department of Social Services, informed the Board that most residents would qualify for the LIEAP program, and it would be available to the elderly population starting December 2022 and January 2023 for all other residents. He added, the program had a (1) one-time eligibility for residents, however they would automatically be enrolled once applied and payment would be sent directly to Duke Energy.

**22-0302 Service Contract with Animal Protection Society of Durham, Inc**

Shafonda Davis, Executive Director, Animal Protection Society of Durham, clarified the Animal Protection Society handled the care and housing for displaced animals, whereas the Sheriff’s Office were called for legal aspects of control. She added additional funds were needed due to an overall increase in expenses.

**22-0314 Update to the Environmental Affairs Board City-County Interlocal Agreement**

Peri D. Manns, ASLA, Assistant General Manager, stated the issue with requiring some expertise for positions on the Environmental Board were limiting citizens who were ready and willing to serve. He added, EAB intended to consider applicants with expertise but would broaden the parameters to include additional citizens.

Commissioners Carter added, the intention of making adjustments to the ILA were to continue to look into subject-matter experts but also allow the flexibility of committed residents, as well as adding youth positions. Mr. Manns concurred.

**Directive:**

- **Tobin Freid was asked to provide an accurate and detailed copy of changes made to the Environmental Affairs Board Interlocal Agreement.**

**22-0319 Budget Ordinance Amendment No. 22BCC00097 Appropriating \$40,000 of General Fund Fund Balance for IS&T to Enter into Contracts with next Request and Westaff to Provide the Guidance and Implementation Support for a New Public Records Solution for Durham Count Government**

Deborah Craig-Ray, General Manager, informed the Board a public-facing program was created allowing citizens to submit a request for public records.

**22-0325 Amending the Authorized Strength of the County Attorney’s Office to Establish a New Full-Time Equivalent Position**

Claudia Hager, General Manager, discussed there was an increase in legal activity, opioid issues and information requests. She stated the decision on when to hire new attorneys was up to the Board, however the workload would only increase in due time.

Willie Darby, Acting County Attorney, added it would be beneficial to have at least (1) attorney to primarily work on public records to decrease workloads in addition to filling Mr. Darby's current position.

**22-0326 Budget Ordinance Amendment No. BCC00101 Appropriating \$222,500 of General Fund Fund Balance and Contract Approval for Kate's Korner to provide Summer Learning Camps to Support Durham Housing Authority Communities and Durham technical Community College Students**

Vice-Chair Jacobs requested the budget documents have an updated list of ways the County supported education in the community.

Claudia Hager, General Manager, stated the \$222,500 would count for the County side of expenditures, adding she would follow up with the purchasing department.

**Directive:**

- Staff was directed to include sidebar on DPS page reflecting updated list of education support and to include asterisks on both DTCC and DPS pages.

**22-0345 Budget Ordinance Amendment No. 22BCC00099 Appropriating \$421,650 in General Fund Fund Balance and Authorizing Finance to Enter into a Contract with Miller 3 Consulting, Inc. for a Disparity Study for Durham County's Contracting and Procurement Procedures**

Angela Perry, Procurement Manager, clarified any firm who worked in Durham County could be certified in North Carolina regardless of not being based in North Carolina. She added the budget was reduced due to Miller 3 Consulting previous work with the City of Raleigh and would be able to utilize information towards Durham County's contract.

Ms. Perry informed the Board the Procurement Department was understaffed and would need additional dedicated staff to handle all aspects.

There were no questions regarding the items below:

**22-0272 Approval to Enter into a Contract with Kontek Systems to Upgrade Two Court Rooms Audio Visual Equipment in the Justice Center Building Using Current Fiscal Year, 2021-2022, IS&T AV CIP Funds in the Amount of \$136,073.96**

**22-0293 Budget Ordinance Amendment No. BCC00093 to Recognize \$25,000 in Additional Funding from the NC Department of Public Safety for the Durham Local Reentry Council**

**22-0307 Approval for Sole Source Exemption for the Purchase of the Hoopla Digital Collection Service in the Amount of \$250,000 Using Library Department Operating Funds**

**Discussion Items**

**22-0323 Amending the Authorized Strength of the County Administration Department to Establish a New Full-Time Equivalent Position and Create an Ombuds Office**

Durham County believed that the provision of ombuds services through an established Ombuds Program would provide a vehicle for individuals working for and residing in Durham County to

voice concerns they had about the need for systemic change, organizational development, and conflict resolution within Durham County. The Ombuds Office was a resource to informally discuss matters of concern in a safe place and help inquirers develop options, problem-solve, create paths for self-advocacy, and make informed choices about the best path forward.

The County's Ombuds Program would be implemented in two phases. In phase one, services would be offered to all County employees. The second phase would expand the Ombuds Program to County residents with issues and/or concerns related to the administration of County services.

Claudia Hager, General Manager, provided the Board with a brief presentation to amend the authorized strength of the County's Administration department, establishing a new full-time equivalent position and the creation of an Ombuds Office.

Tiffanie Sneed, Senior Legal Advisor, answered questions pertaining to the differences between an Ombuds Office and Human Resources. Ms. Sneed informed the Board, Ombuds was created to ensure comfortability to all employees and to work together establishing protocols. She stated the Manager's Office and Ombuds Office would work together to maintain open lines of communication, however employees were encouraged to speak with their direct manager first. The Ombuds Office would communicate concerns to the appropriate person once a situation aroused to help the organization.

Claudia Hager, General Manager, expressed mainly universities and the Town of Chapel Hill and Orange County, Florida adopted the Ombuds concept; however, was uncommon to see in local government. Matt Brinkley, Business Management Assistant Director, added the Ombuds in Chapel Hill started as an experiment to gauge how the program would work. He stated once the program showed success, it was implemented to all citizens of Chapel Hill.

Commissioners Burns asked how the County would make sure the new FTE position would be adequately trained. Ms. Sneed stated a great amount of education and training would have to take place to ensure minimum conflicts.

Vice-Chair Jacobs stated it would be helpful for additional outside help to look into current policies and to recommend any suggestions. She also asked to hear thoughts and recommendations from the UNC School of Government due to statutes being different in municipalities.

Chair Howerton asked for a complete flow chart to determine connections between an Ombuds Office, Human Resources and Manager's Office.

**Directive:**

- **Staff was directed to contact UNC School of Government for recommendations**
- **Staff was directed to complete a flow chart to determine connections**

## **22-296 Update on the Triangle Bikeway Study**

In 2020, the Durham-Chapel Hill-Carrboro (DCHC) MPO and Capital Area MPO began work on the Triangle Bikeway Study, with McAdams serving as project consultants. The Triangle Bikeway Study included design and construction recommendations between Raleigh and Research Triangle Park and a corridor assessment feasibility study for the connection west between Research Triangle Park and Chapel Hill. The study also included recommendations for connections to transit along the corridor, existing and proposed bicycle and pedestrian facilities, neighborhoods, and other destinations.

The Research Triangle Park to Chapel Hill Feasibility Study included an analysis of the segment from the Hub in Research Triangle Park to the US-15/501 and NC-54 interchange in Chapel Hill. The analysis provided the typical section of the bikeway, at-grade and grade-separated crossing layouts, conceptual structure type recommendations, conceptual right-of-way requirements, and rough impacts to streams, wetlands, and floodplains. The Raleigh to Research Triangle Park Implementation Study included a preliminary functional design for the segment from I-440 in Raleigh to the Hub in Research Triangle Park. The functional design provided the typical section for the bikeway, at-grade and grade-separated crossing layouts, structure type recommendations, right-of-way requirements, and impacts to streams, wetlands, and floodplains.

The Board received a brief update from Dale McKeel, Bicycle and Pedestrian Coordinator, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, on the Triangle Bikeway Study and would adopt the Resolution Supporting the Regional Implementation of the Triangle Bikeway at the June 13, 2022 Regular Session meeting.

Commissioner Allam inquired on amenities offered to citizens using the trails and asked were companies along the trail provided opportunities to partner with DCHC MPO. Mr. McKeel stated lighting options and 911 call boxes would be available to citizens who utilized the trails. He added DCHC MPO worked closely with businesses in RTP and Scott Levitan to provide opportunities to expand the engagement process. Mr. McKeel also stated the City of Durham were in the process of obtaining Ebikes for residents to utilize and the Ebikes could be offered at entrances of the trails, however the decision would be based on each jurisdiction.

The Board inquired about the equity demographic groups used to measure the utilization of Ebikes for citizens. Mr. McKeel stated public outreach was used through online surveys due to the pandemic. He added majority of citizens from focus groups held blue collar jobs and needed additional options for getting home when bus services were not working. Mr. McKeel expressed some information was located in the report; however, he would provide a more detailed description.

Mr. McKeel shared Wake County would fund the design of the bikeway through state funds and seek to receive federal funding through bipartisan infrastructure law, but local funding would still be required. He added the complete cost of the design was about 10 to 15 percent of construction cost, with an average mileage of 14-15 in Durham County.

Vice-Chair Jacobs expressed to the Board DCHC MPO were not asking Durham County to fund the plan rather to adopt the plan and resolution.

**Directive:**

- **Dale McKeel to provide the Board with a full report including calculations and survey questions/answers asked from focus groups.**

### **22-0320 City of Durham Transit Update**

Durham County Transit Plan was required by state legislation that enabled the local option half-cent sales tax for public transit improvements. The plan must be adopted by the Board of County Commissioners, the GoTriangle Board of Trustees, and the DCHC MPO Board. The current Transit Plan were funding several transit operating and capital projects managed by the City of Durham. City staff would provide an overview of how the City's transit services were funded, projects that the City were developing, and requests for future funding for projects and staff.

Sean Egan, City of Durham Transportation Director, shared a presentation to the Board on transit funding, the status of City transit projects, and staffing requests.

Ellen Beckmann, Durham County Transportation Manager, highlighted comments made on the FY23 Work Program. With regards to the GoTriangle Working Group, existing funds were allocated and would go before FY23 budget and would be brought before GoTriangle. She added funding for Durham Station improvements, additional route services on bus 9, paratransit facility - purchase of land, and additional funding for GoDurham bus stop improvements were included.

Commissioner Burns expressed the importance of understanding who should be a part of the focus groups as well as find ways to integrate bus stops and shelters in the corridor. She also expressed concerns the community had with providing a new position and cost share due to a potential slow-down in projects. Mr. Egan stated there was a correlation between the availability of staff who could focus their time on projects and the speed of completion, so without adequate supports and resources projects were moving at a slower pace.

Commissioner Allam inquired on the amount of sidewalks near bus stops requiring repairs, the amount of uncovered bus stops and how much it would cost to cover them.

The Board expressed their sentiments on establishing basic policies for financials, administrations, and transit improvements.

Mr. Egan answered questions pertaining to the increase in funding for transit. He stated the rate fluctuated due to the revalue in property; however, the growth was consistence. In the transit plan revenue, sales tax was managed by Durham County, GoTriangle and DCHC MPO. Over the last ten (10) years, as the value of real property increased a lower rate produced the same amount of revenue.

Discussion was held on whether MERCK and AW would work with the City of Durham and Durham County to move forward with acquiring a van pool and GoDurham Connect for residents to get to work.

Mr. Egan informed the Board that the three (3) new positions would be funded by the County specifically to deliver major projects, like the Holloway St. and Fayetteville St. Corridor.

Vice-Chair Jacobs stated there was no actual Durham County Transit Plan, but a plan on how to use the transit revenue; she inquired if there was a Durham City Transportation Plan. Mr. Egan stated there were numerous transportation plans which were brought under the 20 Year Financial Plan. Ms. Beckmann added the Durham County Transit Plan was how the half-cent sales was used. The half-cent sales tax was used specifically for the benefit of public transit riders.

**22-0338 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.

No comments were made.

**Closed Session**

The Board was requested to adjourn to Closed Session 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).

Commissioner Carter moved, seconded by Commissioner Burns, to adjourn to Closed Session.

The motion carried unanimously.

**Reconvene from Closed Session**

Chair Howerton announced that no action was taken.

**Adjournment**

Commissioner Burns moved, seconded by Commissioner Allam, to adjourn the meeting.

The motion carried unanimously.

The meeting was adjourned at 1:33 p.m.

Respectfully submitted,



Shaunecie Wardrick  
Administrative Assistant