

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

Monday, March 6, 2023

9:00 A.M. Hybrid 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

Presider: 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, March 5th at 12 noon.

Sharon Hunter, spoke on neighbors criminalizing her son with a mental health status. She expressed the basis of retribution and asked for charges to be dismissed. She requested help from the County Commissioners to assist with finding proper documents to receive retribution.

Consent Agenda

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

23-0044 Budget Amendment No.23BCC00059 Public Health to Recognize \$44,125 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch to Create an Additional Grant Funded Disease Intervention Specialist Position

Vice-Chair Jacobs requested additional information be received for updated data related to the HIV rate in Durham County.

Directive:

- Staff to email additional information regarding HIV rate in Durham County.

23-0048 Budget Ordinance Amendment No. 23BCC00062 Public Health to Recognize \$83,913.13 from the Duke University Health System for the Partnership for a Health Durham Program

Commissioner Carter requested follow-up information on Communities in Partnership (CIP) trainings receiving funding.

Directive:

- Staff to email additional information regarding Communities in Partnership (CIP) trainings.

23-0052 Contract Approval of Matthews Specialty Vehicles Contract Supplement for New Public Health Mobile Medical Unit Totaling \$16,460

Vice-Chair Jacobs requested the Board receive a report on the plan for Mobile Medical Unit once acquired.

Directive:

- Staff to email report on Mobile Medical Unit.

23-0098 Budget Ordinance Amendment No. 23BCC00068 Appropriating \$250,000 of General Fund Fund Balance for the Durham Youth Home to Offset Higher Than Expected Use of Out-of-County Facilities

Vice-Chair Jacobs requested follow-up information on the amount of youth being sent to out-of-county facilities and the impact it had on families.

Directive:

- Staff to email additional information regarding youth in out-of-county facilities and their families.

23-0115 Authorize the County Manager to enter into a three-year Contract with Carahsoft, a Technology Reseller, in the amount of \$271,578.95

County Manager Sowell stated software was developed to help identify how to make community engagement more efficient, however a specific plan had not been made.

23-0123 Board of Elections Equipment Purchase Request

Derek Bowens, Elections Director, clarified the 70 machines bought were ballot marking only - *allowing touch screen and audio function*, however Durham County would remain a paper ballot County. He continued to say all machines would arrive as expected due to no backorder issues.

23-0148 Budget Ordinance Amendment No. 23BCC00070 to Recognize \$53,664 of a Grant Award to the Criminal Justice Resource Center's Local Reentry Council and to Authorize the County Manager to Sign and Execute the Subaward Agreement between the City of Durham and the Criminal Justice Resource Center

Vice-Chair Jacobs requested to receive quarterly and/or annual data reports.

Directive:

- Staff to email quarterly and/or annual data reports.

23-0156 Approve Capital Project Amendment No.23CPA00019 and Budget Amendment No.23BCC00071 Decreasing the Open Space & Farmland Preservation Capital Project (4730DC083) by \$142,500 and Transferring \$142,500 to the General Fund to Support the Purchase of the Second Phase of the Alston Glenn Farm Conservation Easement; as well as Approve the Final Budget for the Alston Glenn Phase II Farm Conservation Easement

Jane Korest, Open Space and Real Estate Manager noted a partnership would be created with North Carolina Central University to prepare oral histories and short documentaries with farmland owners and families.

23-0157 Approval of the Contract to Purchase the Interise, Inc. Streetwise MBA Program in the Amount of \$57,000

County Manager Sowell clarified the program required entrepreneurs commit to seven (7) months to complete five (5) modules to strengthen and prepare business plans to compete for contracts. She added entrepreneurs needed at least two (2) employees to be eligible for the program and the program allowed up to 20 entrepreneurs to participate.

23-0186 Durham County Sheriff's Office Revenue Contract Amendment with ViaPath Technologies and Increasing Authorized Strength for the Sheriff's Office by One FTE

Vice-Chair Jacobs asked for additional information on the type of programs accessible on tablets.

Directive:

- Staff to email additional information regarding accessible programs on tablets.

There were no questions regarding the items below:

23-0045 Budget Ordinance Amendment No. 23BCC00060 Public Health to Recognize \$3,567 from the NC DHHS Division of Public Health Women, Infant, and Community Wellness/ Reproductive Health Branch to Purchase Family Planning Methods

23-0046 Budget Ordinance Amendment No. 23BCC00061 Public Health to Recognize \$500 from the Center of Black Health and Equity for the Men's Health Council

23-0099 Durham County Sheriff's Office Contract Approval with TEK 84, Inc., in the amount of \$141,462 to Purchase a Body Scanner for the Durham County Detention Facility

23-0109 Capital Project Amendment No.23CPA00017 Reducing the Roofing Replacement Capital Project (4190DC073) by \$300,000 and Increasing the Parking Lot Resurfacing Capital Project (4190DC074) by \$300K to Cover Unanticipated Cost Increases

23-0111 2022 Annual Report - Durham Bicycle and Pedestrian Advisory Commission

23-0113 Approve an Amendment of \$15,744.96 to the Westaff Staffing Contract to continue the Contracted Services for County-Wide IT-related Training Assistance, increasing the total contract amount to \$53,880.96

23-0114 Authorize the County Manager to enter into a \$83,500 Contract with Info-Tech Group

23-0116 Durham County Sheriff's Office Grant Adjustment Modification (GAM) with the Bureau of Justice Assistance (BJA) for the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG)

23-0126 Budget Ordinance Amendment No. 23BCC00066 to Recognize \$5,107.10 in Grant Funding from the North Carolina Department of Public Instruction’s Child Nutrition Program for the Youth Home

23-0136 Contract approval with SHI International Corp. in the amount of \$259,824.51 for Licenses and Services for the Enterprise Agreement with Microsoft for the Office of the Sheriff

23-0142 Budget Ordinance Amendment No. 23BCC00073 Public Health to appropriate \$293,776.39 in General Fund Fund Balance to Provide Additional Funding for Grants Awarded in FY 2021-22

23-0144 Budget Ordinance Amendment No. 23BCC00072 Public Health to Recognize \$4,820 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch for Active TB Disease Screening and Treatment

23-0151 Budget Ordinance Amendment No. 23BCC00069 to Recognize \$25,000 in Additional Funding from the North Carolina Department of Adult Correction (NCDAC), Formerly Part of the North Carolina Department of Public Safety (NCDPS), for the Durham Local Reentry Council

23-0172 Utilities Contract Amendment with Sanford Electrical Contractors, Inc. to Increase the Contract by \$30,500 to a Total Contract Amount of \$60,000

23-0180 Additional Funding for Contract with Express Employment Services, Inc.

Discussion Items

23-0134 Alliance Health Update

The Board was requested to receive an update from Alliance Health. Rob Roberson, Chief Executive Officer, informed the Board that Alliance Health created two (2) types of NC Managed Care Plans:

- Standard Plans – Served majority of non-dual eligible Medicaid population
- BH I/DD Tailored Plans – Targeted towards populations which had significant behavioral health problems, intellectual and developmental disabilities (I/DD) and traumatic brain injury (TBI).

The BH I/DD plan would offer a robust set of behavioral health and I/DD benefits than Standard Plans and would be the only plan to offer current innovations, a TBI waiver and state-funded services.

Sean Schreiber, Chief Operating Officer, described many services offered in Durham, such as *Crisis and inpatient services, peer support, intensive in-home services for children, child residential services, adult residential (non-Medicaid specific), etc.* He continued to say that Alliance created a Crisis Stabilization Transition Program – a four (4) bed transition home for youth in DSS custody awaiting placement – with an anticipated open date of late spring 2023.

Mr. Schreiber provided additional insight on three (3) programs that would all begin between late March – July 2023:

- MORES program supported children and families experiencing a behavioral health crisis.
- Therapeutic Relief provided onsite behavioral health support to children in DSS custody while awaiting residential treatment in non-therapeutic settings, e.g., DSS office or shelter care.
- Child Assertive Community Treatment Program, provided to maintain home stability for youths who were at risk of residential placement or hospitalization.

Discussion was held on statewide foster care bill issues. Mr. Roberson stated a statewide healthcare legislation was developed to better serve children in foster care however, the issues Durham County faced were provider capacity and provider workforce. All of which would possibly not be fixed by the statewide bill.

Chair Howerton asked Alliance Health to come back later with additional information.

Directive:

- **Alliance staff to email available trainings/classes to Commissioners.**
- **Alliance to come back with additional information at future meeting.**

23-0171 Community Mental Wellbeing Hubs Presentation

Joanne F. Pierce, Assistant County Manager shared a presentation regarding community mental well-being hubs. The pandemic unveiled persistent inequities in health care access and outcomes across acute and chronic health conditions based on race, ethnicity, gender, socioeconomic status, and geography.

Based on the mental and behavioral health needs in the state and county, it was imperative to build capacity, expand resources incorporating mental well-being supportive services, and increase access. This presentation provided a broad overview of the issues and potential opportunities to strategically collaborate with faith and community-based partners to realize improved outcomes.

The Board asked if additional funding requests would be needed and would there be state and federal opportunities to connect. Ms. Pierce stated information was pulled from conversations held at the national level to be able to determine what could be done locally to have faith/community-based spaces for individuals to access care. She added the County was hopeful to receive federal funding to help combat stigma around mental health and to incorporate telehealth.

Vice-Chair Jacobs shared Lincoln Community Health Center provided multiple clinics around Durham to assist with mental health.

23-0158 Proposed Name Change for the Criminal Justice Resource Center

The Board received a proposal and provided feedback regarding a recommended name change for the Criminal Justice Resource Center to Justice Services Department.

The word criminal often holds a very negative connotation. It could appear derogatory and present a stigma for those seeking services. Language is powerful. It shapes thoughts, attitudes and beliefs and could have a huge impact on how we view others. The requested name change reflected how the justice system has changed and how the department's focus and approach changed over the last 25 years. The Resource Center wanted language that was more welcoming and indicated service

provision. Justice Services Department was more in line with the services provided including *Diversion, Pretrial, Cognitive Behavioral Programming, Substance Use Disorder Services, Mental Health Services, Specialty Courts, Reentry and Supportive Services.*

Justice Services Department described an agency that was focused on supporting justice involved individuals who need services using a more collaborative approach. The building would still be called Resource Center. The name change proposal was presented to the Criminal Justice Advisory Committee (CJAC) on January 31, 2023 and received unanimous support.

Even though a vote was not needed, the Board unanimously agreed on changing the name for the Criminal Justice Resource Center and expressed it was in line with the “*People First Language*” Resolution that was passed several months ago.

23-0132 Durham County Gun Safety Team Presentation

Donna Rosser, Injury Prevention Public Health Education Specialist, and Willa Robinson-Allen, Public Health Education Program Manager, shared a presentation on the behalf of the Durham County Gun Safety Team. The Durham County Gun Safety Team established since 1999 through a resolution from the Durham County Board of Health worked to reduce the number of deaths and injuries from firearms, especially those stored unlocked in homes. The presentation included historical information, recent activities, and recommendations for future actions.

Ms. Rosser recommended the County hold a mass media campaign to inform residents on gun safety as well as hold an event to distribute lock boxes.

Commissioner Burns suggested the Gun Safety Team speak with Hillside High School (HHS) students who recently held a gun safety presentation at the school. She stated using Durham Public Schools (DPS) students would be great for the mass media campaign.

Ms. Rosser informed the Board that the Gun Safety Team had an adequate supply of gun locks but not enough lock boxes. Vice-Chair Jacobs suggested the team submit a proposal for additional funds to be able to supply lock boxes.

Directive:

- **Staff to provide a budget proposal for adequately funding a public information event on safety locking guns and distribution of gun lockboxes at a future meeting.**

23-0177 Review of 2022 City-County Resident Survey Results

The Board was requested to receive a presentation on the 2022 Resident Survey results. Durham County partnered with the City of Durham to conduct a resident survey for the eighth consecutive year. The survey, which was conducted in late Fall 2022, presented information about service quality and resident prioritization of services. This data, which included trends from the past several years, would be used to help Durham County make service improvements in the spirit of the County’s continuous improvement model, Managing for Results. The survey also enabled Durham County to compare itself to other, similar-sized communities across the state and nation.

Jason Morado, Director of Community Research (ETC) Institute informed the Board that 87% of residents felt Durham was an excellent or good place to live; with 12% above the U.S average for large communities in overall quality of County services and 26% above the U.S average for large communities in customer service from a County employee. He continued with, the top community priorities were *Public Schools, Affordable Housing, Police Protection and Street Maintenance* and the top County priorities were *Public Schools, Sheriff Protection and Department of Social Services*.

Mr. Morado discussed notable increases and decreases in satisfaction since 2021:

Increases	Decreases
Ease of travel of bus (GoDurham)	Timeliness of County Employee Response
Image of Durham	Resolution of Issues/Concerns
Condition of Public-School Facilities	Enforcement of Traffic Safety Laws
Library Services/Programs	Durham as a Place to Start a Business
Yard Waste Collection	Effectiveness of Communication
Experience Engaging with County Government Process	Condition of Parking
Public Health Services	Management of Development/Growth

He added even though there were no specific questions related to poverty, about 17% of households made under \$30,000 a year.

The Board questioned how customer service could be improved through the County. County Manager Sowell stated information would be dissected and an implementation plan would be developed to approach and address trending growth areas.

23-0133 Stormwater Ordinance Update

The Board was requested to receive a presentation on proposed updates to the County Stormwater Ordinance for new development. Durham County’s Stormwater Program was responsible for implementing the development requirements of the Neuse River, Falls Lake, and Jordan Lake Nutrient Management Strategies for the unincorporated area of Durham County. These requirements differed depending on where in the County a new development was being proposed. Additional updates to requirements from the State, either through legislation or at the direction of the North Carolina Department of Environmental Quality (NCDEQ), created an ordinance that was often confusing for the development community and County staff alike.

Additionally, under the Neuse River Nutrient Management Strategy, Durham County’s Local Program for compliance was approved by the North Carolina Environmental Management Commission in September 2022. This approval required the County to adopt an updated ordinance by May 1, 2023.

The County Stormwater department hired McAdams to evaluate the current ordinance and assisted in a revision that met the following goals:

1. Compliant with Neuse, Falls, and Jordan requirements for new development (and existing where applicable)
2. Legal (complies with current North Carolina and Federal law)
3. Easy to use (by development community and staff)

4. Green Infrastructure and Equity

Annette Luca, PE, McAdams, clarified a redevelopment meant any new construction on a site that had pre-existing uses and redeveloped acres would only be exempt if previous acres had no stormwater treatment. She continued to say the state legislation allowed local governments to decide what land could be considered exempt.

Ryan Eaves, PE, Stormwater and Erosion Division Manager, answered questions pertaining to offering incentives to developers and being able to track the costs of infrastructure of redevelopments. He stated incentives were limited due to state legislations and the cost could be tracked, however issues arise due to some ordinances being annexed into the City.

23-0108 Transit Plan Governance Interlocal Agreement

The Board was requested to adopt the Transit Governance Interlocal Agreement Between Durham County, Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO), and Research Triangle Regional Public Transportation Authority (GoTriangle).

In 2011, Durham County approved a county-wide transit plan, which included the development of the Durham-Orange Light Rail Transit (DO LRT) project. In 2013, an interlocal agreement (ILA) was developed and approved by the Board of Commissioners, DCHC MPO Board and GoTriangle Board of Trustees. Upon the discontinuation of the DO LRT project, a new governance framework was necessary to guide the implementation of future county transit plans in Durham and Orange counties.

Discussion was held on the time frame of the suspension of vehicle rental tax. Sandra Freeman, GoTriangle, Chief Financial Officer, stated GoTriangle would provide a three (3) month notice to all three (3) counties should the vehicle rental tax be suspended at GoTriangle's discretion. Ms. Freeman continued to say the agreement shall last a minimum of 17 years, however the ILA would be looked at every four (4) years if changes were to be made.

Adam Howell, AICP, Atkins informed the Board that GoTriangle's Bond Council financial consultants reviewed the ILA in its' current version, to provide additional feedback for any additional changes.

Ellen Beckmann, Durham County Transportation Manager, clarified that the ILA specifically said there would be ILA project agreements which had to be approved by the County Commissioners' before the start of a new project.

Ms. Freeman answered questions pertaining to funds being used in other counties for regional projects within the bond. She stated each county would determine how funds could be used, however it allowed for projects to be funded that would reach further than the Durham County Line, e.g., *the Commuter Rail*.

The Board inquired on the timeline for approving the Transit Plan and the ILA and also, if any additional funding was required. Ms. Beckmann, stated the intentions were for the ILA to be approved before the Transit Plan; going before the Board at a Regular Session then to Durham-

Chapel Hill-Carrboro Metropolitan Organization (DCHC MPO) and GoTriangle for approval. Following the approval of the ILA, this would allow each entity to approve the Transit Plan.

Chuck Lattuca, President and Chief Executive Officer, stated there would be no increase to sales tax for transit due to the inclusion of vehicle registrations, which would generate an additional \$2.5M. He recommended should sales tax for transit and transportation increase, funds should be allocated in a regional bank to benefit the entire region.

Sandra Freeman, GoTriangle, Chief Financial Officer, informed the Board a draft letter of support should be created and provided to Durham Representatives and Delegation.

23-0154 Draft FY24 Durham Annual Transit Work Program

The Board received a presentation on the Draft FY24 Durham Annual Transit Work Program. As part of the appropriations process for the Durham County Transit Plan, an annual Work Program was developed to include a budget for the upcoming fiscal year. The Transit Plan Governance Agreement (ILA) determined the process by which the annual budget was developed and approved. The ILA was in the process of being updated and it was recommended by the governing body to follow the new process which required approval by the Durham County Board of Commissioners and the GoTriangle Board of Trustees.

Ellen Beckmann, Durham County Transportation Manager, described how the GoDurham Access Study would differ from previous studies by improving services on the transit vehicles. She stated GoDurham was mainly operated by the City with the County covering some funds. Ms. Beckmann added, work would be done with stakeholders to implement improvements to transit vehicle services.

Commissioner Carter inquired on the geography of the serving population for bus transit. Doug Plachcinski, Executive Director, DCHC MPO, responded that the geography had not been identified but anticipated it would be County-wide and would focus on significant public transportation corridors, as well as how they would connect regionally.

Mr. Plachcinski discussed how the work program would look once the Interlocal Agreement was in place. He stated the Transit Program was an update from previous years and not a new format, however he did foresee a multi-year work program for both operations in transit.

23-0112 FY22 Durham County Transit Progress Report

The Board was requested to receive a presentation from GoTriangle on the FY22 Durham County Transit Progress Report. GoTriangle managed the Triangle Tax District that consisted of the local-option half-cent sales tax and other fees that were dedicated to public transit improvements. As required by state legislation, the funding must be used for public transit improvements identified in the Durham County Transit Plan that was approved by the Board of Commissioners, the GoTriangle Board, and the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO) Board. GoTriangle was responsible for providing an annual report to Durham County on the progress achieved toward implementation of the plan, the collection of revenues, the costs of projects and transit operations, and any other relevant issues. GoTriangle staff prepared the FY22 Durham County Transit Progress Report.

Jennifer Haydon, GoTriangle, Director of Finance and Administration Services, clarified as the expenses increased the contributions towards the fund balance would decrease, however the community would receive a greater return in service with transit. She added, the purpose of fund balances was for future projects in the transit plan and would help reduce debt obligations and facilitate projects.

Ms. Haydon stated a driver shortage played a major role in changes to regional routes that were not increasing trips, but they were aware of the severity of the shortage and were working on a resolution. She added workers were returning to the workforce and once trainings were completed, growth was expected.

Katherine Eggleston, Chief Development Officer, provided insight on the what the smart shuttle service was in Morrisville and the data collected with it. The smart shuttle provided residents, commuters and visitors free, seven (7) day a week on-demand transit throughout the Town of Morrisville. She continued to say, data was collected and could be shared on the dashboard and with County Commissioners.

Ms. Haydon stated the full report was included on the GoDurham website.

23-0174 FY22 GoDurham Annual Report

The Board was requested to receive a presentation from the City of Durham Transportation Department of the FY22 GoDurham Annual Report.

Vice-Chair Jacobs requested additional information pertaining to the budget and plans for the Holloway St. and Fayetteville St. transit corridors.

Evian Patterson, City of Durham Assistant Transportation Director, expressed while the City had no equivalent transit plan, extensive transportation planning efforts to identify projects that were in need of capital and operational improvements following the City's Improvement Program were underway. Brian Fahley, City of Durham Mobility Services Manager, added a short-range transit plan was created in 2019 which was a guide for the City's transit.

Mr. Fahley informed the Board the public could find information regarding transit taxes on the GoDurham website once the annual report and transit tracker was published.

Directive:

- **GoDurham staff to email report on budget plans for Holloway St. and Fayetteville St.**

23-0093 ARPA Update – Potential Joint Partnership with the City of Durham on Affordable Housing Initiatives

The Board was requested to receive an update on potential joint projects with the City of Durham that could address the development of affordable housing. In December 2021, the City of Durham Community Development Department (CDD) issued a Request for Proposals (RFP) under the Forever Home Durham (FHD) program to provide gap financing for affordable housing developments utilizing Low Income Housing Tax Credits (LIHTCs) to further the goals of the FHD program. A total of nine proposals were received for affordable housing projects with an

aggregate amount requested of approximately \$40 million for approximately 1,200 units. Of the nine proposals received, the Community Development Department was only able to fund four projects totaling \$16,785,000. The remaining four projects required approximately \$20 million in funding.

Staff also shared the need for increased Permanent Supportive Housing. Permanent Supportive Housing integrates low-barrier affordable housing, health care, and supportive services to help individuals and families achieve increased stability.

County Manager Sowell, clarified after conversations with City of Durham Manager Page, the requested change would be for the County to fund two (2) projects instead of four (4).

Reginald Johnson, City of Durham Community Development, announced the City planned to use remaining ARPA funds to fund additional projects.

Commissioner Comments

There was no agenda item for Commissioner comments however, Vice-Chair Jacobs asked staff to have a discussion on a plan for train freight and how to strengthen safety of trains which flow through Durham in light on recent train derailments.

Adjournment

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

The motion carried unanimously.

The meeting was adjourned at 3:50 p.m.

Respectfully submitted,



Shaunecie Wardrick
Administrative Assistant