

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

Monday, February 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, Vice-Chair Nimasheena Burns, and Commissioners Heidi Carter, Brenda Howerton and Wendy Jacobs

Presider: Chair Nida Allam

Zoom Hybrid

Participants: 6

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, February 4th at 12 noon.

Heidi Jo Hetland and Christie Clem spoke on the issues surrounding Durham Public Schools workers' salaries. She expressed that under the salary plans, raises would not come forth for approximately 18 years and encouraged the Board for all assistance in creating a market wage for Durham Public Schools employees.

Georger Roberson spoke on white collar crimes. He expressed the need for change to stop white collar crimes within local governments. He continued to say funds were needed for teachers and other workers within Durham Public Schools.

Amanda Wallace spoke on the need for the welfare system and Child Protective Services to stop forcibly removing children from their homes and families. She asked for the defunding and abolishment of Child Protective Services.

Consent Agenda

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

23-0665 Approval of Easement Agreement, Legal Description, and Dedication Plat with City of Durham for a Required Sidewalk Easement Necessary for the 300 E. Main St. Mixed-Use Development Project

Peri Manns, ASLA, Deputy Director, Engineering and Environmental Services, confirmed a bus shelter would be located at 300 East Main Street as a standard requirement.

24-0027 Authorize the Increase of the Owners Construction Contingency for the C, M @R contract to LeChase Construction by \$104,197 to a total construction contract not-to exceed amount of \$21,068,866 for the 300 E. Main St. Structured Parking Deck

Peri Manns, ASLA, Deputy Director, Engineering and Environmental Services, explained funds were available for construction; however, an amount was not fully authorized by the contractor.

24-0042 Budget Ordinance Amendment No. 24BCC00079 Recognizing \$179,634 from the U.S. Department of Justice, Bureau of Justice Assistance (BJA) to the Durham County Sheriff's Office for the 2023 State Criminal Alien Assistance Program (SCAAP)

Keisha Gaither, Finance Manager, Durham Sheriff's Office, clarified funds used from the grant to house undocumented detainees could be used for specific uses in the correctional facility and fell under the grant perimeters.

24-0044 Approval of Contract with MED-ENG, LLC in the Amount of \$37,590 for Sole Source Purchase of EOD 10E Bomb Suit and Helmet for the Durham County Sheriff's Office

Major T. Cote, Law Enforcement Operations, confirmed a female was recruited and a suit was given to the Sheriff's Office by a Homeland Security grant. He added the Sheriff's Office collaborated with other counties for resources and funding.

24-0045 Budget Ordinance Amendment No. 24BCC00074 Appropriating \$110,000 in General Fund Committed Fund Balance to Increase Inmate Welfare Expenditure Authority for the Sheriff's Office

Marie Spencer, Chief of Detention Services, Durham Sheriff's Office, shared with the Board funds were authorized through state legislation, allowing funding to be used for detainees for enhanced services beyond welfare – to include mental health, telephone, and commissary privileges. She added funds were requested to increase services for the day-to-day living of detainees.

24-0058 Approval of an Interlocal Agreement between Central Pines Regional Council, City of Durham, and Durham County for Cost Sharing of the City of Durham/Durham County Bicycle and Pedestrian Plan in the Amount of \$24,000.

Ellen Beckmann, Transportation Director, clarified the contract was not written; however, the contract would allow flexibility and would include bicycle and open space plans.

24-0061 Approval of the FY24 Durham Transit Work Program Q3 Amendment in the amount of \$126,254.00.

Jennifer Green, Mobility Services Planning Manager, stated the DIGI Modems allowed the computer systems to see where the buses were located on the street. Steven Schlossberg, Assistant Director, Budget and Finance of GoTriangle, added the annual reports were located on the GoTriangle's website and sent to respective partners; however, work would be done with Ms. Beckmann to ensure the reports reached additional parties.

24-0067 Durham County Matching Grants Program - Approval of FY 2023-24 Grant Cycle in the amount of \$100,000

Brendan Moore, Open Space Land Manager, informed the Board the applicant pool varied yearly depending on the programs.

There were no questions regarding the items below:

24-0005 Budget Ordinance Amendment No. 24BCC00075 Public Health to Recognize \$20,000 from the North Carolina Department of Health and Human Services Division of Public Health to Support the Regional Tobacco-Free Collaborative

24-0030 Approval to Enter into a Contract with CorVel Enterprise Comp, Inc (Administrator Claims Services) for an Amount not to Exceed \$130,000 Annually Using Existing Risk Management Funds

24-0034 Approval of a Contract with SHI International Corp. in the Amount of \$280,241.07 for Licenses and Services for the Enterprise Agreement with Microsoft for the Durham County Sheriff's Office

24-0040 Budget Ordinance Amendment No.24BCC00073 to Recognize \$15,000 from the North Carolina Department of Agriculture and Consumer Services Farmland Preservation Division to the Soil & Water Conservation Department for the Revision of the Durham County Farmland Protection Plan.

24-0046 Budget Ordinance Amendment No. 24BCC00076 Public Health to Recognize \$222,559 from the NC DHHS Division of Public Health Epidemiology/Immunization Branch for the Bridge Access Program

24-0059 FY23 Durham County Transit Progress Report

24-0063 Award Contract for Velocity EHS

24-0064 Approval of Reallocation of Juvenile Crime Prevention Council (JCPC) Funds in the Amount of \$105,300 for Additional Programs

Other Business – Suspension of Rules to Vote

24-0038 Approval of the contract with Envirotrol, LLC, in the amount of \$213,971.00 for the replacement of two Camus reheat boilers at the Detention Center and the authority to execute change orders/amendments to the contract as long as funds are available in the CIP fund.

The Board was requested suspend the rules to vote and authorized the County Manager to enter into a \$213,971.00 contract to purchase two Riello Array V2.5 reheat boilers, and installation services from Envirotrol, LLC. Funding used to support this installation came from Capital Improvement Funds allocated to this project.

The County Detention Centers current reheat boilers needed to be replaced due to operational insufficiencies. These boilers provided reheating service for the entire facility and were critical to the correct operation of the HVAC system. When a failure occurs providing comfort conditioning for the facility was affected negatively.

Shawn Swiatocha, Assistant Director, shared the Detention Center current boilers were installed in 2011 and issues raised five (5) years ago – however, the new boilers were expected to last longer.

Vice-Chair Burns moved, seconded by Commissioner Howerton, to suspend the rules.

The motion carried unanimously.

Commissioner Jacobs moved, seconded by Vice-Chair Burns, to approve the contract with Envirotrol, LLC, in the amount of \$213,971.00 for the replacement of two Camus reheat boilers at the Detention Center and the authority to execute change orders/amendments to the contract as long as funds were available in the CIP fund.

The motion carried unanimously.

24-0006 Budget Ordinance Amendment No. 24BCC00077 Public Health to Appropriate \$283,109.52 of General Fund fund balance to cover an increase in the Wellpath Durham County Youth Home Contract to Enhance Staffing

The Board was requested to suspend the rules and vote to approve Budget Ordinance Amendment No. 24BCC00077 Public Health appropriated \$283,109.52 of General Fund fund balance to cover an increase in the Wellpath Durham County Youth Home Contract to enhance staffing:

- 1.80 FTE (72 hours) of Registered Nurse
- 0.20 FTE (8 hours) of Mid-level Practitioner NP/PA
- 0.10 FTE (4 hours) of Physician
- 1.0 FTE (40 hours) of Charge RN
- 0.20 FTE (8 hours) of Psychologist

Vice-Chair Burns moved, seconded by Commissioner Jacobs, to suspend the rules.

The motion carried unanimously.

Vice-Chair Burns moved, seconded by Commissioner Jacobs, to approve Budget Ordinance Amendment No. 24BCC00077 Public Health appropriated \$283,109.52 of General Fund fund balance to cover an increase in the Wellpath Durham County Youth Home Contract to enhance staffing.

The motion carried unanimously.

24-0047 Budget Ordinance Amendment No. 24BCC00078 Public Health to Appropriate \$112,800.33 of General Fund fund balance to Cover increases to the Current County Contract with WellPath to Provide Comprehensive Medical Services for Inmates in the Durham County Detention Center and Residents of the Durham County Youth Home.

The Board was requested to approve Budget Ordinance Amendment No. 24BCC00078 Public Health appropriated \$112,800.33 of General Fund fund balance to cover increases to the current County contract with WellPath to provide Comprehensive Medical Services for Inmates in the Durham County Detention Center and Residents of the Durham County Youth Home. The total amount of the year-one current contract will be \$5,014,267.33.

Rodney Jenkins, MHA, Public Health Director, confirmed the increase was a result of the consumer price index with staff settling on a three (3) percent increase.

Commissioner Howerton moved, seconded by Vice-Chair Burns, to suspend the rules.

The motion carried unanimously.

Vice-Chair Burns moved, seconded by Commissioner Jacobs, to approve Budget Ordinance Amendment No. 24BCC00078 Public Health appropriated \$112,800.33 of General Fund fund balance to cover increases to the current County contract with WellPath to provide Comprehensive Medical Services for Inmates in the Durham County Detention Center and Residents of the Durham County Youth Home.

The motion carried unanimously.

Discussion Items

24-0062 Santee Road Park Project Presentation

The Board was requested to receive a presentation on the Santee Road Park Project. The Santee Road property was an undeveloped 268-acre wooded parcel purchased by Durham County in 2013 to protect water quality, conserve and restore plant and wildlife habitats, and provide a model space for sustainable, nature-based experiences and low-impact recreational opportunities.

The Santee Road property offered a unique opportunity for the County to have a preeminent natural area for Durham and surrounding communities to experience and enjoy. A thoughtful and comprehensive process for understanding community needs, optimal partnerships, and desired usage was essential to making the best decisions on what could be a model County nature park.

Celeste Burns, MS, Open Space/Real Estate, answered questions pertaining to additional opportunities. She stated the project was funded by the City of Raleigh Watershed Protection Program and the program was used for smaller acquisitions.

Manager Sowell informed the Board the timeframe for expanding the team was based on assessing how the team worked, once assessed, they would leverage positions to expand the team.

24-0069 Presentation from Durham Technical Community College: Capital Projects Update

The Board was requested to receive a presentation from Durham Technical Community College which will provide an update on capital projects, program, and other informational items.

The Board inquired about the fall start date and asked for an update on campus renovations. JB Buxton, President of Durham Technical Community College, shared the Early College Program was slated to begin in the fall of 2025 and staff were looking to add modulars, with the preference of students being on campus. He continued to say Durham Technical Community College had sufficient funds to do renovations on the campus, with \$18.5 million going directly to them.

24-0066 Update on Durham County’s FY 2025-2029 Strategic Planning Process – Dco Forward 2029

The Board was requested to receive an update to the ongoing process for the FY 2025-2029 Strategic Plan. The update included a recommendation to update the Values, Mission, and Vision for Durham County and the most current version of the Strategic Plan Objectives and Initiatives.

The Board suggested staff combine focus areas and add environmental protection and minority participation to the planning process. In addition, the Board inquired about meeting with the strategic department separately to further discuss the strategic plan.

Directive:

- **Staff combine focus areas and add environmental protection and minority participation to the planning process.**
- **Staff to meet with the Board separately for further in-depth conversations on the strategic plan.**

24-0056 Presentation from the Museum of Life and Science: Capital Projects Update

The Board was requested to receive a presentation from the Museum of Life and Science which provided an update on capital projects, program, and other informational items.

Carrie Heinonen, President, and CEO stated options were being explored on ways to better engage with children. She continued to say work was being done with Pre-K providers and childcare centers to garner additional participation.

Discussions were held regarding other sources of revenue for the museum. Ms. Heinonen shared memberships offerings were a good source of revenue and the addition of the beer/wine garden and café also created additional revenue.

Ms. Heinonen answered questions pertaining to the Ignite Program that was offered by the museum. She stated the program addressed the opportunity gap by providing full membership benefits to thousands of families from communities traditionally underrepresented in STEM with about 14,000 family visits, not including free County days.

The Board suggested conversations be held with Ellen Beckmann, Transportation Director, to offer free lyft/uber rides to and from the museum for low-income families.

Directive:

- **A conversation be held with Ellen Beckman, Transportation Director on ways to offer free lyft/uber rides to and from the museum for low-income families.**

24-0065 Draft FY25 Durham Annual Transit Work Program Presentation

The Board was requested to receive a presentation on the Draft FY25 Durham Annual Transit Work Program (“Work Program”). As part of the appropriations process for the Durham County Transit Plan, an annual Work Program was developed which included a budget for the upcoming fiscal year. The 2023 Transit Governance Interlocal Agreement (“ILA”) determined the process by which the annual budget was developed and approved. Under the guidance of the ILA, the Work Program required approval by the Durham County Board of Commissioners and the GoTriangle Board of Trustees.

The Board suggested the annual reports and pop-up information be sent directly to the Political Action Committees (PACs) and Coalitions.

Ellen Beckmann, Transportation Director shared that numbers were not run on a yearly basis – they were run through 2040 due to some years being heavy or light in certain areas. She continued to say the Durham Transit Tracker contract would be brought before the Board for approval in March 2024.

Discussion was held regarding the vehicle fee and tax funds, asking if they were included in the budget. Ms. Beckmann stated the vehicle fee was not included; however, tax funds were included in the budget.

Ms. Beckmann highlighted an additional 40 bus stops would be added throughout the County.

Directive:

- **Staff to send annual reports and pop-up information directly to PACs and Coalitions.**

24-0055 ARPA Update

The Board was requested to receive an update on the American Rescue Plan Act (ARPA) funds. 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.

Discussion was held on held County participation in the Affordable Housing Loan Fund that Self Help administers (created by Duke and City of Durham). John Froehlich, Self Help Credit Union provided details on the first (1) and second (2) loss of funds. The fund was composed of senior debt investors (70%), second-loss investors (15%), and first-loss investors (15%). 70% of investments were full recourse to the Administrator and 30% were non-recourse, protecting senior debt investors. He continued to say loan terms to borrowers promoted reasonable levels of risk in acquisition and development, driving sustainability and the commitment of new first-loss investments which were required to grow the fund.

Mr. Froehlich added developers with affordable housing experience were the desired applicants for the fund and there were deed restrictions surrounding funding but encouraged the Board to have flexibility funding for properties. In addition, discussion with employers could be held to ensure they could receive affordable housing within the County.

The Board encouraged Andy Miracle, Economic Development Director, to assist with discussions with employers about affordable housing.

Claudia Hager, Deputy County Manager responded to questions about the County's consideration of contributing to the revolving Affordable Housing Loan Fund. She stated there was the potential of utilizing ARPA funding but would come back at a future date with additional recommendations.

23-0071 Closed Session

The Board was requested to adjourn into Closed Session to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, in the matter of Antoni Dabrowski vs. Durham County et. al, which privilege is hereby acknowledged; pursuant to G. S. 143-318.11(a)(3).

Commissioner Jacobs moved, seconded by Commissioner Carter to go into Closed Session.

The motion carried unanimously.

Reconvene to Open Session

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

Adjournment

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

The motion carried unanimously.

The meeting was adjourned at 2:22 p.m.

Respectfully submitted,



Shaunecie Wardrick
Administrative Assistant