



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, February 22, 2021

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)

21-0133 Announcements (5min)

Agenda Text:

1. **Durham Immigrant and Refugee Virtual Town Hall: Coronavirus, Vaccines and Beyond** - Durham elected officials and community organizations join Durham residents in its second trilingual (English, Spanish and Arabic) town hall on Tuesday, February 23, 2021 from 7pm - 9pm.

To attend in English - www.DurhamNCgov/Townhall-English
<<http://www.DurhamNCgov/Townhall-English>>

To attend in Spanish - www.DurhamNCgov/Townhall-Spanish
<<http://www.DurhamNCgov/Townhall-Spanish>>

To attend in Arabic - www.DurhamNC.gov/Townhall-Arabic
<<http://www.DurhamNC.gov/Townhall-Arabic>>

2. **2021 Health Care Marketplace Re-Opened** - Due to the COVID-19 pandemic, a special enrollment period has been extended to individuals and

families seeking coverage in the Affordable Care Act (ACA) marketplace. Eligible people now have until May 15, 2021 to find a health insurance plan that works for them.

For additional information and to apply for coverage, please visit www.healthcare.gov <<http://www.healthcare.gov>>

- 3. Step Up Durham** - Durham Technical Community College is offering a number of courses to help students get opportunities for immediate employment in high demand occupations. Career fields include Biotechnology, Information Technology, Health and Wellness, Skilled Trades and more.

To learn more and apply, please visit www.durhamtech.edu/academic-programs <<http://www.durhamtech.edu/academic-programs>>.

- 4. Durham County Public Health Data Dashboard** - The Durham County Public Health Department has created a dashboard dedicated to COVID-19 vaccine data. The dashboard reflects information as of January 27, 2021 and includes the number of vaccines received and the demographics of those who have been vaccinated.

For additional information, please visit www.dcopublichealth.org/covid19vaccines <<http://www.dcopublichealth.org/covid19vaccines>>

- 5. Durham Public Schools Spring 2021 Learning Preference Form** - DPS is planning for in-person learning in response to Senate Bill 37, which requires all school districts to offer in-person learning in addition to a virtual option. Families are asked to select their preference by taking the survey. Please visit www.dpsnc.net <<http://www.dpsnc.net>> to read additional information and submit your preference.

- 6. Durham Youth Listening Project** - The Durham Listening Project Report was created by The Office on Youth to create a space for young voices in local government. This report includes a report summary, participant demographics, background/process and recommendations.

Please visit www.durhamnc.gov/youthspeak <<http://www.durhamnc.gov/youthspeak>> or Twitter and Instagram at #YouthSpeakDURM.

4. Minutes (5 min)

[21-0140](#) Minutes (5min)

Attachments: [January 2, 2021 - Work Session](#)

5. Ceremonial Items (30min)

[21-0134](#) Resolution Honoring the Legacy of Deah Barakat, Yusor Abu-Salha and Razan Abu-Salha (10min)

Agenda Text: The Board is requested to approve this resolution that was requested by Commissioner Nida Allam to commemorate the lives of Deah Barakat, Yusor Abu-Salha and Razan Abu-Salha who lived their young lives in dedication to serving communities locally and globally. These young people were in the midst of pursuing education in the fields of dentistry, biological science and architecture when in early 2015, their lives were cut short by a violent act. Commissioner Allam will address this item.

Alignment with Strategic Plan: This item aligns with Goal 3, Safe and Secure Community

Resource Persons: Brenda Howerton, Chair, Durham Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board approve the resolution and present to Commissioner Allam to share with the family.

Attachments: [Resolution - Honoring the Legacy of Deah Barakat.Yusor Abu-Salha.Razan Abu](#)

[21-0120](#) Proclamation for Black Entrepreneurship Week (10min)

Agenda Text: The Board is requested to proclaim the week of February 22-26, 2021 as “Black Entrepreneurship Week” as requested by officials of Carolina Small Business Development Foundation. This week of speakers and workshops, conducted virtually, is designed to support the vibrancy of our local businesses owned by persons of color. Representatives of CSBDF will be available to provide more detailed information about the event.

Alignment with Strategic Plan: This item aligns with Goal 1: Community and Family Prosperity

Resource Persons: Brenda Howerton, Chair, Durham Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Board issue the proclamation recognizing February 22-26, 2021 as “Black Entrepreneurship Week” to sponsors of the event, along with sincere congratulations.

Attachments: [Proclamation - Black Entrepreneurship Week - February 2021](#)

21-0118

Resolution of the Durham County Board of Commissioners to Submit Public Comments to the North Carolina Utilities Commission Regarding Duke Energy's 2020 Integrated Resource Plan

Agenda Text:

The Board is requested to adopt the resolution for the Chair of the Board of Commissioners or her designee sign on to the North Carolina local government group comments to Duke Energy's 2020 Integrated Resource Plan (Docket E-100, Sub 165) and directs staff to continue to work with other North Carolina local governments on this issue throughout the IRP process.

Alignment With Strategic Plan: This item aligns with Strategic Plan Goal 4 (Environmental Stewardship and Community Prosperity).

Resource Persons: Tobin L. Freid, Sustainability Manager; Peri Manns, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board adopt the resolution for the Chair of the Board of Commissioners or her designee sign on to the North Carolina local government group comments to Duke Energy's 2020 Integrated Resource Plan (Docket E-100, Sub 165) and directs staff to continue to work with other North Carolina local governments on this issue throughout the IRP process.

Attachments: [Resolution - Duke Energy IRP Resolution - 22Feb21](#)

6. Consent Agenda (15 min)

21-0082

Durham County Local Emergency Planning Committee

Agenda Text:

The Board is requested to approve the membership roster as presented and accept the report of the last year's activities for the Local Emergency Planning Committee (LEPC). The proposed membership roster and the report of last year's activities have been attached.

The LEPC is a federally mandated group of concerned individuals from different local agencies and groups within Durham County who assure that the community has the emergency planning and response capabilities to effectively prevent and mitigate emergencies and disasters. LEPCs must develop an emergency response plan, review it at least annually, and provide information about chemicals in the community to citizens. Plans are developed by the LEPC with stakeholder participation.

The bylaws of the Durham County LEPC require that its activities are reported to the Durham County Board of Commissioners and that the roster of members be

presented to the Board for approval following its January meeting of the current year.

The attached January 14, 2021, letter to Chair Brenda Howerton from Jason Zivica, Chair of the Durham County LEPC, includes the current membership roster for approval and the LEPC's activities over the past year.

Alignment with Strategic Plan: This request aligns with the County's Goal 3: Safe Community.

Resource Persons: Leslie O'Connor, Chief Emergency Manager, David Gale, Hazardous Materials Planner.

County Manager's Recommendation: The County Manager recommends that the Board approve the membership roster as presented and accept the report of the past year's activities for the Local Emergency Planning Committee (LEPC).

Attachments:

[AAF Supplemental - 2021 LEPC membership](#)

[LEPC Letter to BOCC Chair - January 2021-Signed by LEPC Chair](#)

[LEPC Activities - 2020](#)

21-0085

Approval Budget Ordinance Amendment No. 21BCC000083 Appropriating \$187,106.00 of the Register of Deeds Automation Restricted Funds Fund Balance to Execute the Contract with Tyler Technologies to Purchase Eagle System Software for the Durham County Register of Deeds office.

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 21BCC000083 appropriating \$187,106.00 of the Register of Deeds Automation Restricted Funds fund balance to execute the Previously approved Contract with Tyler Technologies for the purchase of Software (Eagle System) for the Durham County Register of Deeds office. This contract will allow the office of the Register of Deeds to perform their statutory duties using the software available from Tyler Technologies. The contract has been reviewed by the County IS&T department along with our legal department and purchasing and have been approved in form.

The contract with Tyler Technologies will be approved concurrently with this budget amendment. during the March 8, 2021 Board meeting. Due to delays related to the cyber-attack and Covid-19, this contract process was delayed, and funds were not encumbered. Additional funds are requested in order to complete the encumbering of the funds necessary to proceed with this project.

This project will be funded through the Register of Deeds Automation Enhancement and Preservation Fund, which by State Statute set aside funds annually from customer fees, to be used for computer or imaging technology and needs associated with preserving and storing public records in the Register of Deeds' office.

Alignment with Strategic Plan: This request aligns with Strategic Plan Goal #4

(Environmental Stewardship and Community Prosperity) - by providing the office of the Register of Deeds with at software system which provides new efficiency and

Resource Persons: Sharon A. Davis, Register of Deeds

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No 21BCC000083 appropriating \$187,106.00 of the Register of Deeds Automation Restricted Funds fund balance to execute the contract with Tyler Technologies.

Attachments:

[Tyler Contract Packet 2021](#)

[AAF-83 Legal Form](#)

[AAF-83 Supplement ROD To enter into a contract with Tylor Tech](#)

21-0091

Submission of Comments in the NC Utilities Commission Docket E-100 Sub 165 of Duke Energy's 2020 Integrated Resource Plan

Agenda Text:

The Board is requested to approve having the Chair of the Board of Commissioners or her designee sign on to the North Carolina local government group comments to Duke Energy's 2020 Integrated Resource Plan (Docket E-100, Sub 165) and directs staff to continue to work with other North Carolina local governments on this issue throughout the IRP process.

Every two years Duke Energy submits an integrated Resource Plan (IRP) to communicate strategies for delivering reliable electricity at the lowest cost across a 10-20year horizon. The IRP models potential pathways for Duke to provide affordable, reliable electricity and opportunities to accelerate renewable energy deployment, lower carbon fuels, and energy efficiency. There is a review process that includes opportunities for stakeholders to provide input into the plan. This review process is an opportunity for Durham County to join with other North Carolina communities to share our climate action goals and communicate how the IRP can best support them.

This is the first IRP that has been published since Durham County adopted a 100% clean, renewable energy goal in November 2018. Section 3 of that resolution commits the county to work with Duke Energy, the Public Utilities Commission, and others to aggressively increase renewable energy in the grid to help us meet our goals.

Commenting on the IRP through this process is in line with that directive by taking advantage of an opportunity to advocate for bringing more renewable energy to our electricity grid. The County can also highlight the need for more support with local energy efficiency programs and electric vehicle infrastructure.

Alignment with Strategic Plan: This item aligns with Strategic Plan Goal 4 (Environmental Stewardship and Community Prosperity) by helping meet County greenhouse gas emissions reduction and renewable energy goals.

Resource Persons: Tobin L. Freid, Sustainability Manager; Peri Manns, ASLA, LEED GA, Deputy Director of Engineering and Environmental Services

County Manager's Recommendation: The County Manager recommends that the Board approve having the Chair of the Board of Commissioners or her designee sign on to the North Carolina local government group comments to Duke Energy's

2020 Integrated Resource Plan (Docket E-100, Sub 165) and directs staff to continue to work with other North Carolina local governments on this issue throughout the IRP process.

Attachments: [NC Local Gov Duke IRP Letter final no logo](#)

21-0096

Budget Ordinance Amendment No. 21BCC000082 Public Health to Recognize \$877,282 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch for COVID-19 Prevention

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 21BCC000082 to recognize funds in the amount of \$877,282 from the North Carolina Department of Health and Human Services Division of Public Health Epidemiology/Communicable Disease Branch for COVID-19 Prevention.

These funds are to be used to enhance laboratory testing capacity, increase workforce by hiring temp staff, support epidemiology/surveillance activities expand informatics and provide lodging and wrap-around services as described for individuals while under state or federal quarantine and isolation orders.

Please note that this amendment requires no additional County funds.

The Board of Health has approved this amendment

Alignment with Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All by providing more resources for COVID-19.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 21BCC000082 Public Health to recognize funds in the amount of \$877,282 from the North Carolina Department of Health and Human Services Division of Public Health Epidemiology/Communicable Disease Branch.

Attachments: [543 - ELC Enhancing Detection Activities R-1](#)
[AAF AA543 Supplemental Document - Noncontract](#)
[AAF 82- Legal Form](#)
[COVID Funding Summary 2 22 2021 Update.pdf](#)

21-0097

Budget Ordinance Amendment No. 21BCC000081 to Public Health to Recognize Funds in the Amount of \$48,935 from the Division of Social Services, North Carolina Department of Health and Human Services for Durham's Innovative Nutrition Education (DINE) Program Implementation

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No.

21BCC000081 to recognize additional grant funds in the amount of \$48,935 from the Division of Social Services, North Carolina Department of Health and Human Services for DINE Program implementation.

Funds will be used for operational costs awarded in the FY20-21 grant to support overall DINE programming.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

Alignment with Strategic Plan: This program aligns with Strategic Goal 2: Health and Well-being for All.

Resource Persons: Rodney E. Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 21BCC000081 to recognize additional grant funds in the amount of \$48,935 from the Division of Social Services, North Carolina Department of Health and Human Services for DINE Program implementation.

Attachments: [AAF Supplemental Document - DINE](#)

[AAF-81 Legal Form](#)

21-0098

Budget Ordinance Amendment No. 21BCC000087 for Department of Social Services to Accept Grant Funds in the amount of \$1,244,759.40 for Emergency Rental and Utility Assistance for Durham County Residents

Agenda Text:

The Emergency Rental Assistance program makes available \$25 billion to assist households that are unable to pay rent and utilities due to the COVID-19 pandemic. The funds are provided directly to States, U.S. Territories, local governments, and Indian tribes to provide assistance to eligible households through existing or newly created rental assistance programs.

Durham County received \$1,244,759.40 from the program, and this action is requesting that these funds be added to the DSS budget.

Not less than 90 percent of awarded funds must be used for direct financial assistance, including rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other expenses related to housing. Remaining funds are available for housing stability services, including case management and other services intended to keep households stably housed, and administrative costs.

These funds expire on December 31, 2021. The assistance listing number (CDFA number) assigned to the ERA program is 21.023.

Alignment with Strategic Plan: Goal 2: Health and Well-being for All which

decrease health disparities within the community and Goal 3: Safe and Secure Community to improve outcomes for vulnerable, children, youth, and adults.

Resource Persons: William Rose, Director and Janeen Gordon, Assistant Director, Department of Social Services.

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 21BCC000087 to approve the acceptance of these grant funds.

Attachments: [ERAP Agreement UPDATED DUNS Jan 21 2021 Durham County](#)
[Award Notice Update on Status of Emergency Rental Assistance Application](#)
[AAF_ERAP_AMENDMENT to ACCEPT FUNDS_2.1.2021](#)
[AAF-87 Legal Form](#)
[COVID Funding Summary 2_22_2021 Update.pdf](#)

21-0099 Property Tax Releases and Refunds for January 2021

Agenda Text: The Board is requested to approve the Releases & Refunds for the month of January 2021. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached report details releases and refunds for the month of January 2021.

Releases and Refunds for 2020 total \$78,256.17. Prior year's (2015-2019) releases and refunds for January 2021 are in the amount of \$00.00. The current year and prior year's releases and refunds total \$78,256.17.

Alignment With Strategic Plan: Goal 5, Accountable, Efficient, Visionary Government. To ensure the county complies with North Carolina General Statutes ensures we are accountable to our citizens. The Board of E&R ensures that we are accountable and efficient as tax revenues are impacted by the actions of this Board. The actions of the tax department and this Board impact all strategic goals due to the revenues needed.

Resource Persons: T. Dwane Brinson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board accept the property tax release and refund report for January 2021 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Releases and Refunds Backup Detail-January 2021- Feb 22, 2021](#)
[Backup-Tax Release and Refunds-January 2021-February 22, 2021](#)
[NCVTS December Refunds Rpt](#)

21-0100 Budget Ordinance Amendment No. 21BCC000089 to recognize \$8,214,809 in funding from the City of Durham and for Durham County to enter into an Interlocal Agreement with the City of Durham

to administer the Emergency Rental Assistance Program to Provide Emergency Rental and Utility assistance to City of Durham and Durham County Residents

Agenda Text:

Durham County is entering into an Interlocal Agreement with the City of Durham in the establishment of the Emergency Rental Assistance Program, which provides emergency rental and utility assistance for Durham County residents. The board is requested to approve budget ordinance amendment no. 21BCC000089 to recognize \$8,214,809 in funding from the City of Durham and for Durham County to enter into an interlocal agreement with the City of Durham to administer the Emergency Rental Assistance Program to provide emergency rental and utility assistance to City of Durham and Durham County residents.

The City and County will work together to administer the \$1,244,759.40 County Grant and \$8.4M City Grant. Note that 10% administration funds are allowable. In addition, the City and County will partner to:

- Developing program guidelines
- Building networks of support and outreach
- Development of expanded IT platform

Alignment with Strategic Plan: Goal 2: Health and Well-being for All which decrease health disparities within the community and Goal 3: Safe and Secure Community to improve outcomes for vulnerable, children, youth, and adults.

Resource Persons: William Rose, Director and Janeen Gordon, Assistant Director, Department of Social Services.

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 21BCC000089 to recognize \$8,214,809 in funding from the City of Durham and for Durham County to enter into an Interlocal Agreement with the City of Durham to administer the Emergency Rental Assistance Program to Provide Emergency Rental and Utility assistance to City of Durham and Durham County Residents.

Attachments:

[AAF- 89 Legal form](#)

[AAF-89 ILA Agreement](#)

[COVID Funding Summary 2 22 2021 Update.pdf](#)

21-0101

Budget Ordinance Amendment No. 21BCC000078 Public Health to appropriate General Fund fund balance in the Amount of \$125,000 for Jail Medical Care and amending the Jail Health Contract

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 21BCC000078 appropriating General Fund fund balance in the amount of \$125,000 for Jail Medical Care and amending the Jail Health Contract

These funds are to be used to pay for healthcare costs which exceeded the budgeted CAP arrangement of \$400,000.

The Board of Health has approved this amendment.

Alignment With Strategic Plan: This grant aligns with Strategic Goal 2: Health and Well-being for All by providing medical services to detainees in the Durham County Detention Center.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 21BCC000078 for Public Health to appropriate General Fund fund balance in the amount of \$125,000 for Jail Medical Care and amending the Jail Health Contract

Attachments: [AAF Supplemental Document - Noncontract - Jail Health Services](#)
[AAF-78 Legal Form](#)

21-0104 **Capital Project Amendment No. 21CPA000023 Appropriating \$250,000 of PAYGO Fund Balance Funding for a New Durham Technical Community College Building Demolition Capital Project (59205300CC16)**

Agenda Text: The Board is requested to approve Capital Project Amendment No. 21CPA000023 appropriating \$250,000 of PAYGO (County Cash) fund balance funding to support a Durham Technical Community College (DTCC) building demolition capital project (59205300CC16).

DTCC is requesting the funds for the demolition of our old Facilities Building. The building is structurally unsound and Durham Tech has no further plans for the building. The Fire Marshall has condemned the rear of the building due to a partial loading bearing block wall failure. The building has numerous holes in the roof and is beginning to form black mold inside. Demolition of the building needs to occur soon, otherwise black mold will continue to grow increasing of the cost of demolition in the future.

Funding for the project will come from available County funds (PAYGO fund balance) and does not involve any new County financial support.

Alignment with Strategic Plan: This capital project amendment aligns with **Goal 1-Community and Family Prosperity and Enrichment**, through providing access to educational, vocational, economic and cultural opportunities and by providing support for educational opportunities that ensure high academic achievement.

Resource Persons: Andrew Kleitsch, DTCC Chief Financial Officer, Keith Lane, Director of Budget and Management Services,

County Manager's Recommendation:

The County Manager recommends that the Board approve Capital Project Amendment No. 21CPA000023 appropriating \$250,000 of PAYGO (County Cash) fund balance funding to support a Durham Technical Community College (DTCC) building demolition capital project (59205300CC16).

Sponsors: Lane

Attachments: [CPA-23 LEGAL FORM Appropriating \\$250,000 of PAYGO Fund Balance Fundi](#)

21-0108 Approve the Revised 2021 BOCC Board and Commissions Appointments

Agenda Text: The Board is requested to approve the revised 2021 BOCC Boards and Commissions Appointments.

This revision includes appointing Commissioner Nida Allam as the third member and Commissioner Nimasheena Burns as the alternate of Joint City-County Committee.

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

Resource Persons: Monica W. Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board approve the revised 2021 BOCC Boards and Commissions appointments.

Attachments: [2021 BOCC Board and Commission Assignments.11Jan21](#)

21-0109 Request Refund of Payment of Excise Tax to Bagwell, Holt, Smith P.A.

Agenda Text: The Board is requested to refund excise tax paid in error to Durham County to the Law Firm of Bagwell, Holt, Smith P.A. On October 14, 2020 a deed was electronically recorded in Durham County, with excise tax paid in the amount of \$1,150.00, which should have been filed in Orange County. Pursuant to N.C. General Statute, 105.228.37 *Before a tax is refunded, the taxpayer must record a new instrument reflecting the correct amount of tax due. If no tax is due because an instrument was recorded in the wrong county, then the taxpayer must record a document stating that no tax was owed because the instrument being corrected was recorded in the wrong county. The taxpayer must include in the document the names of the grantors and grantees and the deed book and page number of the instrument being corrected.*

When a taxpayer records a corrected instrument, the taxpayer must inform the register of deeds that the instrument being recorded is a correcting instrument. The taxpayer must give the register of deeds a copy of the decision granting the refund that shows the correct amount of tax due. The correcting instrument must include the deed book and page number of the instrument being corrected.

Before a tax is refunded, the taxpayer must record a new instrument reflecting the correct amount of tax due. (see Attached)

Pursuant to the request by Tonia Allen of Bagwell, Holt, Smith P.A., a refund in the amount of \$1,150.00 is requested due to the misfiling in the office of the Durham County Register of Deeds.

Alignment with Strategic Plan: Goal 5, Accountable, Efficient and Visionary Government. The refund is due pursuant to the statutory requirements.

Resource Persons: James R. Tabron, Assistant Register of Deeds.

County Manager's Recommendation: The County Manager recommends that the Board refund the overpayment in the amount of \$1,150.00 to Bagwell, Holt, Smith P.A.

Attachments:

[Return of excise tax request](#)

[Misfiled Deed - Durham County](#)

[Correcting instrument - Durham County](#)

[Correctly filed deed - Orange County](#)

21-0111

Increase for the Interlocal Agreement between the City of Durham and Durham County for the City to Provide Recycling Processing and Haul Services to Durham County for Target Recycling Materials

Agenda Text:

The Board is requested to authorize the County Manager to increase funding for the interlocal agreement with the City of Durham in the amount of \$140,000, for a total amount of \$350,000 for the City to provide recycling processing and hauling services to Durham County for target recycling materials.

When the Funds Reservation was set for FY21, it was not known how high the new rate would fluctuate, so the funds reservation was kept at the previous year's amount of \$210,000. Based on the information we have gathered during the first six months of this fiscal year, we have determined that we will need additional \$140,000 to continue processing recyclables for the remainder of FY21.

This request will not amend the interlocal agreement with the City of Durham. All the terms and tonnage fees shall remain unchanged as approved by the Board of County Commissioners on May 26, 2020.

Based on analysis of the first six months under a new variable fee structure, staff have determined that an additional \$140,000 will be needed for the current 2020-2021 fiscal year. Funding for this request will come from Solid Waste's contracted services fund.

Alignment with Strategic Plan: Durham County Government is responsible for

providing solid waste services to unincorporated residents in Durham County which includes curbside recycling, litter control and abatement, and the management of residential convenience sites. These responsibilities align with Strategic Plan Goal 4: Environmental Stewardship and Goal 5: Accountable, Efficient and Visionary Government. (brief statement and relevant goal)

Resource Persons: Motiryo Keambiroiro, Director of General Services, Chrissie Koroivui, Solid Waste Program Manager, Darius Allen, Waste Reduction Supervisor.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to increase the interlocal agreement with the City of Durham in the amount of \$140,000, for a total interlocal agreement amount of \$350,000 for the City to provide recycling processing and haul services to Durham County for target recycling materials and to execute future increases if within Solid Waste's contracted services fund.

Attachments: [Supplemental Document Solid Waste ILA Funding Increase](#)

21-0112 2020 Board of Adjustment Annual Report

Agenda Text: The Board is requested to receive the 2020 Board of Adjustment Annual Report.pages.

Alignment with Strategic Plan: Staff finds the request to align with Goal Five, "Accountable, Efficient and Visionary Government", of the strategic plan.

Resource Persons Jessica Dockery, AICP, CZO, Planning Manager, and Sara M. Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that the Board receive the 2020 Board of Adjustment Annual Report.

Attachments: [BOCC cover memo BOA report](#)
[Attachment 1 - .2020 Annual Report Memo-BOCC](#)
[Attachment 2 - 2020 Cases Heard by the Durham Board of Adjustment](#)
[Attachment 3 - BOA Attendance-All 2020](#)

21-0113 2020 Historic Preservation Commission Annual Report

Agenda Text: The Board is requested to receive the 2020 Historic Preservation Commission Annual Report.

Alignment with Strategic Plan: Staff finds the request to align with Goal Five, "Accountable, Efficient and Visionary Government" of the strategic plan.

Resource Persons: Karla Rosenberg, AICP, Senior Planner, and Sara M. Young, AICP, Planning Director.

County Manager's Recommendation: The County Manager recommends that

the Board receive the 2020 Historic Preservation Commission Annual Report.

Attachments: [BOCC Cover Memo 2020 HPC Annual Report - draft](#)
[Attachment 1- HPC Chair letter revised \(1\)](#)
[Attachment 2 CLG Report](#)
[Attachment 3 HPC Attendance-All 2020](#)

21-0114 **2020 Planning Commission Annual Report**

Agenda Text: The Board is requested to receive the 2020 Planning Commission Annual Report.

Alignment with Strategic Plan: Staff finds the request to align with Goal Five, “Accountable, Efficient and Visionary Government”, of the strategic plan.

Resource Persons: Grace D. Smith, AICP, CZO, Assistant Planning Director, and Sara M. Young, AICP, Planning Director.

County Manager’s Recommendation: The County Manager recommends that the Board receive the 2020 Planning Commission Annual Report.

Attachments: [BOCC cover memo PC report](#)
[Attachment 1- 2020 PC-BOCC report \(BB\)](#)
[Attachment 2- PC cases 2020 revised](#)
[Attachment 3- PC Attendance all1](#)

21-0121 **Board Approval - To Consider Allocating Economic Development Funds to Adverum**

Agenda Text: The Board was requested to hold a public hearing at the February 8, 2021 Regular Session meeting to consider allocating a total of \$653,000 to Adverum. There was one public comment received during the 24hr public comment period which ended on February 9, 2021.

The Board was also requested to authorize the County Manager to enter into preliminary negotiations and execute an agreement with the Company. The Company, which specializes in Gene Therapy production, will locate in Durham County, creating 202 jobs and investing \$82.8 million.

Adverum Biotechnologies is a clinical-stage gene therapy company targeting unmet medical needs in serious ocular and rare diseases. The Redwood City, Calif.-based biotechnology company is developing its lead gene therapy candidate ADVN-022 in ongoing clinical trials for wet age-related macular degeneration (AMD) and diabetic macular edema (DME). ADVN-022 is administered as a potential one-time, intravitreal injection for the treatment of wet AMD and DME, ocular diseases that impact millions of patients worldwide.

With approval of the award, the Company has agreed to make reasonable efforts to

participate in several workforce partnerships that include engagements with Durham Public Schools Career and Technical Education, Durham Technical Community College and North Carolina Central's University. Please find additional project details including a full list of partnerships, terms and project attributes in the briefing sheet attached to the agenda item.

Adverum Biotechnologies' new presence in North Carolina will be facilitated, in part, by a Job Development Investment Grant (JDIG) approved by the state's Economic Investment Committee on January 7th. Over the 12-year life of the grant, the project is estimated to grow the state's economy by nearly \$1.36 billion. Payments for all JDIG and local awards only occur following performance verification that the company has met its incremental job creation and investment targets. The anticipated revenue that the project will generate is at least twice the size of the proposed local award and payment to the Company occurs only after the annual verification of jobs and investment criteria starting in 2022.

Staff is recommending that the County provide \$653,000 in Economic Development Investment funds to Adverum subject to performance goals being met by the Company related to timing and amount of investment, employment creation and maintenance of the created jobs as well as partnership engagement criteria.

This public hearing has been advertised as required by law.

Alignment with Strategic Plan: This item aligns with Goal 4: Environmental Stewardship and Community Prosperity to promote and support the community and economic vitality for all residents

Resource Persons: Andrew Miracle, Economic Development Officer; Jay Gibson, General Manager Goal 4

County Manager's Recommendation: The County Manager recommends that the Board that the Board consider allocating a total of \$653,000 to Adverum and authorize the County Manager to enter into preliminary negotiations and execute and agreement with the Company.

Attachments: [Briefing Sheet - Adverum Biotechnologies Inc](#)

21-0123

Budget Ordinance Amendment No. 21BC0000085- Recognizing Help America Vote Act (HAVA) reimbursement funds made available by the State Board of Elections to the Durham County Board of Elections (\$192,290)

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No.21BCC0000085 recognizing \$192,290 of Help America Vote Act (HAVA) funds made available for eligible reimbursable expenses per the North Carolina State Board of Elections and Session Law 2020-17 enacted by the General Assembly. Expenses eligible for reimbursement from this funding are those incurred to improve

the administration of federal elections and to offset costs incurred to prevent, prepare for, and respond to the coronavirus pandemic during the 2020 federal elections, as authorized under HAVA Title I, Section 101. All expenses requested for reimbursement will be tracked consistent with federal, state, and county guidelines. Reimbursement requests against this subgrant may be made until June 30, 2021.

At the August 10, 2020 regular session, the County Board of Commissioners were provided with a summary of this reimbursement program along with the Board of Elections expectation to request a budget amendment ordinance to recognize these funds, once finalized, at a later date.

Alignment with Strategic Plan: Goal 5

Resource Persons: Derek L. Bowens, Elections Director; Crystally Wright, Compliance Manager; Claudia Odom Hager, General Manager; Anna Hawksworth, Budget and Management Analyst

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No.21BCC0000085 recognizing \$192,290 of reimbursement funds made available by the North Carolina State Board of Elections as authorized by Session Law 2020-17, enacted by the General Assembly.

Attachments:

[2021_Durham_HAVA Notice.pdf](#)

[2021_HAVA 2020 Grants FINAL.pdf](#)

[2021_HAVA Permissible and Impermissible Expenditures.pdf](#)

[AAF- 85 Recognize HAVA \\$192K funds for BoE](#)

[AAF- 85 Legal Form Recognize HAVA \\$192K funds for BoE](#)

[COVID Funding Summary 2 22 2021 Update.pdf](#)

21-0124

Capital Project Amendment No. 21CPA000024 Appropriating \$1,350,000 of PAYGO Fund Fund Balance for the Creation of a New Durham County Tax Department Software Purchase and Installation Capital Project (41401300DC01)

Agenda Text:

The Board is requested to approve Capital Project Amendment No.21CPA000024 appropriating \$1,350,000 of PAYGO Fund fund balance for the creation of a new Tax Department Software purchase and installation capital project (41401300DC01). Durham County Tax Administration (DCTA), for more than 20 years, has been using a comprehensive tax software solution based on an AS400 server. The current software lacks operating, and technology efficiencies offered through newer tax systems.

DCTA issued a RFP for Property Tax Software with an initial advertisement date of August 31, 2020, last day for questions of September 16, 2020 and a proposal due date of October 1, 2020 by 2:00pm. Six (6) proposals were submitted timely for

DCTA consideration. Two proposals emerged as leaders upon review. Tax Administration staff evaluated proposals including meeting with two NC counties that actively use each of the two top proposals. Additional details on the evaluation process are included on the supplemental form.

After an objective scoring approach whereby, each vendor was evaluated based on criteria as outlined in the RFP, Farragut scored significantly higher overall than other bid submissions. Staff believe Farragut has the best overall system that will afford the county opportunity to capitalize on efficiencies from the updated technology. While the Farragut system itself is the most impressive of those included in this evaluation, and in addition to being a clear leader in scoring, it should be emphasized the Farragut is fully minority owned and is based in Durham County. Farragut has been a member of the Durham community, and taxpayer, for many years.

On February 8, 2021, the Board of County Commissioners approved County authorization for the Tax Administrator and County Attorney to enter into contract negotiations with Farragut.

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

Resource Persons: T. Dwane Brinson, Tax Administrator. Claudia Hager, Goal 5 General Manager

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Amendment No.21CPA000024 appropriating \$1,350,000 of PAYGO Fund fund balance for the creation of a new Tax Department Software purchase and installation capital project (41401300DC01).

Sponsors: Lane

Attachments: [CPA-24 Legal Form Appropriating \\$1.35 Million of PAYGO Fund Balance Fundi](#)
[NCPTS Support Agreement.pdf](#)
[Farragut MSA and NCPTS Implementation.pdf](#)
[MWBE Compliance Review Form-AAF for 21-003 RFP 111620.pdf](#)
[Agenda Action Form Supplemental Document Tax Software.pdf](#)

21-0126 **Budget Amendment No. 21BCC000086 Appropriating \$104,125 General Fund fund balance for a contract with Kate's Korner to provide learning centers at three Durham Housing Authority communities.**

Agenda Text: The Board is requested to approve Budget Amendment No. 21BCC000086 appropriating \$104,125 of General Fund fund balance required to support a contract between Durham County Government and Kate's Korner and Durham Housing Authority to provide learning centers at three Durham Housing Authority (DHA) communities. ReCity Network serves as the fiscal agent for the learning centers

managed by Kate's Korner. This action was approved by the BOCC during the February 8, 2021 meeting. The budget amendment appropriates the funds to support the expense. The DHA team surveyed community parents to determine the need for additional distance learning support. Based on the survey results, 85 additional children require services. The Learning Centers serve the Hoover Road, Oxford Manor and McDougald Terrace communities. Families will benefit from their children having on-campus support for their children. In turn DHA and DPS asked Kate's Korner to be a service provider to meet these needs for the duration of the school year. ReCity Network serves as the fiscal agent for the learning centers managed by Kates Korner.

The contract supports an additional 85 students who reside in Durham Housing Authority Communities at the costs of \$175 per student per week. The rate is consistent with fees charged for youth program. The amount translates to \$35/day per student. The cost excludes overhead fees, as DHA will not charge Kate's Korner rent for the program space. The cost reflects 7 weeks of the third quarter totaling \$104,125.00. General Fund fund balance appropriation will be used to support the contract. An update will occur in March 2021 on the fourth quarter allocation.

Alignment with Strategic Plan: This item aligns with Strategic Goal One: Community Empowerment and Enrichment

Resource Persons: Wendell Davis, County Manager and Keith Lane, Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Amendment No. 21BCC000086 appropriating \$104,125 of General Fund fund balance required to support a contract between Durham County Government and Kate's Korner and Durham Housing Authority to provide learning centers at three Durham Housing Authority (DHA) communities.

Attachments: [Proposal for Durham County partnership with Kate's Korner](#)
[AAF-86 LEGAL FORM GF FB \\$124,125 for Kate Korner Learning Centers at D](#)
[COVID Funding Summary 2_22_2021 Update.pdf](#)

21-0144 **Budget Amendment Ordinance No. 21BCC000092 Transferring \$24,000 for Continued Housing of COVID+ Homeless Individuals**

Agenda Text: The Board is requested to review and approve Budget Amendment Ordinance No. 21BCC000092 transferring \$24,000 across Functional Areas to allow for continued housing of COVID+ homeless individuals.

In April 2020, near the beginning of the COVID19 pandemic, the County began providing safer, non-congregate housing options for many homeless individuals in Durham, particularly those associated with Urban Ministries of Durham. As some in our homeless population began to test positive, and recognizing the need to limit further spread, the County (and community) realized that COVID+ homeless

individuals needed their own, safe housing options where they could safely wait out their quarantine and be provided with some of the necessary supports (food, medical checks, etc.). In early July, the County executed a contract with Bergman Rentals (DBA Southern Repair Service) for two duplexes containing 14 beds. The initial contract expired at the end of December but was extended through the end of February to allow time for a full RFP process to be conducted.

The first RFP yielded no valid proposals, so after some discussion the County opted to re-bid the opportunity, offering some technical assistance to potential bidders. Proposals were due on Feb. 16th. This new RFP yielded one valid proposal (from the same provider who has been providing the duplexes since July 2020), which the review committee reviewed on Feb. 17th. The committee recommended negotiating with the bidder, which was done and which resulted in a number of facility improvements as well as a savings to the County of approximately \$2,400 per month. Those revised terms are reflected in the attached contract. The contract runs March 1st through June 30th, the soonest that 100% FEMA reimbursement will expire. It is not to exceed \$24,000, will be housed in the Office of Emergency Services, and will be executed by the Emergency Services Director.

Funds that were set aside at the outset of FY 2020-21 Budget are being used to cover this expenditure. The remaining balance of \$18,177 is being used from the original COVID set aside funds, and an additional \$5,823 is coming from the funds that were reserved for the economic uncertainty in revenue and expenditure needs captured from the hiring freeze. The need for a Budget Amendment is due to the adoption of the Budget Ordinance at the Functional Area level and this expense is being budgeted to be paid out of the Public Safety Function.

Alignment with Strategic Plan: Providing safe housing options for COVID+ homeless individuals primarily aligns with Goal 2 of the Durham County Strategic Plan, but also goals 1 and 3.

Resource Persons: Drew Cummings, Chief of Staff and director of the EOC Homeless Support Task Force and Food Security Task Force

County Manager's Recommendation: The County Manager recommends that the Board review and approve Budget Amendment Ordinance No. 21BCC000092 transferring \$24,000 across Functional Areas to allow for continued housing of COVID+ homeless individuals.

Attachments: [Southern Repair Service Contract](#)
[Southern Repair Service SoW](#)
[MWBE Compliance Review Form-AAF for 21-018R1 RFP 021820](#)
[AAF-92 LegalForm Increased Contract for COVID+ Housing Set aside funds \\$2](#)
[COVID Funding Summary 2_22_2021 Update.pdf](#)

7. Other Business (55min)

[21-0132](#) **Durham County Public Health Focused Update on the COVID-19 Crisis (10min)**

Agenda Text: The Board has requested a public health focused 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; 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

[21-0142](#) **Proposal Request to Support the Redevelopment of Durham's Historic Hayti District (20min)**

Agenda Text: The Board is requested to receive a proposal request seeking a \$50,000 investment from Durham County to support efforts towards the redevelopment of Durham's Historic Hayti District.

This redevelopment would also include a particular focus on the former Fayetteville Street Apartments. Mr. McKoy also shared this information with City of Durham seeking the same investment at their February 18, 2021 Work Session.

Alignment with Strategic Plan: This item aligns with Strategic Goal 5

Resource Persons: Henry McKoy, Jr., PhD, Lead Faculty and Director of Entrepreneurship, NCCU School of Business; Founding Director, Entrepreneurship Ecosystem Research Clinic and Lab (EERCL)

County Manager's Recommendation: The County Manager recommends that the Board receive a proposal request seeking a \$50,000 investment from Durham County to support efforts towards the redevelopment of Durham's Historic Hayti District.

Attachments: [Wendell Daivs - County Manager - Letter of Request - 2-11-21](#)
[Hayti Resilient Community - Kenan 9-23](#)
[Whitewashing Tulsa Black Wall Street - Jan 17 2021](#)

21-0125 **FY 2020-21 Fiscal Update (45min)**

Agenda Text: The Board is requested to receive an update on projected expenditures for FY 2020-21. This is a continuation from the mid-year fiscal update held during the February 8, 2021 BOCC meeting. Additional fiscal updates will occur during subsequent Board meetings.

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

Resource Persons: Claudia Odom Hager, General Manager; Susan Tezai, Chief Financial Officer; Keith Lane, Budget Director and Kathy Everette Perry, Human Resources Director

County Manager's Recommendation: The County Manager recommends that the Board receives the fiscal update.

Attachments: [2.22.21 PowerPoint Mid-Year Fiscal Update](#)
[FY 2020-21 DCo 2nd Quarter Budget Report - Final.pdf](#)
[1.25.21 - Second Quarter Preliminary Fiscal Outlook](#)
[Follow-up to BOCC Salary Related Questions 2_22_2021](#)

8. Board and Commission Appointments (10 min)**21-0128** **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:

- Board of Health
- Memorial Stadium Authority

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 a member to the aforementioned Boards and Commissions.

Attachments: [2.22.2021 BC Legistar](#)

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

10. Closed Session

[21-0162](#)

Closed Session

Agenda Text:

The Board is 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).

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

Resource Persons: Monica W. Toomer, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board adjourn to Closed Session and direct staff as appropriate.

11. Adjournment