



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, December 5, 2022

9:00 AM

Commissioners' Chambers

Work 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.

9:00 am Work Session Agenda

1. Ceremonial Items (10 min)

22-0717 Election of Chair and Vice-Chair of the Board of County Commissioners (10min)

Agenda Text: Senior Assistant County Attorney Larissa Williamson will preside over the election of the Board’s Chair. The newly elected Chair will preside over the election of the Vice Chair.

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

Resource Persons: Larissa Williamson, Senior Assistant County Attorney

County Manager’s Recommendation: The Interim County Manager recommends that the Attorney preside over the election of the Board.

2. Items to be Approved (15 min)

22-0690 Approval of Public Official Bonds (10min)

Agenda Text: The Board is requested to suspend the rules and approve the bonds of public officials on the first Monday of December of each year. Following approval, the bonds will be recorded in the Register of Deeds Office and then sent to the Clerk of Superior Court for safekeeping.

Alignment with Strategic Plan: This request aligns with Goal #5 (Accountable, Efficient, and Visionary Government)

Resource Persons: Willie Darby, Acting County Attorney and Janelle Owens, Risk Manager

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and approve the bonds as they meet the statutory requirements.

Attachments: [107008839 2022-23 Sheriff Birkhead Renewal Continuation Certificate](#)

[Sharon Davis - Continuation Cert 106527723_4](#)

[#106840365 - Susan Tezai - POB](#)

[TIMOTHY_DWANE_BRINSON_107122591_RENEWALCC](#)

[Public Official Bond Certificate Approval FY2022](#)

22-0720

Approval of 2023 Board of County Commissioners' Meeting Schedule (5min)

Agenda Text:

The Board is requested to suspend the rules and approve its 2023 meeting schedule. Once the schedule is approved, the Clerk's Office will place all dates on the Outlook calendar and invite all Commissioners and County staff required to attend to accept the meetings.

The approved calendar will be published on the website within 48 hours.

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

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

County Manager's Recommendation: The County Manager recommends that the Board suspend the rules and approve its 2023 Board of County Commissioners' meeting schedule.

Attachments: [BOCC 2023 DRAFT MEETING CALENDAR](#)

3. Citizen Comments (30 min)

22-0719

Citizen Comments (30min)

Agenda Text:

The Board of County Commissioners will provide a 30-minute comment period at a meeting once a month. Any citizen of Durham County wishing to speak shall have an opportunity to do so. The Board may direct staff to research and reply to the concerns, if appropriate. Speakers were asked to provide comments prior to the start of the meeting so that staff may reply to comments and/or questions. All speakers are requested to refrain from addressing issues related to personnel matters.

Alignment with Strategic Plan: Citizen engagement aligns with all five of the strategic goals by allowing the Board to receive comments and concerns from

the community related to important issues in Durham County.

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

County Manager's Recommendation: The County Manager recommends that the board receive citizen comments and direct staff to respond, as deemed appropriate.

4. Consent Agenda (15 min)

22-0635

Proposed Relocation of Abandoned "McGhee Family Cemetery"

Agenda Text:

The Board is requested to approve the relocation of 17 known, probable, and possible gravesites located within the abandoned cemetery identified as the "McGhee Family Cemetery" under the supervision of the Health Director or Health Director's designee pursuant to NCGS 65-106.

The request for Board approval is being made pursuant to NCGS 65-106 by the current property owner SCANNELL PROPERTIES #539, LLC (Deed Book 9384, Page 942 - 950) to accommodate the development and to provide better protection for the burials by relocating them to a perpetual care cemetery. The gravesites are proposed to be disinterred from the current location at 6622 S Alston Ave, Durham, NC 27713 to be reinterred in the Lowes Grove Baptist Church Cemetery located at 4358 S Alston Ave, Durham, NC 27713. This is a perpetual-care cemetery maintained by the Lowes Grove Baptist Church Trustees.

SCANNELL PROPERTIES #539, LLC has submitted a report to the Durham County Department of Public Health detailing historical and archaeological investigations of the cemetery and documenting due-diligence efforts regarding next-of-kin and public notice requirements per NCGS 65-106(b).

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

Resource Persons: Patrick Eaton, REHS, Onsite Water Protection Supervisor Durham County Department of Public Health, Andrew Smith, Scannell Properties, April Smith, PhD, RPA, TerraXplorations Inc.

County Manager's Recommendation: The County Manager recommends that the Board approve relocation of 17 known, probable, and suspected gravesites located within the abandoned cemetery identified as the "McGhee Family Cemetery" under the supervision of the Health Director or Health Director's designee pursuant to NCGS 65-106.

Attachments:

[AAF Supplemental Document - McGhee Family Cemetery](#)

[1_McGhee Family Cemetery Report](#)

[2_Removal of Graves NCGS 65-106](#)

22-0656**Enter into a Contract in the Amount of \$104,270.70 with Kontek Systems to Provide Audio Visual Support for all Durham County Conference and Courtrooms that Contain Audio Visual Equipment****Agenda Text:**

The Board is requested to authorize the County Manager to enter into a contract in the amount of \$104,270.70 with Kontek Systems to provide audio visual support for all Durham County conference and court rooms that contain audio visual using equipment. This contract will be funded from IS&T's FY 2022-2023 operational budget.

Durham County has 120 conference/court rooms spread out across County buildings. The contract includes coverage for yearly maintenance and repairs of broken equipment. Much of the equipment is no longer covered by warranty and many of the conference/court rooms utilize complex audio visual equipment.

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

Resource Persons: Greg Marrow, CIO; Kim Cook, IS&T Business Office Manager.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to enter into a contract in the amount of \$104,270.70 with Kontek Systems to provide audio visual support for all Durham County conference and court rooms that contain audio visual equipment. This contract will be funded from IS&T's FY 2022-2023 operational budget.

Attachments:

[Kontek AAF Supplemental Document - AV Support Services](#)

[KONTEK AV ENTERPRISE INSTALL REVISED WITH TAX INCLUDED 12152](#)

22-0660**Approve an Amendment of \$30,740.16 to the Westaff Staffing Contract to continue the Contracted Services of a Junior Software Developer, Increasing the Total Contract Amount to \$54,993.76****Agenda Text:**

The Board is requested to authorize the County Manager to approve an amendment of \$30,740.16 to the Westaff staffing contract to continue the contacted services of a junior software developer, increasing the total contract amount to \$54,993.76. This contract will be funded from IS&T's 2022-2023 operational budget.

This junior developer will continue to work with IS&T senior developers to assist in the implementation of an enterprise Public Records Request solution for Durham County Government. This project focuses on raising the visibility of public records requests, enhancing automation, and reporting capabilities, and improving the end user experience for Durham County residents and citizens. Further, this resource will provide software development support other County software applications being developed.

These enhancements will improve operational efficiencies and service delivery effectiveness. This request aligns with Goal 5: Accountable Efficient and Visionary Government. This amendment will increase the contract to \$54,993.76

Alignment with Strategic Plan: Goal 5 - Accountable, efficient, and visionary government.

Resource Persons: Greg Marrow, Kim Cook, IS&T Business Officer Manager.

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to approve an amendment of \$30,740.16 to the Westaff staffing contract to continue the contacted services of a junior software developer, increasing the total contract amount to \$54,993.76. This contract will be funded from IS&T's 2022-2023 operational budget.

Attachments: [AAF Westaff Junior Developer Supplement 09082022 v1](#)

22-0661

Approval to Renew the County's Three-Year Microsoft Enterprise Agreement Contract for the Continuation of Microsoft Licenses and Services, and to Authorize the County Manager to Execute Subsequent Maintenance Renewals, Amendments, and Annual Payments Not to Exceed the Existing Operational Budget. The Amount of this Enterprise Agreement Contract is \$1,300,000

Agenda Text:

The Board is requested to approve the renewal of the County's three-year Microsoft Enterprise Agreement contract for the continuation of Microsoft licenses and services. These Microsoft licenses and services will be purchased through SHI Corp., a reseller of technology products, per the State Convenience Contract 208C. The amount of this Enterprise Agreement contract is \$1,300,000 and will be funded from IS&T's current fiscal year 2022-2023 operational budget.

The Board is also requested to authorize the County Manager authority to execute subsequent maintenance renewals, amendments, and annual payments not to exceed the existing operational budget if the need arises. This authority will allow the flexibility to quickly respond to time sensitive matters if needed.

The licenses and services provided by the Microsoft Enterprise Agreement strengthen information security through the use of several best-of-industry cybersecurity tools, while allowing County employees usage of critical productivity tools and applications including Office 365.

Alignment with Strategic Plan: Efficient and effective operations of business applications supporting citizens across our County departments align with Goal 5 (Accountable, Efficient and Visionary Government) of the Strategic Plan

Resource Persons: Greg Marrow, Chief Information Officer, Kimberly M.

Cook, Senior Business Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to approve the renewal of the County's three-year Microsoft Enterprise Agreement contract for the continuation of Microsoft licenses and services, and to authorize the County Manager to execute subsequent maintenance renewals, amendments, and annual payments not to exceed the existing operational budget. The amount of this Enterprise Agreement contract is \$1,300,000.

Attachments: [MICROSOFT EA AAF SUPP 2022 \(2\)](#)

22-0674 **Greater Triangle Commuter Rail Study Memorandum of Understanding Extension Agreement**

Agenda Text: The Board is requested to approve the Greater Triangle Commuter Rail Memorandum of Understanding Extension Agreement.

In March 2020, Durham County adopted a resolution authorizing the County Manager and Board Chair to execute a Memorandum of Understanding to express the roles, responsibilities, and cost share of the project management partners for the next phase of study for the Greater Triangle Commuter Rail (GTCR) Project. This study has proceeded with the Board receiving several updates through 2020, 2021, and 2022. GoTriangle is preparing a final study report and intends to conduct final public engagement in early 2023. The regional partners, including Durham County, are then expected to decide on the future phases of the project in 2023.

The study schedule needs to be extended from the original end date of December 31, 2022, to December 31, 2023. No other changes are proposed to the original MOU, and no additional funding is anticipated beyond what had already been appropriated at the beginning of the study process.

Alignment with Strategic Plan: The Greater Triangle Commuter Rail project aligns with the Environmental Stewardship and Community Prosperity goal of the Strategic Plan by providing better transit services that connect to jobs, education, housing, healthcare, and opportunity.

Resource Persons: Ellen Beckmann, Durham County Transportation Manager; Katharine Eggleston, GoTriangle Chief Development Officer

County Manager's Recommendation: The County Manager recommends that the Board approve the Greater Triangle Commuter Rail Study Memorandum of Understanding Extension Agreement.

Attachments: [GTCR_Extension-to-GTCR-MOU](#)
[Fully Executed Commuter Rail MOU](#)

22-0675 **Budget Ordinance Amendment No. 23BCC00048 Public Health to Recognize \$2,422 from the NC DHHS Division of Public Health Epidemiology Section/Communicable Disease Branch for TB**

Infection and Disease Screening

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 23BCC00048 Public Health to Recognize \$2,422 from the North Carolina Department of Health and Human Services Division of Public Health, Epidemiology Section/Communicable Disease Branch for Tuberculosis infection and disease screening.

This increase in the grant funds provides temporary funding to the Health Department to enhance latent tuberculosis infection (LTBI) and active TB disease screening and treatment. This funding increase is in response to the Health Department's increased caseload of Ukrainian refugees and humanitarian parolees.

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 expanding essential public health services to control communicable diseases.

Resource Persons: Rodney Jenkins, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00048 Public Health to recognize funds in the amount of \$2,422 from the North Carolina Department of Health and Human Services Division of Public Health, Epidemiology Section/Communicable Disease Branch.

Attachments:

[AAF 551 Supplemental Document - Noncontract - AA 551 TB Control \(rev1\)](#)

[551 TB Control R-1](#)

[AAF-48 Legal Form](#)

22-0678

Request to Approve Amendment to Contract with Innovative Interfaces Incorporated

Agenda Text:

The Board is requested to provide approval to amend the first year of the contract with Innovative Interfaces Incorporated by an additional \$10,500. This will increase the first year of the contract to \$130,500 and will also increase the five-year contract total to \$430,500. In addition, the Board is requested to provide approval for the Manager to execute any other related contracts such as amendments and/or change orders, if necessary, not to exceed an additional \$20,000 annually.

On June 13, 2022, The Board authorized the County Manger to enter into a contract with Innovative Interfaces Incorporated to provide the Library with an Integrated Library System, as specified in RFP 22-014 for a total of \$120,000.00 for FY23. The contract total was originally \$420,000 for five years.

The \$10,500 will be for additional data and telephony migration and will come from the Library's existing budget. No additional funding is requested.

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

Resource Persons: Tammy Baggett-Best, Library Director; Katherine Makens, Resources and Finance Officer; Stephanie Fennell, Deputy Director.

County Manager's Recommendation: The County Manager recommends that the Board provide approval to amend the first year of the contract with Innovative Interfaces Incorporated by an additional \$10,500. This will increase the first year of the contract to \$130,500 and will also increase the five-year contract total to \$430,500. In addition, the County Manager recommends that the Board provide approval for the Manager to execute any other related contracts such as amendments and/or change orders, if necessary, not to exceed an additional \$20,000 annually.

Attachments: [FR 23-239 Innovative Interfaces Inc - COMPLETE](#)
[FY23 innovative data migration PURCHASING PACKET](#)
[FY23 innovative telephony PURCHASING PACKET](#)
[Innovative AAF Supplement](#)

22-0697

Increase the 300 E. Main St. Affordable Housing Redevelopment Master Development Agreement Through PAYGO Funding of \$1,500,000 and Loan #3 to Execute Amendment #2 to the Master Development Agreement for the Project

Agenda Text:

The Board is requested to approve a \$1,500,000 increase to the 300 E. Main St. Affordable Housing Redevelopment Master Development Agreement through Loan #3, as well as authorize the County Manager to execute an amendment to the previously approved Master Development Agreement for the project. (See Attachment 1&2)

Construction activities for the 300 E. Main St. Affordable Housing wrapper were previously slated to begin in June 2022. The affordable housing portion of the project was bid earlier with construction costs coming in significantly higher than previously estimated. These increases have become all too familiar due to the overall increases in labor and material cost, supply chain issues, inflation and others due to the COVID pandemic and current market pricing. The nature of this project is primarily stick-built framing and other elements including a significant amount of plumbing, mechanical, electrical, drywall, and finishes typical of residential construction of which all elements have seen recent cost increases. Laurel Street Residential (LSR) has informed Durham County that the current construction market and increased interest rates have created a \$1.5M financing gap that needs to be closed to allow the financial closing and construction activities to commence. Despite efforts from LSR to secure funding from NCHFA and others, this gap has not been closed.

The Master Development Agreement previously approved by the BOCC on December 14, 2020, and amended on February 28, 2022, will again be amended

to reflect these changes to the project. By expediting this approval, Durham County hopes to allow construction activities to begin to minimize further inflation and costs increases to the affordable housing portion of this redevelopment. Completion of the overall redevelopment will provide a parking solution for various County departments and citizens visiting the Human Services facility, the Childcare and retail locations and support the affordable housing initiative along E. Main St.

Funding for this contract amendment will come from \$1.5M of funding that is currently reserved within the Pay-As-You-Go (PAYGO) Fund. It is important to note that the current schedule has the private development closing slated for January 2023, which totals the initially agreed upon amount of \$5,965,000 (Loan #1) and \$3,800,000 (Loan #2) and now an additional \$1,500,000 (Loan #3) for utilization by LSR. Total County support will equal \$11,265,000 (Loan #1, 2 &3).

Alignment with Strategic Plan: This project is in accordance with Strategic Plan Goal 4 - Environmental Stewardship and Community Prosperity particularly Strategy 4.2.C - Regional Planning: Participate in smart growth practices and support regional planning partnerships to promote a high quality of life for all.

Resource Persons: Peri Manns, ASLA, LEED GA, Assistant General Manager; Sarah Odio, Associate Director, Development Finance Initiative; Susan Tezai, Chief Financial Officer; Keith Lane, Budget Director; Ronn Stewart, Senior Vice President, Laurel Street Residential; Jay Gibson, P.E. General Manager - Goal 4; Willie Darby, County Attorney; Sherrod Banks, Principal, Banks Law Firm; Deirdre Denechaud, Partner, Parker Poe Attorneys and Counselors at Law

County Manager's Recommendation: The County Manager recommends that the Board approve a \$1,500,000 increase to the 300 E. Main St. with the funding source from the PAYGO Fund for the Affordable Housing Redevelopment Master Development Agreement through Loan #3, as well as authorize the County Manager to execute an amendment to the previously approved Master Development Agreement for the project.

Attachments:

[Second Amendment to MDA \(003\)](#)

[300 - 4% with income averaging \(110 units\) - 2022.10.27 - Budget Comparison](#)

22-0700

Durham County Sheriff's Office Contract Approval with ePLUS Technology Inc. in the amount of \$185,435.88

Agenda Text:

The Board is requested to approve and authorize the County Manager to execute a 3-year contract with ePLUS Technology Inc. for a data security platform for the Sheriff's Office. The total amount of this 3-year contract shall not exceed \$185,435.88, but the funds will be encumbered and paid annually as follows: 1st year \$65,594.38; 2nd year \$59,920.75; 3rd year \$59,920.75.

This software provides an additional layer of security for the agency, which currently doesn't exist. This is an effort to make improvements in Information Technology for the Sheriff's Office after observing the devastating impacts of

the malware attack with the County. The Varonis system is a data protection platform, that identifies security holes, and assists in mitigating those deficiencies. This system also provides data classification and compliance that aligns with CJIS.

Funding has been identified for the first year of this contract. No additional spending authority is requested.

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

Resource Persons: Vincent Ritter, Director of Information & Telecommunications, Durham County Sheriff's Office; David LaBarre, Director of Planning & Development, Durham County Sheriff's Office.

County Manager's Recommendation: The County Manager recommends that the Board approve and authorize the County Manager to execute a 3-year contract with ePLUS Technology Inc. for a data security platform for the Sheriff's Office. The total amount of this 3-year contract shall not exceed \$185,435.88 with the funds to be encumbered and paid annually as follows: 1st year \$65,594.38; 2nd year \$59,920.75; 3rd year \$59,920.75.

Attachments:

[Attachment 1 ePlus \(Varonis\) Scope of Services Form FY2023](#)

[Attachment 1 Varonis Professional Services SOW - Durham Sheriff](#)

[Attachment 1B Term EULA \(Signatures\)](#)

[AAF Supplemental Doc EPlus](#)

[ePlus \(Varonis\) Service Contract FY2023](#)

[Attachment 1A EPLUS 22881041 DurhamCo VARONIS 3YR SUBSCRIPTION](#)

22-0709

Budget Ordinance Amendment No. 23BCC00049 - Appropriate General Fund Restricted Fund Balance Totaling \$1,344,307.20 to Increase Expenditure Authority for Cooperative Extension, Social Services, Library, CJRC, and Youth Home

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No. 23BCC00049 appropriating \$1,344,307.20 of General Fund restricted fund balance to increase expenditure authority for Cooperative Extension, Social Services, Library, CJRC, and Youth Home. This revenue is unspent monies that were received prior to June 30, 2022, for specific restricted purposes and became restricted fund balance at the end of FY 2021-22.

This budget amendment is an annual process in which County departments identify remaining (unspent) restricted revenue (e.g., grant, federal/state award, donations, etc.). Because they are restricted in General Fund fund balance, there is no impact on unassigned fund balance. This is a budgetary entry only for FY 2022-23 to allow the spending of the restricted monies for the purposes of which they were received rather than spending County funds which is in accordance with the County's spending hierarchy (e.g., restricted funding before

unrestricted funding).

Below is a list of programs with restricted fund balance as of FY 2021-22 to be allocated in FY 2022-23:

Allocation of Restricted Funds	AMOUNT
Cooperative Extension - Farm School	\$11,050.04
Social Services - Adoption Promotion Fund/Special Children Adoption Fund, Child Support Settlement/Incentives, HOPWA, APS Essential Funds, Duke Rate Settlement Fund	\$1,271,157.34
Library - Sun Trust Grant	\$14,393.82
CJRC - Local Reentry Council Grant, NC Justice Center Grant, MDP Program	\$44,998.81
Youth Home - Supply Chain Assistance Grant	\$2,707.19
Total:	\$1,344,307.20

Alignment with Strategic Plan: This request relates to the following elements of the Durham County Strategic Plan: The effort aligns with Goal #5 (Accountable, Efficient, and Visionary Government).

Resource Persons: Keith Lane, Budget and Management Services Director, David Ades, Budget and Management Services Assistant Director, and Heather Walker, Budget and Management Services Analyst

County Manager's Recommendation: The County Manager recommends approval of Budget Ordinance Amendment No. 23BCC00049 appropriating \$1,344,307.20 of General Fund restricted fund balance to increase expenditure authority for Cooperative Extension, Social Services, Library, CJRC, and Youth Home.

Attachments: [AAF-0049 LEGAL FORM Restricted rollover](#)
[AAF-0049 Restricted rollover supplemental form](#)

22-0710 **Holland Industrial Services, Inc. Contract Amendment for Triangle Wastewater Treatment Plant**

Agenda Text: The Board is requested to authorize the County Manager to enter into a contract amendment to increase the existing service contract with Holland Industrial Services, Inc. (RFP 19-013) (FR# 22-742) to provide on-call machinery and equipment repair services for the Triangle Wastewater Treatment Plant in the amount of \$32,000, bringing the total contract amount from \$60,000 to \$92,000.

The amendment will allow the repair of eight mixers currently needing repair and keep the Utilities Division in compliance with NPDES Permit NC0026051. The costs will be funded from the Enterprise Fund.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: "Environmental Stewardship and Community

Prosperity,” as this contract will ensure all associated mixers located at the TWWTP are maintained in a continual state of readiness.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns, ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director; and Wade Shaw, Utilities Superintendent

County Manager’s Recommendation: The County Manager recommends the Board to authorize the County Manager to enter into a contract amendment to increase the existing service contract with Holland Industrial Services, Inc. (RFP 19-013) (FR# 22-742) to provide on-call machinery and equipment repair services for the Triangle Wastewater Treatment Plant in the amount of \$32,000, bringing the total contract amount from \$60,000 to \$92,000.

Attachments:

[AAF Supplemental Document](#)

[Holland FR 22-742 Amendment 2](#)

[Holland FR 22-742 Amendment 1](#)

[Holland FR 22-742](#)

[Quote #1 Durham County Triangle WWTP SO#141308](#)

[Quote #2 Durham County Triangle WWTP SO#141309](#)

[Quote #3 Durham County Triangle WWTP SO#141310](#)

[Quote #4 141318](#)

[Quote #5 141716](#)

[Quote #6 141717](#)

[Quote #7 141719](#)

[Quote #8 SO#141718](#)

22-0711

Budget Ordinance Amendment No 23BCC00050 Transferring \$2,791,093.79 from the Human Services Functional Area to General Government (\$2,666,093.79) and to the Environmental Protection (\$125,000) Functional Areas to Support Ongoing General Services, Vehicle Purchases, and County Administration Operating Needs

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No 23BCC00050 transferring \$2,791,093.79 from the Human Services Functional Area to General Government (\$2,671,093.79) and to the Environmental Protection (\$120,000) Functional Areas to support ongoing General Services, vehicle purchases, and County Administration operating needs.

Funds have been identified to support funding realignment to ensure ongoing operations can continue in a few vital areas. Due to higher-than-expected costs related to inflation and supply chain issues, operating funds will be transferred from the Human Services Functional Area to cover increased operating costs for General Services, Solid Waste, vehicles and County Administration.

This amendment reallocates operating funds for the followed needs (See supplemental document for a more detailed listing where applicable):

1. General Services expenditures have increased for reasons that include unexpected increases to overall County utility expenses, contracted security and janitorial services, and inflation-driven cost increases for items such as HVAC repairs, fleet maintenance/repair, and gasoline. (\$1,300,000)
2. Solid Waste (Environmental Protection Functional Area) is requesting additional funds for unexpected increases to contracted services related to hauling and tipping fees, inflation-driven cost increases, fleet maintenance/repair, overall baseline costs, and gasoline. (\$125,000)
3. The Vehicles and Equipment fund center is requesting additional funds to allow the purchase of the 70 FY 2022-23 approved vehicles. General Services and the Sheriff Office continue to encounter vehicle quotes above the budgeted price. Most increases are due to supply chain constraints and inflation. In some cases, state contract prices are no longer being honored so General Services is going out to bid for vehicles, resulting in increased costs and the need to pay for advertising. General Services are working closely with vendors to purchase vehicles during tight purchasing windows with little ability to negotiate prices. (350,000)
4. County Manager's Office requires additional operating funds to support expenses associated with enterprise-wide training efforts including two cohorts of employees participating in the NACo High Performance Leadership Academy. The funds will also support the training efforts with the Racial Equity Implementation. The dollars will also support the expenses incurred with production and mailing of the recent General Obligation bond referendum brochures mailed to residents. Further, the funds will support recruitment efforts for key positions throughout the organization (\$300,000).
5. The remaining funds will be held in reserve to address operating expenses that are above current budget levels for smaller department units.

Alignment with Strategic Plan: This item aligns with Goal 3: Safe Community and Goal 5 Accountable, Efficient, Visionary Government.

Resource Persons: Claudia Hager, General Manager; Keith Lane, Budget and Management Services Director

County Manager's Recommendation: The County Manager recommends the Board of County Commissioners approve Budget Ordinance Amendment No 23BCC00050 transferring \$2,791,093.79 from the Human Services Functional Area to General Government (\$2,671,093.79) and to the Environmental Protection (\$125,000) Functional Areas to support ongoing General Services, vehicle purchases, and County Administration operating needs.

Attachments: [AAF-050 Legal Form.pdf](#)

[AAF-050 - Supplement Transferring \\$2,791,093.79 for General Govt and Env Pr](#)

22-0712

Machinery and Equipment Repair Contract Amendment with Alfa

Laval Inc.**Agenda Text:**

The Board is requested to authorize the County Manager to enter into a contract amendment to increase the existing service contract with Alfa Laval Inc. (FR#23-482) for machinery and equipment repair for the Triangle Wastewater Treatment Plant in the amount of \$39,995, bringing the total contract amount from \$20,000 to \$59,995 and request the Board to give authority to the Manager to execute any subsequent amendments in this fiscal year not to exceed a total contract amount of \$72,000.00. Additionally, we request the Board to approve the sole source exemption for this contract. The sole source letter is attached.

The initial contract for \$20,000 is for annual preventative maintenance services. It has been determined that centrifuge number two needs to be rebuilt due to several parts worn beyond repair and need replacement. The additional costs associated with the repair has been quoted at \$45,495 but was also noted on the quote that the last centrifuge that was rebuilt cost \$56,000.

The funds for this contract are covered by the Enterprise Fund.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: Environmental Stewardship and Community Prosperity, as these centrifuges are necessary for the Triangle Wastewater Treatment Plant to meet all permit limitations as specified in the facility's NPDES permit.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director of E&ES; and Wade Shaw, Utilities Superintendent

County Manager's Recommendation: The County Manager recommends that the Board authorize the County Manager to enter into a contract amendment to increase the existing service contract with Alfa Laval Inc. (FR#23-482) for machinery and equipment repair for the Triangle Wastewater Treatment Plant in the amount of \$39,995, and request the Board to give authority to the Manager to execute any subsequent amendments in this fiscal year not to exceed a total contract amount of \$72,000.00. Additionally, we request the Board to approve the sole source exemption for this contract.

Attachments:

[Supplemental Document](#)

[FR 23-482 Alfa Laval Inc. Contract](#)

[Sole Source 2022](#)

[DURHAM G270 10_22 BUDGET](#)

22-0713**Carolina Management Team, LLC Contract Amendment for Painting and Coating Services****Agenda Text:**

The Board is requested to authorize the County Manager to enter into a service contract amendment with Carolina Management Team, LLC for painting and coating services (RFP 21-039) (FR 23-432) for the Utilities Division in the

amount of \$40,000, bringing the total contract amount from \$150,000 to \$190,000.

In FY23, Carolina Management Team, LLC has currently completed rehabilitation of six (6) manholes and painting and coating repairs needed at the Slater Road Lift Station. They are currently scheduled to complete the rehabilitation of one vortex grit chamber located at TWWTP, Central Park Lift Station, and Davis Drive Lift Station. The amendment will cover painting and coating rehabilitation services for Page Road Lift Station and Woodfield Lift Station. Quotes are attached for Page Road and Woodfield Lift Stations.

Alignment with Strategic Plan: This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this contract ensures we continue to rehabilitate the aging infrastructure to allow for continued growth in the service area.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director of E&ES; and Wade Shaw, Utilities Superintendent

County Manager’s Recommendation: The County Manager recommends the Board authorize the County Manager to enter into a service contract amendment with Carolina Management Team, LLC for painting and coating services (RFP 21-039) (FR 23-432) for the Utilities Division in the amount of \$40,000, bringing the total contract amount from \$150,000 to \$190,000. Funding for these services comes from the Enterprise Fund.

Attachments:

[AAF Supplemental Doc](#)

[FR23-432 CMT Contract](#)

[22080-Durham Page Road Can Station](#)

[22076-Woodfield Creekstone Lift Station](#)

22-0714

Contract Amendment for dba Hydrostructures, P.A. (Duke’s Root Control, Inc.) for Utilities Division

Agenda Text:

The Board is requested to authorize the County Manager to enter into a contract amendment to increase the existing service contract with dba Hydrostructures, P.A. (Duke’s Root Control, Inc.) (RFP 20-016) (FR# 23-484) to provide manhole inspection services for the Utilities Division’s sewer collection system in the amount of \$50,000, bringing the total contract amount from \$92,000 to \$142,000.

The original proposal was for the inspection of 2,300 manholes but the system has expanded due to the increase in development and the County currently owns 2,974 manholes. Annual inspection cost increased this year and the County requested additional inspections to be completed which include semi-annual high-priority line inspections due to staff shortages and safety concerns. The amendment will allow for the inspection completion of the high-priority lines and eighty-five percent of the manholes. The costs will be funded from the

Enterprise Fund.

Alignment with Strategic Plan: The condition assessment of the sewer collection system provides for the efficient use of sewer rehabilitation funds and minimizes the risk of sanitary sewer overflows. This action is in accordance with Durham County Strategic Plan Goal 4: “Environmental Stewardship and Community Prosperity,” as this contract will ensure compliance with permit WQCS00038.

Resource Persons: Jay Gibson PE, General Manager; Peri Manns, ASLA, Assistant General Manager; Stephanie Brixey, Deputy Director

County Manager’s Recommendation: The County Manager recommends that the Board authorize the County Manager to enter into a contract amendment to increase the existing service contract with dba Hydrostructures, P.A. (Duke’s Root Control, Inc.) (RFP 20-016) (FR# 23-484) to provide manhole inspection services for the Utilities Division’s sewer collection system in the amount of \$50,000, bringing the total contract amount from \$92,000 to \$142,000.

Attachments:

[Supplemental Document](#)

[Hydrostructures dba Duke’s Contract](#)

[Hydrostructures_Dukes_Rate Sheet 2022](#)

[Durham Manhole Inspection Quote](#)

[Durham High Priority Quote - Rev](#)

22-0728

Environmental Enhancement Grant Memorandum of Understanding

Agenda Text:

The Board is requested to authorize the Chair to sign the Memorandum of Understanding with the North Carolina Attorney General’s Office accepting the 2022 Environmental Enhancement Grant in the amount of \$225,000 for the Neal Middle School Bioretention Project.

The North Carolina Department of Justice’s Environmental Enhancement Grant program began after a 2000 agreement between the Attorney General’s Office and Smithfield Foods. Under that agreement, Smithfield provides \$2 million to the state every year to be distributed among environmental projects across North Carolina. Including the 2022 grants, the Attorney General Office’s has awarded more than \$41 million to more than 210 projects in the state.

County Stormwater is responsible for selecting and constructing water quality projects to meet the County’s requirements under the Falls and Jordan Nutrient Management Strategies. Staff presented potential projects at the October 3, 2022 Work Session. The Neal Middle School project was selected as our first stormwater project to meet the Falls Rules’ requirements and will provide both water quality improvements and an educational opportunity for students at the school. The total grant project cost is \$450,000 and includes funds for construction of the bioretention pond and downstream channel stabilization,

water quality sampling before and after installation, and curriculum development around water quality. The grant funds will be matched by \$225,000 of Stormwater Utility Fee dollars. This grant amounts to an approximate savings of \$200,000 towards the cost of the project and furthers our program's guiding principle of Efficiency.

Alignment with Strategic Plan: This agenda item supports Goal 4: Environmental Stewardship and Community Prosperity.

Resource Persons: Ryan D. Eaves, PE, Stormwater and Erosion Control Division Manager

County Manager's Recommendation: The County Manager recommends that the Board authorize the Chair to sign the Memorandum of Agreement with the North Carolina Attorney General's Office.

Attachments: [DC022CR Neal Middle School Bioretention Project Proposal](#)

5. Discussion Items (105 min)

22-0698

Sheriff's Office Project Safe Neighborhood Presentation (45min)

Agenda Text:

The Board is requested to receive a presentation from the Sheriff's Office and the US Attorney's Office Middle District of North Carolina regarding Project Safe Neighborhood (PSN).

This initiative is a collaboration between the Durham County Sheriff's Office, local law enforcement agencies, and the Middle District of the US Attorney's Office, District Attorney's Office, UNCG Researchers, clergy and community members. The four pillars of PSN are Community Engagement, Prevention & Intervention, Strategic Enforcement, and Accountability (measuring results & evaluating programming).

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

Resource Persons: Clarence Birkhead, Durham County Sheriff, Durham County Sheriff's Office; Robert A.J. Lang, Assistant US Attorney, Middle District of North Carolina.

County Manager's Recommendation: The County Manager recommends that the Board receive a presentation from the Sheriff's Office and the US Attorney's Office Middle District of North Carolina regarding Project Safe Neighborhood (PSN).

Attachments: [PSN Presentation Durham Meeting \(002\)](#)

One Hour Lunch Break - Beginning at 11:45am

22-0718

American Rescue Plan Act (ARPA) Update (60min)

Agenda Text:

The Board is requested to receive an update on recommended ARPA grant

funding. Nonprofit organizations applied for grant funding in seven focus areas that aligned with the County's ARPA framework. Grant applicants submitted proposals in the following categories including: (1.) Capacity Building and Technical Assistance for Child Care; (2.) Expanding Access to Affordable Child Care; (3.) Improving Child and Family Social-Emotional and Mental Health (SEMH) - Children Ages 0-12; (4.) Improving Youth and Family Social-Emotional and Mental Health (SEMH) - Youth Ages 13-24; (5.) Youth Enrichment and Recreational Activities; (6.) Capacity Building for Culturally Affirming Maternal Health Support; and (7.) Crime Intervention Initiatives.

In March 2021, President Biden signed the American Rescue Plan Act (ARPA). Of the \$1.9 trillion package, Durham County will receive \$62,445,275. Funds must be incurred and obligated by December 31, 2024. In addition, all funds must be expended to cover obligations and all work must be completed by December 31, 2026. ARPA funding will be a transformative investment to the Durham community, with the goal of leveraging resources from other local, state, and federal dollars to optimize the potential overall community impact.

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

Resource Persons: Claudia Hager, General Manager; Gudrun Parmer, General Manager; Joanne Pierce, General Manager; Jay Gibson, General Manager; Crystally Wright, Assistant CFO.

County Manager's Recommendation: The County Manager recommends that the Board receives the update on ARPA funding.

Attachments: [ARPA Allocation Framework - May 2022](#)

6. Adjournment