



# Durham County

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

## Meeting Agenda Board of County Commissioners

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Tuesday, September 3, 2019

9:00 AM

Commissioners' Chambers

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### 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. Citizen Comments (30 min)

[19-0426](#)

#### 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 must sign in prior to the start of the meeting providing a mail/email address and telephone number so that staff may reply to comments and/or questions. Citizens who request an immediate response from the Board are encouraged to submit a brief description of the issue to the Clerk to the Board two weeks prior to the meeting to allow an opportunity for research prior to the meeting. All speakers shall have three minutes to speak and 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. Toomer, 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.

**2. Consent Agenda (15 min)****19-0364 Execution of Architectural Design Services Agreement with Moseley Architects for the New Durham County Youth Home Project No. 4400DC001****Agenda Text:**

The Board is requested to authorize the County Manager to execute a contract with Moseley Architects to provide design services for the New Durham County Youth Home, located at 2432 Broad Street, in the amount of \$1,577,825.00. (See Attachment 1, Pages 1-5).

This project is the design of a new 36-bed Durham County Youth Home to replace the existing 14-bed facility on the 8.1-acre site currently shared with the Durham County Fire Marshal's and Emergency Management Offices. The new expanded facility will be designed to facilitate best practices and accommodate housing of older juveniles after SB257 Juvenile Justice Reinvestment Act ("Raise the Age Law") takes effect on December 1, 2019. The design will follow the standards of the North Carolina Administrative Code 10A NCAC 14J, Rules and Laws Governing the Operations, Surveillance, and Monitoring of Jail Facilities, and the American Correctional Association Standards for Juvenile Detention Facilities. The existing Home will be demolished after the new facility is occupied. This project will be pursuing LEED Gold certification.

County staff is continuing efforts to secure a direct appropriation from the General Assembly for capital funding for the new facility and establishing a cost-sharing operational agreement with the North Carolina Department of Public Safety. Both of these efforts are ongoing and will continue during the design phase of the project.

A request for qualifications (RFQ) for architectural services for the facility was advertised on January 16, 2019. Three (3) responses were received on February 7, 2019 and were evaluated by a selection committee representing the Youth Home, General Services, and County Engineering. Moseley Architects was determined to be the most qualified firm for the project. Moseley Architects is located in Charlotte and Raleigh, NC. For MWBE participation information, see Attachment 2.

It is recommended that the County proceed with all work described in the Proposal dated July 23, 2019. Funding for the design and preliminary activities is available in the New Youth Home Capital Project Account.

**Alignment with Strategic Plan:** This request aligns with the County's Strategic Goal 3: Safe Community, Goal 4: Environmental Stewardship & Community Prosperity, and Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Peri D. Manns, ASLA, Interim Director of Engineering and Environmental Services; Jodi Miller, General Manager; Linda Salguero, AIA, CPD, Project Manager; Angela Nunn, Youth Home Director, and Dan Mace, AIA, LEED AP, Moseley Architects.

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the execution of a contract with Moseley Architects to provide design services for the New Durham County Youth Home.

**Attachments:** [AAF Supplemental Document - Contract Approval Youth Home.pdf](#)  
[Attachment 1 - New Youth Home Moseley Fee Proposal .pdf](#)  
[Attachment 2 - MWBE Compliance Review Form-AAF for 19-017 RFQ 062519.1](#)  
[DC Youth Home Building Assessment Report](#)  
[DCYH Program Study 042318 DIGITAL](#)  
[New Durham Youth Home Recommendations](#)

### **19-0378**

#### **Request to award Contract for Purchase of a Mini-Caliber Hazardous Device Robot for Sheriff's Office Hazardous Devices Unit.**

**Agenda Text:** The Board is requested to approve the sole source exemption and authorize the County Manager to enter into a contract with ICOR Technology, in the amount of \$62,380, for the purchase of an ICOR Mini-Caliber Robot (<https://icortechnology.com/robots/mini-caliber/>). This robot operates on a small unique platform designed specifically for emergency response and hazard missions.

The Durham County Sheriff's Office Hazardous Devices Unit currently utilizes two robotic platforms. The original platform (EOD Performance Vanguard II) was purchased in 2003 and is considered for general purpose Improvised Explosive Devices (IED) response. The other platform (Remotec F6A) is a larger remote vehicle capable of performing advanced tasks in regards to explosive mitigation. The larger F6A platform cannot fulfill some general purpose missions due to its size and limited abilities entering buildings and other structures. A platform such as the current Vanguard II, due to its smaller size and reduced footprint, can operate in close quarters and perform missions in conjunction with tactical operations. The current Vanguard II has outdated technology, does not meet current standards, and no longer operates as designed due to age and usage.

ICOR Technology Inc. is the exclusive designer, manufacturer and Canadian distributor of the Mini - CALIBER® robot. This robot is not manufactured or duplicated by any other manufacturer, nor is there any equivalent robot that resembles or operates similar to the Mini - CALIBER® robot.

**Alignment with Strategic Plan:** This supports Durham County's Strategic Plan: Goal 3 Safe Community

**Resource Persons:** David LaBarre, Durham County Sheriff's Office, Director of Planning & Development.

**County Manager's Recommendation:** The County Manager recommends that the Board approve the sole source exemption and authorize the County Manager to enter into a contract with ICOR Technology, Inc. for the Mini-Caliber robot in the amount

of \$62,380.

**Attachments:**

[AAF Supplemental Sole Source - ICOR Robot](#)

[ICOR Sole Source - Mini - Durham County Sheriff - NC - July 26 2019](#)

[ICOR QUOTE FY20](#)

[ICOR Robot Memo](#)

**19-0379**

**Support for a County Application for the Environmental Enhancement Grant Program**

**Agenda Text:**

The Board is requested to provide a letter of support for the County Engineering and Environmental Services Department to apply for a grant from the North Carolina Attorney General's Environmental Enhancement Grant Program. The County will seek \$300,000 to develop a watershed management plan in the Lake Michie Watershed.

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

**Resource Persons:** Ryan D. Eaves, PE, Stormwater and Erosion Control Division Manager; Jay Gibson, PE, General Manager

**County Manager's Recommendation:** The County Manager recommends that the Board provide a letter of support for application to the Environmental Enhancement Grant Program.

**19-0383**

**Budget Ordinance Amendment No. 20BCC000007 - Move the Medical Examiner budget to the Department of Social Services budget**

**Agenda Text:**

The current medical examiners' system is a statewide program supervised and financed largely at the State level. The County pays a set cost for each examination and autopsy performed on residents who die within the County. Medical Examiner fees were changed by the state legislature in October 2015 and are set at \$200 per examination and \$1,750 per autopsy. The County's approved FY19/20 budget includes \$250,000 for these services. Recent changes at the State (NC General Statute 130A-481) now require that the County provide Medical Examiners a space for the medical examination when residents die within the County. This recent change requires Durham County to enter into an agreement with a local mortuary to provide this service. The Department of Social Services has an existing agreement with Quality Mortuary and this existing agreement will be used to provide the space for the examinations.

This Board of County Commissioners action is administrative only and will move what has been a separate Medical Examiner Business Area and place it in the Department of Social Services as a Fund Center. This will provide for oversight of these recent and future changes as well as provide greater flexibility due to the annual variability in these expenditures.

**Alignment With Strategic Plan:** Goal #5, Accountable, Efficient, and Visionary Government

**Resource Persons:** Keith Lane, Director, Budget & Management Services; and David Ades, Assistant Director, Budget & Management Services

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 20BCC000007 to move the Medical Examiner budget to the Department of Social Services budget.

**Attachments:** [AAF-07 Move Medical Examier budget to DSS \\$250,000](#)  
[County Storage Facility Letter - June 2019](#)

**19-0388**      **Request to Award Contract for Sole Source Purchase of Online Public Catalog from BiblioCommons**

**Agenda Text:**      The Board is requested to provide approval for sole source exemption for the purchase of the BiblioCore online public access catalog from BiblioCommons in the amount of \$60,384.14. This Software as a Service product will replace the Library's outdated online catalog. Patrons use the Library's catalog to search for materials, access their accounts, place holds on items, renew items, and pay fines and fees.

**Alignment with Strategic Plan:** This request aligns with Strategic Plan Goal 5, Accountable, Efficient and Visionary Government, by providing modern technology systems that enhance customer service to Library patrons at a reduced cost.

**Resource Persons:** Tammy Baggett, Library Director; Katherine Makens, Resources and Finance Officer; Matthew Clobridge, Technology Management Administrator

**County Manager's Recommendation:** The County Manager recommends that the Board approve the sole source exemption and authorize the County Manager to enter into a contract with BiblioCommons in the amount of \$60,384.14 for the purchase of the BiblioCore online public catalog and associated modules.

**Attachments:** [BiblioCommons AAF Supplemental](#)  
[BiblioCore Sole Source Letter](#)  
[BiblioCommons Master Agreement](#)

**19-0389**      **Budget Ordinance Amendment 20BCC00008 for Durham County's FY2020 Home and Community Care Block Grant (HCCBG) Funding Plan and the Department of Social Services to Recognize Additional HCCBG Funds in the Amount of \$115,624 which includes the required Durham County DSS Local Match of \$74,174. The local match will be funded with a fund balance appropriation**

**Agenda Text:**      The Board is requested to approve The Home and Community Care Block Grant

Funding Plan. The Home and Community Care Block Care Grant (HCCBG), as authorized in G.S. 143B-181.1(a) (11), is designed to improve the planning and coordination of in-home and community-based services provided to North Carolina's older adults. It is also intended to promote the visibility of aging programs at the local level by giving counties increased flexibility with respect to funding aging services available through the Block Grant. The majority of funding comprising the HCCBG is authorized by the federal Older Americans Act. There are federal mandates and priorities established by the Older Americans Act. However, the legislation provides for state and local discretion in the funding of particular services and programs.

The Board is also requested to approve the Department of Social Services request to recognize additional Home and Community Care Block Grant (HCCBG) Funds subsequent to adoption of the FY2019-2020 Budget. The Department (DSS) and the Durham Center for Senior Life (DCSL) are co-lead agencies for receiving the HCCBG funds and administering the programs. The goal of services provided under this grant is to enable recipients to stay at home longer; receiving the care and services they need in their own homes, thus reducing the necessity for out of home placement. Services provided are Adult Day Care Services, Congregate Meals, Senior Center Operations, Information and Case Assistance, Transportation, Home Delivered Meals and In-Home Aide Services.

Counties are advised to base HCCBG services planning on current year funding levels when preparing the new fiscal year budget because the HCCBG Funding Plan is not approved by the BOCC until June or later. Therefore, DSS FY2019-20 Adopted Budget was \$673,568 which was FY2018-2019 initial funding. The Department recognizes \$115,624 which is the difference between the FY2018-19 adopted budget and the FY2019-2020 approved funding plan and \$10,012 which is the difference in the funding plan and the department's budget for a total increase of \$115,624, which includes a county contribution of \$74,174 which will be funded by fund balance appropriation.

<u>HCCBG</u>	<u>Initial Allocation</u>	<u>Increase/Decrease</u>	<u>Revised Allocation</u>
Durham Center for Senior Life	\$764,836	\$30,123	\$794,959
Durham Co. Dept. Of Social Services	\$673,568	\$115,624	\$789,192*
TOTAL HCCBG ALLOCATION	\$1,438,404	\$145,747	\$1,584,151

\*DCo DSS Local match of \$74,174 included

<u>HCCBG</u>	<u>DSS Adopted Budget</u>	<u>Increase/Decrease</u>	<u>DSS Revised Budget</u>
DSS-Expense	\$673,568	\$115,624	\$789,192
DSS-Revenue	\$609,406	\$105,612	\$715,018
Fund Bal App	\$64,162	\$10,012	\$74,174

**Alignment with Strategic Plan:** Goal 2: Health and Well-being for All which decrease the health disparities within the community.

**Resource Persons:** Joan Pelletier, Chair, Durham Partnership for Seniors; Judy Kinney, Executive Director, Durham Center for Senior Life; and Janeen Gordon, Assistant Director for Aging and Adult Services, Durham County Department of Social Services.

**County Manager's Recommendation:** The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment 20BCC00008 to recognize the additional Home and Community Care Block Grant Funds in the amount of \$115,624 for the Department of Social Services which includes the required Durham County DSS Local Match of \$74,174. The local match will be funded with a fund balance appropriation.

**Attachments:** [1a.HCCBG AAF Supplemental Document](#)  
[1. HCCBG Initial Plan DCo DSS & DCSL](#)  
[AAF-08 Legal Form DSS HCCBG additional funding](#)

**19-0393**      **Budget Ordinance Amendment No. 20BCC00009 - Approval of a Fund Balance Appropriation in the General Fund in the Amount of \$225,579 for Epic Community Connect Hardware and Interfaces**

**Agenda Text:**      The Board is requested to approve Budget Ordinance Amendment No. 20BCC00009 appropriating fund balance in the General Fund in the amount of \$225,579 for the purchase of hardware and interfaces for the Epic Community Connect Electronic Medical Record System.

In FY19 Public Health received excess Medicaid Cost Settlement funds over the budgeted total which fell to the General Fund fund balance.

The Board of Health has approved this amendment

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

**Resource Persons:** Gayle B. Harris, MPH, Health Director

**County Manager's Recommendation:** The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 20BCC00009 appropriating General Fund fund balance in the amount of \$225,579 for the purchase of hardware and interfaces for the Epic Community Connect Electronic Medical Record System.

**Attachments:** [AAF-09 Legal Form PH Epic Community Connect Hardware and Interfaces \\$22](#)  
[AAF-09 Supplement GF Fund Balance Appropriation for PH Epic Community Co](#)

**19-0397****Budget Ordinance Amendment No. 20BCC000010 to Recognize \$5,000 from Duke University Division of Community Health****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 20BCC000010 to recognize \$5,000 from the Duke University Division of Community Health.

This provides funding to the Durham County Department of Public Health to compensate for food and supplies for specified Men's Health events to include a mini conference, outreach/recruitment and a co-branded program.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

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

**Resource Persons:** Gayle B. Harris, MPH, Health Director

**County Manager's Recommendation:** The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No. 20BCC000010 to recognize \$5,000 from the Duke University Division of Community Health.

**Attachments:**

[AAF-10 Legal Form PH Duke grant for Men's Health events \(\\$5,000\)](#)

**19-0398****Budget Ordinance Amendment No. 20BCC000011 to Recognize \$2,000 from Duke University Division of Community Health****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 20BCC000011 to recognize \$2,000 from the Duke University Division of Community Health.

This provides funding to the Durham County Department of Public Health to compensate for the hiring of workers to complete the 2019 Community Health Opinion Survey.

The Board of Health has approved this amendment.

Please note that this amendment requires no additional County funds.

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

**Resource Persons:** Gayle B. Harris, MPH, Health Director

**County Manager's Recommendation:** The County Manager recommends that the Board of County Commissioners approve Budget Ordinance Amendment No.



20BCC000011 to recognize \$2,000 from the Duke University Division of Community Health.

**Attachments:** [Payment 2019 Community Survey Expenses](#)  
[AAF-11 Legal Form PH Duke University Grant to help complete the health opini](#)

**19-0399**     **Budget Ordinance Amendment No. 20BCC000013 - Approval of a Fund Balance Appropriation in the General Fund in the Amount of \$125,000 for Jail Medical Care**

**Agenda Text:**     The Board is requested to approve Budget Ordinance Amendment No.20BCC000013 appropriating fund balance in the General Fund in the amount of \$125,000 for Jail Medical Care for detainees in the Durham County Detention Center.

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:** Gayle B. Harris, Public Health Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No. 20BCC000013 appropriating fund balance in the General Fund in the amount of \$125,000 for Jail Medical Care for detainees in the Durham County Detention Center

**Attachments:** [AAF-13 Legal Form PH Jail Health contract additional \\$125,000](#)

**19-0404**     **Capital Project Amendment No. 20CPA000003 - Reducing the General Services On-going Roof Replacement Capital Project (4190DC073) by \$107,500 and General Services On-Going HVAC Replacement Capital Project (4190DC076) by \$160,000 and Appropriating \$267,500 to increase the Judicial Annex Renovations Capital Project No. 4730DC141**

**Agenda Text:**     The Board is requested to approve Capital Project Amendment No. 20CPA000003 reducing General Services Capital Project No. 4190DC073 by \$107,500 and Capital Project No. 4190DC076 by \$160,000 and appropriating \$267,500 to increase the capital project for the Judicial Building Annex Renovations.

As part of its ongoing maintenance of County facilities, General Services had scheduled upgrades to the elevator and replacement of the roof and rooftop HVAC equipment at the Judicial Building Annex. The planned Judicial Building Annex Renovation project was programmed as an interior renovation of floors 2 and 3 with replacement of the antiquated water heater and fire alarm system. To simplify the replacement/renovation

processes, realize some economy of scale, and avoid repeated disruptions to the occupants due to multiple construction projects, Project Management and General Services agreed to add the scheduled replacement projects to the Judicial Annex renovation project.

This Capital Project Amendment transfers the funding from General Services' Ongoing Roof Replacement and Ongoing HVAC replacement projects which had been allocated for the Judicial Building upgrades into the Judicial Building Annex Renovation project.

<b>Project Budget</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised</b>
Judicial Building Annex (4730DC141)	\$4,650,427	\$267,500	\$ 4,917,927
General Services (4190DC073)	\$3,731,273	(\$107,500)	\$ 3,623,773
General Services (4190DC076)	\$2,457,990	(\$160,000)	\$ 2,297,990
<b>Total</b>	<b>\$10,839,690</b>	<b>\$0</b>	
<b>\$10,839,690</b>			

The decision to have Probation and Parole (Orange St. location) relocate into the floors 2 and 3 of the Judicial Building Annex was determined during the programming effort for the Judicial Building Renovation (Administration Building II). The work involved a full renovation of floors 2 and 3 for the purpose of Probation and Parole operations, and upgrades to the 1st floor lobby. First floor work will install new entry doors and construct a wall to divide the existing lobby, thereby creating separate entrances for the BoE and Adult Probation and Parole. Outdated building services replacement including the water heater, fire alarm system, and building security system were included. The expanded project now includes replacement of the elevator, roof, and HVAC equipment.

**Alignment with Strategic Plan:** This aligns with Goal 3 - "Safe and Secure Community" as the goals of the NC DPS Adult Probation and Parole Office are to protect the safety of citizens by providing viable alternatives and meaningful supervision to offenders on probation, parole or post-release supervision, to positively affect their behavior and lifestyle patterns, and to help offenders learn to live within the law. This also aligns with both Goal 4 & 5 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment and by providing more efficient service delivery and better customer service.

**Resource Persons:** Peri Manns, ASLA, LEED GA, Interim Director of Engineering; James Faress, P.E., Senior Project Manager; Linda C. Salguero, AIA, CPD, Project Manager, Keith Lane, Director of Budget and Management Services, Shawn Swiatocha, Assistant Director of General Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approve Capital Project Amendment No. 20CPA000003 Reducing the General Services On-going Roof Replacement Capital Project No. 4190DC073 by \$107,500 and General Services On-going HVAC Replacement Capital Project No. 4190DC076 by \$160,000 and appropriating \$267,500 to increase the capital project for the Judicial

Annex Renovations.

**Attachments:** [CPA-03 Legal Form Moving funds from 2 General Services Projects to the Jail /](#)

**19-0413**      **Budget      Ordinance      Amendment      No.      20BCC000012 -      Recognize  
\$38,902 in US DOJ grant  
revenue for CJRC**

**Agenda Text:**      The Board is requested to approve Budget Ordinance Amendment No.20BCC000012 to recognize \$38,902 in grant revenue from the US Department of Justice (US DOJ). The US DOJ in September 2018 awarded the Criminal Justice Resource Center the *Integrated Reentry Services: Improving Reentry for Adults with Co-occurring Substance Abuse and Mental Illness* grant totaling \$749,771. The department will budget \$38,902 to satisfy the Planning and Implementation Guide requirement in the grant's first year.

Durham County and the Criminal Justice Resource Center will use the grant funding to provide pre-and post-release services to persons in the Durham County Detention Center. The project will establish a comprehensive case planning and reentry coordination process that begins during detention and extends into reentry.

**Alignment with Strategic Plan:** This agenda item aligns with Durham County's Strategic Plan Goal 2: Health and Well Being for All, and Goal 3: Safe Community.

**Resource Persons:** Gudrun Parmer, CJRC Director

**County Manager's Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment No.20BCC000012 to recognize \$38,902 from the US Department of Justice (US DOJ) to be used by CJRC for reentry planning, coordination, and services.

**Attachments:** [AAF Supplemental Document - CJRC Budget Amendment, US DOJ Grant](#)  
[AAF-12 Legal Form NC DOJ grant for CJRC \(\\$38,902\)](#)

**19-0416**      **Design      Services      Amendment      for      Triangle      Wastewater      Treatment  
Plant Efficiency and Resiliency Improvement Projects**

**Agenda Text:**      The Board is requested to authorize the County Manager to enter into a contract amendment to increase the existing design consultant contract with Black & Veatch International Company (FR# 17-832) for the Efficiency and Resiliency Improvements Project (RFQ 17-012) in the amount of \$29,900, bringing the total contract amount from \$441,500 to \$471,400, and to execute any other related contracts, including amendments, not to exceed \$500,000.

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

**Resource Persons:** Jay Gibson PE, General Manager; Peri Manns ASLA, Interim General Manager; Stephanie Brixey, Deputy Director of Engineering and Environmental Services; Vince Chirichella PE, Senior Project Manager

**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 design consultant contract with Black & Veatch International Company (FR# 17-832) for the Efficiency and Resiliency Improvements Project (RFQ 17-012) in the amount of \$29,900, bringing the total contract amount from \$441,500 to \$471,400, and to execute any other related contracts, including amendments, not to exceed \$500,000.

**Attachments:** [AAF Supplemental Documnet 08.21.2019](#)  
[Signed Original Contract](#)  
[Amendment #1](#)  
[Amendment #2](#)  
[Amendment #3](#)  
[Amendment #4](#)  
[Amendment #5](#)  
[Amendment #6](#)  
[MWBE Compliance Review Form - AAF](#)  
[Scope & Fee Letter](#)

**19-0417      **Agricultural Lands Easement (ALE) Grant Award and 2019 Cooperative Agreement for the Len Needham Farm****

**Agenda Text:** The Board is requested to approve a 2019 Cooperative Agreement between the County and the United States by and through the Commodity Credit Corporation (CCC), for \$99,000 to provide federal grant support towards the protection of the Len Needham farm in northeastern Durham with a permanent conservation easement. The CCC is the federal entity that disburses grant funds under the federal Agricultural Lands Easement Program (ALE). The grant funds are awarded to reimburse Durham County for 50% of the approved appraised value for the acquisition of a conservation easement on 33 acres owned by Len and Cindy Needham.

The Board of County Commissioners previously approved the acquisition of a conservation easement on the Needham farm and corresponding grant submittal in April 2019. The funding for the county's share of the conservation easement was approved from the open space and farmland capital project at that time. The attached federal cooperative agreement award for \$99,000 will pay for 50% of the cost of the appraised value of the easement acreage at the time of closing. The federal ALE funds are distributed as a "pass through" from the CCC to the state's Natural Resources Conservation Services (NRCS) offices, which administers the program and awards the grants. The funds are paid at the time the easement on each farm is conveyed. The county's matching funds for the easement was previously set aside from the open space and farmland capital project account when the option to purchase the easement was previously approved by the Board, so no additional funding is needed for this easement.

**Alignment with Strategic Plan:** This conservation easement helps to implement Strategic Plan Goal 4, “Environmental Stewardship and Community Prosperity,” by increasing the amount of open space and farmland that has been protected by Durham County. The federal funds in this cooperative agreement supports Goal 5 “Accountable, Efficient and Visionary Government” by leveraging additional funding to stretch county open space funding.

**Resource Persons:** Jane Korest, Division Head for Open Space & Real Estate; Celeste Burns, Open Space Coordinator, Peri Manns, Deputy Director of Engineering and Environmental Services

**County Manager’s Recommendation:** The County Manager requests that the Board approve the 2019 Cooperative Agreement between Durham County and Commodity Credit Corporation for \$99,000; and to authorize the County Manager to execute the Cooperative Agreement and the corresponding conservation easements on the Len and Cindy Needham farm. A final budget for the farm easement will be brought back to the Board prior to closing

**Attachments:**

[AAF Supplemental Document - 2019 Coop Agreement Sept Needham Farm](#)

[Exhibit A Needham Farm Context](#)

[Exhibit B Needham Farm Aerial](#)

[Exhibit C Northern Durham Farm Easements](#)

[Exhibit D ACEP-ALE FY2019 Grant Agreement Terms](#)

**19-0424**

**Budget Ordinance Amendment 20BCC000014 - Recognize \$297,900 from CCTA Grant and approve contract for same amount with C3 Pathways, Inc.**

**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment 20BCC000014 to recognize \$297,900 in Complex Coordinated Terrorist Attack (CCTA) grant revenue, as well as approve a \$297,900 contract with C3 Pathways Inc. to provide training on the plan created by Hagerty Consulting Inc.

County Emergency Management was previously awarded a Complex Coordinated Terrorist Attack (CCTA) Federal Grant in the amount of \$931,500, which recognized by the BOCC on January 8, 2018

(<https://www.dconc.gov/Home/Components/News/News/4480/31>>).

**Alignment with Strategic Plan:** This request aligns with the County’s Strategic Goal 3: Safe Community

**Resource Persons:** Leslie O’Connor, Division Chief of Emergency Management

**County Manager’s Recommendation:** The County Manager recommends that the Board approve Budget Ordinance Amendment 20BCC000014 to recognize \$297,900 in Complex Coordinated Terrorist Attack (CCTA) grant revenue, as well as approve a \$297,900 contract with C3 Pathways Inc. to provide training on the

plan created by Hagerty Consulting Inc.

**Attachments:**     [AAF Supplemental Document Contract Approval](#)  
                              [C3 Pathways Service Agreement](#)  
                              [C3 Pathways Scope of Services](#)  
                              [AAF-14 Legal Form CCTA Grant for \\$297,700](#)  
                              [MWBE Compliance Review Form-AAF for 19-024 RFP 051619](#)  
                              [19-024 CCTA Regional Training Development Delivery](#)  
                              [C3 Pathways Proposal](#)  
                              [C3 Pathways Proposal Addendum 1](#)  
                              [Federal Uniform Guidance](#)  
                              [C3 Pathways COI](#)

### 3. Discussion Items (230 min)

#### **19-0415**     **Durham County Transit Plan Project Update (30min)**

**Agenda Text:**     The Board is requested to receive a presentation and provide comments on the Durham County Transit Plan Project Update.

**Summary.** Representatives from the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHC MPO), GoTriangle, Durham County, City of Durham, and Triangle J Council of Governments have formed a team to complete the Durham County Transit Plan starting this summer, 2019. The City-County Planning Department will provide monthly updates to the Board of Commissioners.

Attachments:

Attachment 1: Durham County Transit Plan Memo

**Alignment With Strategic Plan:** The Durham County Transit Plan will emphasize Goal 2, “Health and Well-Being for All”, by providing an integrated strategy to improve mobility, service and access to key facilities in Durham. Goal 3, “Safe Community”, will be addressed through the consideration of vital travel safety concerns within the plan. Since the plan will focus on refining a highly valued and sustainable form of transportation for the whole community, it will also align with Goal 4, “Environmental Stewardship and Community Prosperity”. Lastly, the Durham County Transit Plan will align with Goal 5, “Accountable, Efficient and Visionary Government”, as it is focused on improving the quality of service for residents riding transit in the community.

**Resource Persons:** Brooke Ganser, Planner, Durham City-County Planning, and Scott Whiteman, Planning Manager, Durham City-County Planning.

**County Manager’s Recommendation:** The County Manager recommends that

the Board receive a monthly update on the Durham County Transit Plan, and provide any comments and questions regarding the project.

**Attachments:**     [Transit Plan Memo](#)  
[Durham Transit Team Agenda 8 27 19](#)  
[Durham County Transit Plan - Status Update](#)

#### **19-0434**     **Commuter Rail Project Update (30min)**

**Agenda Text:**     The Board is requested to receive this update from GoTriangle staff on the status of the Commuter Rail Transit (CRT) project and study and to ask any questions they wish.

Durham County has helped fund a consultant's study of the proposed CRT project and the study is well under way. GoTriangle is the project sponsor for this work and has been asked to give the Board a brief update on the state of the consultant's work and of the project more generally.

**Alignment with Strategic Plan:** A strong transit system requires careful planning and can contribute to all of the goal areas of the Durham County Strategic Plan.

**Resource Persons:**     Katherine Eggleston, COO (Go Triangle); John Hodges-Copple, Director of Regional Planning (TJCOG); Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board receive this update from GoTriangle staff on the status of the Commuter Rail Transit (CRT) project and study and to ask any questions they wish.

**Attachments:**     [PRES Durham-BOCC-Commuter Rail](#)  
[Task-11-CRT-Evaluation-Results-Final-Report-5-31-2019-Clean](#)

#### **19-0422**     **Quarterly Update on Durham Pre-K (30min)**

**Agenda Text:**     The Board is requested to receive the update on Durham Pre-K and ask any questions they wish.

Durham Pre-K has just begun its third year of expansion, with the eventual goal to make high-quality pre-K accessible to all four-year olds in Durham. Child Care Services Association is Durham County's agent in this work and has also formed a Governance Committee to help provide expert guidance and assistance to this important community project. The expansion work includes expanding the talent pipeline, improving quality in both existing and expansion classrooms through a variety of means, including teacher professional development and close observation, and raising teacher pay.

County staff are in constant communication with staff from CCSA, meet in person at least monthly to review contractual goals and troubleshoot issues that arise, and

CCSA also provides the Board of County Commissioners with an in-person quarterly update and discussion on the program's progress.

**Alignment with Strategic Plan:** A successful, universal pre-K program in Durham will be a critical part of reducing the achievement gap and improving both educational and, ultimately, other sorts of outcomes for all Durham's young people. As such, it is strongly tied to Goals 1-3 of the Durham County Strategic Plan.

**Resource Persons:** Linda Chappel, Senior VP at CCSA; Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board receive the update on Durham Pre-K and ask any questions they wish.

**Attachments:** [BOCC Durham PreK Quarter 1 Update September 2019](#)

**19-0414**

**Reclassification Request for the Sheriff's Office (30min)**

**Agenda Text:**

The Board is requested to discuss and provide guidance to the County Manager and County staff on Sheriff Birkhead's request to reclassify 11 detention positions that were approved in FY18/19 to staff a female mental health pod in the Detention Center. A copy of the Sheriff's request and justification has been provided with this agenda item. The Sheriff's Office is requesting to reclassify 11 detention officer vacancies in order to meet current operational needs.

Based on the information provided by the Sheriff's Office additional recurring and non-recurring costs are associated with this request (see page 2 of the request). A budget increase of \$171,025 is needed if the reclassification is approved for the current fiscal year and will be a recurring cost in future fiscal years. This increase comes from the salary differences between detention officer positions and law enforcement positions. Law enforcement positions also include vehicle and equipment costs which requires an additional increase of \$596,351 to the reclassification request. Although not annual costs, equipment and vehicles would be replaced based on the County's replacement schedule in the future. Total new cost in the current fiscal year for the reclassification of the 11 positions is \$767,376. *At the FY19/20 property valuations this equals 1/6 of a cent property tax rate increase.* The Sheriff's Office has requested that County Fund Balance be used to fund the new expenses.

**Budget and Vacancy Updates**

As of August 28, County Human Resources reports that the Sheriff's Office and Detention Center have 39 vacancies, including the positions approved to staff the female mental health pod. Human Resources staff and Sheriff's Office staff are currently working to adjust positions that have multiple staff identified in one FTE number within the County's SAP system. Including the adjusted positions, as of August 28 there are 17 vacancies within the Sheriff's Office/Detention Center. County Human Resources reports that in July 2019 a BLET Academy started with



13 trainees. These positions have been accounted for in the August 28 SAP vacancy data as reported by Human Resources. As previously shared, vacancy data is point-in-time data and can fluctuate daily.

Since FY15/16, 41 new FTEs (17 law enforcement and 24 detention positions) have been approved for the Sheriff's Office/Detention Center. The County's investment in the Sheriff's Office and Detention Center since FY14/15 has increased by approximately \$7,720,000, a 24% increase during this time period bringing the total investment to \$40,017,790 (positions and vehicles) in the current fiscal year. A budget brief which provides a detailed 5-year overview of County investment in the Sheriff's Office has been attached.

As the Board is aware providing a balanced budget this year was a challenging and arduous task. County Departments were asked to collectively reduce their budgets by \$4.2 million. The Sheriff's Office reduced its FY19/20 operating costs by \$289,824. The County's current practices of not approving new positions when vacancies exist and not using one-time fund balance to address ongoing operational expenses are management and financial best practices that assist in keeping the County in a fiscally sound position.

#### Mental Health Pods in the Durham Detention Center

In the County's FY18/19 budget 20 new FTEs were approved for the Sheriff's Office/Detention Center to address critical safety and security needs. Thirteen of the 20 positions were approved to provide staffing to create a female mental health pod in the Detention Center. In FY16/17, the Board approved funding for 10 new FTEs in the Detention Center to open a male mental health pod. The female mental health pod opening has been delayed due to safety projects at the Detention Center which are expected to be completed in early 2020. Although the annual number of jail intakes screened by medical has decreased by almost 27% from FY16 to FY19 (7,604 to 5,572), the number of inmates referred to Jail Mental Health (JMH) has increased by over 11% in the same time frame (1,767 to 1,964) (Data provided by CJRC).

At the request of the Sheriff's Office, CJRC's JMH is willing to attempt offering services inside the single female pod in the detention facility since the total number of female detainees has dropped in recent months. However, since there are no alternate housing options for women who are disruptive, high need, or have conflicts with other female detainees, security issues may override the opportunity for programming in the pod. Beginning October 2019, CJRC will offer the following services weekly in the female housing unit: two education groups for all detainees (e.g. hygiene, substance use education, de-escalation, nutrition, mindfulness/relaxation), two mental health specific educational groups for females on the MH caseload, one social activity weekly if a detention officer is available to assist and DCSO can provide incentives

for participating detainees. This approach serves an interim solution until the female mental health pod is opened.

Since the Sheriff's request deviates from the Commissioners' original policy decision to fund mental health pods in the Detention Center and new funding totaling \$767,376 from County Fund Balance is being requested to implement the proposed reclassifications it is required and advisable for the Board to discuss and provide further guidance to the County Manager and County Staff on how to proceed.

**Alignment with Strategic Plan:** This item aligns with the County's Strategic Goal 3: Safe Community and Goal 5: Accountable, Efficient and Visionary Government

**Resource Persons:** Clarence F. Birkhead, Durham County Sheriff, Deputy Chief Anthony Prignano, Durham Detention Services, Jodi Miller, General Manager, Gudrun Parmer, CJRC Director, David Ades, Asst. Director Budget and Management Services, and Dara Richardson, Human Resources Manager

**County Manager's Recommendation:** The County Manager recommends that the Board discuss and provide guidance to the County Manager and County Staff on the Sheriff's reclassification request.

**Attachments:**

[Reclassification-DCSO](#)

[DSO Budget Brief](#)

#### 4. Lunch

**19-0421**

**Review Revised Economic Development Policy Draft (30min)**

**Agenda Text:**

The Board is requested to review the draft of the revised Economic Development policy and offer feedback prior to potential adoption at the first Regular Meeting in September.

The revisions being considered are intended to further effectuate the County goals as informed by the County's Strategic Plan, the best practice of our North Carolina peers and working within Federal and State legal parameters all while maintaining our economic competitive and comparative advantage. Over the course of the last 18 months, the Board has received several presentations and engagements to help shape and inform what a revised policy might look like that include to the following:

1. Review of Current Policy - Board Feedback and Revision Goals (Spring Retreat, 2018)
2. School of Government Presentation - ED Fundamentals and Legal Parameters (June Worksession, 2018)
3. Policy Benchmarking of NC Peers - Identify Strategies to Revise Policy (Fall Retreat, 2018)
4. Policy Revision Phase I - Contract Strengthening, Criteria & Threshold Refinement (June Worksession, 2019)

Policy revisions were presented at the June Work Session. Since that time, feedback has been incorporated into the working draft and staff is seeking additional input before potentially bringing the policy to the first Regular Meeting in September for adoption. Additionally, integrating proposed policy strategies into recent project considerations have helped further refine the policy document.

**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 review the draft of the revised Economic Development policy and offer feedback prior to potential adoption at the first Regular Meeting in September.

**Attachments:** [Durham County Economic Development Policy](#)  
[ED Policy Revisions DRAFT 9-3-19](#)

#### **19-0429**

#### **Classification and Compensation Study Update (20min)**

**Agenda Text:**

The Board is requested to receive an update from the Human Resources Staff regarding the Classification and Compensation study that was conducted by Management Advisory Group International (MAG), Inc.

In FY17-18, MAG conducted a Classification and Compensation study to address recruitment, retention and salary equity issues for the County. MAG concluded that salaries for the County employees and salary ranges for certain positions were below the market averages. As such, it was suggested that the County implement the recommended employee salary changes and proposed General and Executive pay plans.

The Board approved the implementation of the General and Executive component and allocated \$3.2M in its FY19-20 budget.

**Alignment with Strategic Plan:** This agenda item aligns with Goal 5 (Accountable, Efficient and Visionary Government) of the strategic plan.

**Resource Persons:** Kathy Everett-Perry, Human Resources Director; Tony Noel, Human Resources Manager, Dara Richardson, Human Resources Manager.

**County Manager's Recommendation:** The County Manager recommends that the Board receive the update from the Human Resources Staff.

**Attachments:** [Class Comparison List by Pay Plan AUG 28 2019 Final](#)

#### **19-0363**

#### **Resolution Establishing A Percent-For-Art Program (15min)**

**Agenda Text:** The Board is requested to approve the attached Resolution Establishing A Percent-For-Art Program.

In December 2017, Commissioners directed Staff to investigate development of a Public Art Policy. A Public Art Study was presented in November 2018 and Staff were directed to investigate the possibility of adopting a joint process with the City of Durham Public Art Program while continuing to maintain separate funding resources.

County and City Staff collaborated to develop a public art administration strategy that will serve both programs and provide a predictable process for any Artist interested in creating public art in our community. As a result of the collaboration, revisions to the existing City of Durham Resolution To Establish A Public Art Policy, originally approved on November 21, 2011, are scheduled for adoption by the City Council on September 16, 2019.

The Durham County Percent-For-Art Program, Policy And Program Manual was reviewed by and received the support of the City of Durham Cultural and Public Art Program, the Durham Cultural Arts Board (CAB), the Durham Public Art Committee (PAC), Durham Arts Council, and the North Carolina Arts Council.

**Alignment with Strategic Plan:** This Resolution Establishing A Percent-For-Art Program aligns with Strategic Goal 5: Accountable, Efficient and Visionary Government.

**Resource Persons:** Linda Salguero, AIA, CPD, Project Manager, Peri Manns, ASLA, LEED GA, Interim Director of Engineering and Environmental Services, Jay Gibson, P.E., General Manager, and Stacey Poston, Division Manager, City of Durham General Services, Arts, Culture, and Sustainable Communities.

**County Manager's Recommendation:** The County Manager recommends that the Board approve the Resolution Establishing A Percent-For-Art Program.

**Attachments:** [AAF Supplemental.pdf](#)  
[Attachment 1 - DURHAM COUNTY RESOLUTION ESTABLISHING A PERCENT-FOR-ART PROGRAM](#)  
[Attachment 2 - Durham County Public Art Program.pdf](#)  
[Percent for Art Program](#)

## **19-0401** Involuntary Commitment Transportation Agreement (15min)

**Agenda Text:** The Board is requested to suspend the rules and approve and adopt the attached Involuntary Transportation Agreement resolution.

Session Law 2018-33 revised many statutes in Chapter 122C concerning the involuntary commitment process, including GS 122C-251(g) and enacting a new statute, GS 122C-202.2. The revisions to GS 122C-251(g) require Durham County to adopt an "involuntary commitment transportation agreement" (Agreement) with the

agency and persons who will be transporting individuals subject to the involuntary commitment procedure. This statute, as well as a few others, provide standards for the conduct of such transports, as well as training requirements for the persons performing them. The Sheriff's Office has traditionally performed these transports for the County and their procedures already comport with those established by the statutes, so they will not cause any disruption to ongoing operations. The Sheriff's Office, as well as other local stakeholders have been involved in the process of preparing the draft Agreement.

Following adoption, and execution, this Agreement must be sent to Alliance Health, our LME, for inclusion in a "Crisis Services Plan" which is due to the Department of Health and Human Services not later than October 1, 2019. Because of that deadline, the Board is requested to suspend the rules and approve and adopt the Agreement at this meeting.

**Alignment with Strategic Plan:** This request aligns with the County's Strategic Goal 2: Health and Well-Being for All and Goal 3: Safe Community

**Resource Persons:** Gayle Harris, General Manager for Community Well-being, Curtis Massey, Senior Assistant County Attorney, Major Tony Butler, Durham County Sheriff's Office

**County Manager's Recommendation:** The County Manager recommends that the Board review the attached agreement, and if it is acceptable, suspend the rules and adopt it.

**Attachments:**

[IVC TRANSPORTATION AGREEMENT w acceptance Final](#)  
[Session Law 2018-33](#)

**19-0427**

**Review of BOCC Directives (15min)**

**Agenda Text:**

The Board is requested to review staff's follow-up on the assembled Board directives and ask any questions they wish.

Board directives from previous meetings as well as staff follow-up are reviewed at monthly work sessions. Staff strive to have all directives input into the system as accurately as possible as soon after they are issued as possible and to follow-up with the board and/or with other relevant parties in an appropriate time frame.

**Alignment with Strategic Plan:** Timely follow-up for board directives aligns clearly with Goal 5 of the Durham County Strategic Plan - Accountable, Efficient, and Visionary Government.

**Resource Persons:** Drew Cummings, Chief of Staff

**County Manager's Recommendation:** The County Manager recommends that the Board review staff's follow-up on the assembled Board directives and ask any questions they wish.

**19-0431**

**Durham County Support for Refugee Resettlement (15min)**

**Agenda Text:**

The Board is requested to review, discuss and suspend the rules to vote on the

attached letter of support for resettling refugees in our states and communities.

On August 21, it was reported that the administration is considering a policy that would give states and cities the ability to veto the resettlement of refugees in their communities. Current resettlement policies help assure that states and local communities are active, indispensable partners in the resettlement process. Refugee placement, however, has always been under the jurisdiction of the federal government, given their exclusive authority over foreign and immigration policy.

If press reports are accurate, the proposed policy would be inconsistent with the Refugee Act of 1980

<<https://www.archivesfoundation.org/documents/refugee-act-1980/>> and even the US Constitution. It would not only seek to prevent the initial resettlement of refugees, but, if taken to its logical conclusion, would require restricting their freedom of movement, and could more broadly impugn the right to freedom of movement of other individuals in the United States - a right held by all legal residents.

Such a policy would improperly disrupt the refugee resettlement program - an important public-private partnership - from carrying out its crucial humanitarian responsibility of protecting refugees and reuniting refugee families.

Approved letters must be signed by September 9, 2019 and forwarded to key administration officials and Congress.

**Alignment with Strategic Plan:** This item aligns with Goal 1: Community Empowerment and Enrichment.

**Resource Persons:** Wendy Jacobs, Chair, Board of County Commissioners

**County Manager's Recommendation:** The County Manager recommends that the Board review, discuss and suspend the rules to vote on the attached letter of support for resettling refugees in our states and communities.

**Attachments:** [Resettlement Letter of support](#)

## 5. Closed Session

**19-0425**

### **Closed Session**

**Agenda Text:** The Board is requested to adjourn into Closed Session for the following:

- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged, pursuant to G.S. 143-318.11(a)(3)

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

**Resource Persons:** Curtis Massey, Senior Assistant County Attorney

**County Manager's Recommendation:** The County Manager recommends that the Board adjourn into closed session and provide direction to staff.

## 6. Adjournment