



## Legislation Details (With Text)

**File #:** 21-0033      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Consent Agenda  
**File created:** 1/7/2021      **In control:** Board of County Commissioners  
**On agenda:** 1/11/2021      **Final action:**  
**Title:** Authorize Manager to execute Corning, Inc. Utility Extension Agreement Amendment #1  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Extension Agreement revision to Corning UEA #1

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

### Item:

#### Authorize Manager to execute Corning, Inc. Utility Extension Agreement Amendment #1

**Date of BOCC Meeting:** January 11, 2021

### Request for Board Action:

The Board is requested to authorize the County Manager to execute Amendment #1 for the Corning, Inc. Utility Extension Agreement (UEA) between the City of Durham, Corning, Inc, and Durham County.

The Board of Commissioners originally approved the County's participation in this 3-party UEA via Item 19-0331 at the June 24, 2019 Regular Meeting to facilitate provision of City Utility services for the proposed expansion of Corning, Inc's. Treyburn Business Park facilities. This action was approved by the Board following the January 18, 2018 approval by the Board of Commissioners via Item 18-0615 related to provision of an Economic Development Incentive to Corning, Inc. for this expansion. The County agreed as part of this initial UEA to fund and construct certain improvements related to the Snow Hill Lift Station.

Subsequently, the County, State, and Country have been tremendously impacted by the COVID-19 pandemic. As part of our Country's response efforts, Corning, Inc., was asked by the Federal Government's Project Warp Speed team to accelerate their (Corning's) timetable for construction and activating production at their Treyburn facilities. To that end, the Federal Government has assisted Corning, Inc. with certain matters via the Project Warp Speed program. The County's work related to the Snow Hill Lift Station has continued but will no longer coincide with the timeline required by Corning's participation in Project Warp Speed. As such, a solution has been found that will utilize temporary pumps funded by the US Department of Defense via Project Warp Speed to allow Corning, Inc. to initiate production more immediately while the Snow Hill Lift Station improvements work continues. This solution requires certain amendments of the original 3-party UEA, however, these amendments have no material impact on the County's obligations.

**Alignment with Strategic Plan:** This item and proposed action align with Goals 2, 4 and 5 of the County Strategic Plan by providing Visionary leadership to help ensure the physical and economic health of the County and its residents.

**Resource Persons:** Jay Gibson, P.E., General Manager; Andrew Miracle, Economic Development Director

**County Manager's Recommendation:** The County Manager recommends that the Board authorize the Manager to execute the amendment to the 3-Party Utility Extension Agreement to serve Corning, Inc.

County Manager: \_\_\_\_\_