



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, August 24, 2026

7:00 PM

Commissioners' Chambers

Regular Session

"Public Charge"

The Board of Commissioners asks its members and residents to conduct themselves in a respectful, courteous manner, both with the Board and fellow residents. At any time, should any member of the Board or any resident 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.

"Land Acknowledgment"

As we convene for the Durham County Commissioners meeting, it's crucial to recognize the painful truth of history. We stand on the stolen ancestral lands of the Catawba, Eno, Occaneechi, Shakori, and Tuscarora peoples, whose deep connection to this land predates our arrival. We acknowledge with humility the unjust displacement and violence that occurred, leading to the dispossession of indigenous peoples from their homelands. Their resilience in the face of such adversity is a testament to their strength and spirit.

May we humbly honor the ancestors and elders of these nations, both past and present, by committing ourselves to fostering understanding, healing, and justice for all who inhabit this land. Let us walk forward together with open hearts, acknowledging the past and embracing a future guided by compassion, respect, and unity.

7:00 pm Regular Session

1. Opening of Regular Session - Pledge of Allegiance (5 min)
2. Agenda Adjustments (5 min)
3. Announcements (5 min)

[26-0442](#) Announcements (5min)

Agenda Text:

1. Get Your Student Caught Up on Their Vaccines - Students have 30 days

from the first day of school to get caught up on all required vaccines. The Durham County Department of Public Health has all required vaccines available in their immunization clinic, by appointment or by walk-ins as schedule permits. Children who are underinsured or have no insurance can be vaccinated at no cost. For more information or to schedule an appointment, call the immunization clinic at 919-560-7608, or learn more on their website at www.dcopublichealth.org/immunization [<http://www.dcopublichealth.org/immunization>](http://www.dcopublichealth.org/immunization).

2. Cooperative Extension Seeks Applicants for Extension Master Food Volunteer Program - Love cooking and giving back to your community?

Durham Cooperative Extension is looking for residents to join the Extension Master Food Volunteer (EMFV) Program. Interested residents are invited to join an upcoming information session to learn how they can turn their skills and passion into meaningful support for families across Durham. EMFVs support and amplify Cooperative Extension's nutrition and cooking programs and can lead their own cooking demos in the community. Applications for the new cohort open later this summer, and anyone interested must attend an information session. Learn more about the program and register for an information session here:

<https://dconc.gov/DurhamCo-News/Cooperative-Extension-Seeks-Applicants-for-Extension-Master-Food-Volunteer-Program.htm>.

3. Real Talk! Community Conversation about Health on Wednesday, August 26 - Join Durham County Library and Duke Cancer Institute for Real Talk! Community Conversation About Health, a community-centered dialogue about health and wellness for adults at Stanford L. Warren Branch Library (1201 Fayetteville St) from 6:00 - 7:30 p.m. on Wednesday, August 26. This open conversation brings together community members and health professionals to explore topics such as cancer prevention, clinical research, screening opportunities, and other health questions that matter to you. Bring your curiosity, questions, and experiences, and connect with others in a welcoming, informal setting.

4. Durham County Transportation Staff want your feedback! - The Public Comment Period for the Q1 Amendments to the Fiscal Year 2027 Durham Transit Work Program is open now until Thursday, August 27. For additional information on the proposed amendments, please visit the Transportation Department's website: <https://bit.ly/DcoQ1Transit27>. To submit a public comment, please email Transportation@dconc.gov [<mailto:Transportation@dconc.gov>](mailto:Transportation@dconc.gov).

5. County to Observe Labor Day Holiday - Most Durham County

Government offices will be closed on Monday, September 7, 2026, in observance of the Labor Day holiday. Offices will reopen with normal operating hours on Tuesday, September 8. For details on how the holiday may affect specific County services, please visit www.dconc.gov <<http://www.dconc.gov>>.

6. Declaration of Independence: Rare Prints on Display - Durham County Library invites you to view rare 19th-century prints of the Declaration of Independence at Durham County Main Library from September 8-20, 2026. As part of We the People: A Duke & Durham Initiative, Durham County Main Library and the Nasher Museum of Art at Duke University will present three historic copies of the Declaration of Independence, on loan from the David M. Rubenstein Americana Collection. This exhibition offers a rare opportunity to explore how the nation's founding document was visually rendered and circulated in early American history. For more information about the exhibit, visit: <<https://durhamcountylibrary.libcal.com/event/17394114>>.

4. Minutes (5 min)

[26-0447](#)

Minutes (5min)

Agenda Text:

The Board is requested to approve the August 10, 2026, Regular Session Meeting minutes.

Alignment with Strategic Plan: This item aligns with Strategic Plan Goal - High Performing Organization

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

County Manager's Recommendation: The County Manager recommends that the Board approve the August 10, 2026, Regular Session Meeting minutes.

Attachments:

[Regular Session - August 10, 2026](#)

5. Ceremonial Items (15 min)

[26-0416](#)

Recognizing the Durham Library Foundation in Acknowledgement of Their FY2027 Gift of \$248,317.31 in Support of Durham County Library Programs (10min)

Agenda Text:

The Board is requested to recognize and celebrate the Durham Library Foundation's Fiscal Year 2027 gift of \$248,317.31 in support of Durham County Library programs to be expended by June 30, 2027. Founded as a 501(c)(3) after 2000, the Durham Library Foundation's mission is to develop and encourage the long-term financial health and growth of Durham County Library through giving, endowment, and capital contributions.

Alignment with Strategic Plan: This recognition supports strategic plan objective RL 3, Help County department celebrate achievements and success stories, particularly RL 3b, which encourages County employees to market Durham County as an equitable, thriving, and inclusive community for all residents and businesses. It also aligns with strategic plan objective HI3, Expand and provide services that support residents across their entire lifespan. This recognition also meets many of Durham County's Empowered Community objectives.

Resource Persons: Kara Nunnally - Executive Director, Durham Library Foundation | Dana Conners - Library Director, Durham County Library

County Manager's Recommendation: The County Manager recommends that the Board recognize the Durham Library Foundation's Fiscal Year 2027 gift of \$248,317.31.

26-0417

Proclamation - Supportive Housing Week (5min)

Agenda Text:

The Board is requested to proclaim August 24 - August 26, 2026, as Supportive Housing Week in Durham County.

Housing for New Hope (HNH) is a Durham-based nonprofit that aims to prevent and end homelessness with one valuable person at a time. Organizationally, HNH creates and continually improves innovative, data-informed programs shaped by client feedback and responsive to evolving community needs. We encourage, motivate, and enable individuals and families experiencing homelessness to take their next best step toward long-term, stable housing with an array of supportive housing and affordable housing options. We connect our most vulnerable neighbors to housing and hope.

This summer, HNH hopes to link arms with the Corporation for Supportive Housing (CSH), a national nonprofit coordinating promotive efforts towards supportive housing. From August 24th to 28th, CSH is leading a nationwide initiative to show local lawmakers how supportive housing works in their communities. Through this proclamation, the city of Durham can join these forces by demonstrating Durham County supports its residents-housed and unhoused!

Alignment with Strategic Plan: This item aligns with Strategic Plan Goal - Healthy and Inclusive Community

Resource Persons: Russell Pierce, Executive Director - Housing for New Hope

County Manager's Recommendation: The County Manager recommends that the Board proclaim August 24 - August 26, 2026, as Supportive Housing Week in Durham County.

Attachments:

[Proclamation - Housing for New Hope - 24Aug26](#)

6. Consent Agenda (15 min)

26-0388

Approval of Contract with Laerdal Medical Corporation for the

Purchase of SimMan Essential Dark Simulator and Accessories not to exceed the amount of \$92,130.13**Agenda Text:**

The Board is requested to approve a contract with Laerdal Medical Corporation in the amount not to exceed \$92,130.13 for the purchase of one (1) SimMan Essential Dark simulator, associated accessories, installation, training, and extended warranty services and to authorize the County Manager to sign and execute all contract documents related to the purchase.

Durham County OES-EMS Division is committed to maintaining the highest standards in emergency medical training and patient care. As part of its ongoing equipment replacement cycle, the EMS Division has evaluated simulation platforms to ensure alignment with current clinical training standards and interoperability with systemwide workflows. After a formal market review, the SimMan Essential Dark simulator from Laerdal Medical Corporation is recommended for purchase. This simulator offers comprehensive features, including LLEAP License, SpO2 Probe, keyboard and mouse, consumables, clothing, and a five year extended manufacturer's warranty. The package also includes a laptop for simulation software, a mobile router for simultaneous simulator operation, virtual orientation training, and professional on-site installation by Laerdal Service Engineers.

The simulation equipment will be purchased utilizing existing funding within the EMS Equipment Replacement PAYGO project.

G.S. 143-129(e) allows local governments to be exempted from the competitive bidding requirements and purchase furnishings/equipment through group purchasing programs

Alignment with Strategic Plan: This item aligns with Durham County Focus Area 3: Safe and Resilient Community Initiative 2a: Innovate and strengthen emergency response and prevention systems

Resource Persons: Mark Lockhart, NRP, Director, Office of Emergency Services, and Marc Ferguson, Business Operations Officer, Office of Emergency Services.

County Manager's Recommendation: The County Manager recommends that the BOCC approve the contract with Laerdal Medical Corporation in the amount not to exceed \$92,130.13 for the purchase of one (1) SimMan Essential Dark Simulator, associated accessories, installation, training, and extended warranty services and to authorize the County Manager to sign and execute all contract documents related to the purchase.

Attachments:

[AAF Supplemental Document - Contract Approval Template -Laerdal Manikin](#)

[Quote](#)

[Price sheet](#)

[Laerdal Contract 102325](#)

26-0411**Approval of Budget Ordinance Amendment No. 27BCC011 Appropriating \$150,000 in General Fund Fund Balance for a Library Master Facilities Plan****Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 27BCC011 appropriating \$150,000 in General Fund Fund Balance for a Library Master Facilities Plan.

Durham County Engineering recommends that the Library conduct a study of facility needs which would then be incorporated into the County's Master Facilities Plan. Conducting a separate study gives the Library an opportunity to focus on the direction of the library system based on population growth, current trends and the vision for service delivery. Engineering estimates that hiring a consultant to conduct the study would cost \$150,000.

Alignment with Strategic Plan: This project addresses SI1 - Sustainable Infrastructure 1: Plan for long-term use of County land, facilities, and equipment. It helps address initiatives 1a, 1b and 1c by assessing our current libraries, and creating a plan for library buildings and spaces moving forward.

Resource Persons: Dana Conners, Library Director; Sandra Lovely, Assistant Library Director Planning and Facilities.

County Manager's Recommendation: The County Manager recommends that the Board approves Budget Ordinance Amendment No. 27BCC011 Appropriating \$150,000 in General Fund Fund Balance for a Library Master Facilities Plan.

Attachments:

[AAF FMP 7-2026 Supplemental Information](#)

[BCC-11 Legal Form](#)

26-0421**Approval of Property Tax Releases and Refunds for June 2026****Agenda Text:**

The Board is requested to approve the Releases & Refunds for June 2026, which includes adjustments to the current year's levy as well as prior years' levies. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached reports detail monthly releases and refunds for June 2026.

This month's report includes releases and refunds for tax year 2025 totaling \$ 759,501.85. Prior tax years' (2015-2024) releases and refunds are in the amount of \$ 73,640.27. Prior tax years' releases and refunds are in the amount of \$ 73,640.27. June 2026 releases and refunds total \$ 833,142.12.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Financial Stewardship. This request is to ensure the county complies with financial requirements mandated by North Carolina General Statutes which ensures we are accountable to our citizens.

Resource Persons: Keyar Doyle, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board approve the property tax release and refund report for June 2026 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Releases & Refunds Backup Detail-June 2026-Aug 24, 2026](#)
[Backup-Bill Release Report June 2026-Aug 24, 2026](#)
[Backup-Pending Refund Report June 2025-Aug 24, 2026](#)
[NCVTS May Refunds](#)

26-0427

Approve and Authorize the Manager to Accept the Conveyance of Easements for the Whispering Pines Stream Restoration Project and Execute All Documents to Effectuate These Conveyances Upon Final Approval by the County Attorney's Office.

Agenda Text: The Board is requested to approve and authorize the Manager to accept the conveyance of easements for the Whispering Pines Stream Restoration Project and execute all documents to effectuate these conveyances upon final approval by the County Attorney's Office.

The first set of easement areas are Permanent Drainage Easements and Temporary Construction Easements being granted to the County from Whispering Pines Mobile Park, Inc. across two parcels: REID 158715 and 162519, totaling 2.898 acres for the Permanent Easement Areas. These easements allow for construction, monitoring and future maintenance of improved stream infrastructure that comply with the nitrogen and phosphorous reductions required by the Falls Lake Nutrient Management Rules, and will dramatically reduce flood risk in this residential neighborhood. Compensation to the property owner from the County is \$76,150.00. Please see the attached Exhibits and Legal Descriptions for these REID numbers for more information.

The second set of easement areas are Permanent Drainage Easements and Temporary Construction Easements being granted to the County from the City of Durham on REID #158910 containing a total Permanent Easement Area of 6,761 square feet (.155 acres). These easements convey from the City at no cost, and will be used primarily during construction, and may require minor maintenance of plantings once the project is completed.

Total cost for the Whispering Pines Stream Restoration Project is approximately \$2.1 million. County Stormwater has received over \$1.7 million in grant funding, covering more than 80% of the total cost.

Alignment with Strategic Plan: This stream restoration project supports Sustainable Infrastructure & Environment Planning for long-term use of County land,

facilities, and equipment.

Resource Persons: Christy Raulli, Senior Real Estate Officer; Ryan D. Eaves P.E., Stormwater and Erosion Control Division Manager; Jay Gibson, P.E., Director, Engineering and Environmental Services; Maurice Jones, Deputy County Manager; Hyrum Hemmingway, Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board approve and authorize the Manager to accept the conveyance of easements for the Whispering Pines Stream Restoration Project and execute all documents to effectuate these conveyances upon final approval by the County Attorney's Office.

Attachments:

[Whispering Pines Mobile Park - DRAFT Deed](#)

[Exhibit REID 158715](#)

[Exhibit REID 162519](#)

[REID 158715 Legal Description](#)

[REID 162519 Legal Description](#)

[City Easement - DRAFT Deed](#)

[City Easement Exhibit B - Permitted and Prohibited Uses](#)

[Exhibit REID 158910 - City Easement](#)

[REID 158910 - Legal Description - City Easement](#)

26-0431

Durham County NCACC Goals for 2027 Legislative Session

Agenda Text:

The Board is requested to approve a list of statewide items for the 2027 NCACC Legislative Goals process. Each biennium counties are encouraged to submit proposed legislative items to inform the North Carolina Association of County Commissioners' structured process for developing key advocacy priorities for the upcoming General Assembly term.

Legislative goal proposals may include changes to statutes or requests for funding and should have a 100-county impact. The attached list consists of goals from departments along with several items from Commissioners that were requested during the August 3rd initial discussion of this item.

Goals must be submitted by: Adopted resolutions from full boards; A letter from board chairs on behalf of the full boards; or A letter from the resident of an affiliate and/or related county organization. A letter from Chair Lee will be drafted and shared to meet the requirements. The submission deadline is Thursday, August 27.

Alignment with Strategic Plan: This item aligns with Strategic Plan Goal 1: Regional Leadership

Resource Persons: Deborah Craig-Ray, Chief Communications Officer

County Manager's Recommendation: The County Manager recommends that the Board approve the list of proposed statewide legislative items so that Durham

County staff may enter the goals into the NCACC portal by the August 27th deadline as required.

Attachments: [BOCC NCACC LX items 24 agenda FINAL](#)

26-0433

Budget Ordinance Amendment No. 27BCC014 Public Health to Recognize \$233,176 from NC DHHS Division of Public Health's Local and Community Support Section for Local Workforce Development

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No. 27BCC014 Public Health to Recognize \$233,176 from NC DHHS Division of Public Health's Local and Community Support Section for Local Workforce Development

Through efforts to recruit and retain highly qualified staff, these funds will support the foundational service areas and core functions of Durham County Public Health. Core functions include: (1) preventing the spread of communicable disease, (2) ensuring food, air, and water quality are safe, (3) supporting maternal and child health, (4) improving access and linkages to clinical care services, and (5) preventing chronic disease and injury. The additional \$233,176 for local workforce development will bring the total funds allocated for these projects to \$640,608 as \$407,432 is already included in the FY 26-27 approved budget.

Please note that this amendment requires no additional County funds.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Healthy Community.

Resource Persons: Dr. Rodney Jenkins, DrPH, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 27BCC014 Public Health to Recognize \$233,176 from NC DHHS Division of Public Health's Local and Community Support Section for Local Workforce Development

Attachments: [AAF AA 117 Workforce Development](#)
[117 FY27 Durham - signed](#)
[AAF Supplemental AA 117 Workforce Development](#)
[AAF-14 Legal Form](#)

26-0434

Budget Ordinance Amendment No.27BCC015 Public Health to Recognize \$15,000 from the North Carolina Department of Public Health for the Improving Community Outcomes for Maternal and Child Health Grant for Family Matters Durham

Agenda Text: The Board is requested to approve Budget Ordinance Amendment No.27BCC015 Public Health to Recognize \$15,000 from the North Carolina Department of Public Health for the Improving Community Outcomes for Maternal and Child Health Grant

for Family Matters Durham

This funding represents an increase in NCDHHS funding for Improving Community Outcomes for Maternal and Child Health initiative. The Department of Public Health's Family Matters Durham (FMD) program works to improve birth outcomes by providing preconception and interconception health prior to pregnancy during reproductive years, reduce infant mortality by promoting and supporting human milk feeding for all families, and improve the overall health status of children ages 0-5. The \$15,000 of additional funding will bring the total funds allocated to the Improving Community Outcomes for Maternal and Child Health grant to \$465,000 for the 26-27 fiscal year.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Healthy and Inclusive Community.

Resource Persons: Rodney Jenkins, DrPH, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No.27BCC015 Public Health to Recognize \$15,000 from the North Carolina Department of Public Health for the Improving Community Outcomes for Maternal and Child Health Grant for Family Matters Durham

Attachments:

[164 FY27 Durham - signed](#)

[AAF AA 164 ICO4MCH](#)

[AAF Supplemental AA 164 ICO4MCH](#)

[AAF-15 Legal Form](#)

26-0435

Budget Ordinance Amendment No.27BCC016 Public Health to recognize \$56,250 from the North Carolina Department of Public Health, Chronic Disease and Injury, Tobacco Prevention and Control Branch to support evidence-based tobacco/nicotine prevention and cessation training in Region 5

Agenda Text:

The Board is requested to approve Budget Ordinance Amendment No.27BCC016 Public Health to recognize \$56,250 from the North Carolina Department of Public Health, Chronic Disease and Injury, Tobacco Prevention and Control Branch to support evidence-based tobacco/nicotine prevention and cessation training in Region 5

The agreement addendum provides additional funding to Local Health Departments to support training and training support for school personnel and stakeholders who work with youth within Region 5. In North Carolina, there is inconsistent implementation of evidence-based tobacco/nicotine prevention and cessation programs, resulting in uneven access, quality, and effectiveness in reducing the prevalence of vaping among

youth. The additional funding will increase capacity in Region 5 to implement consistent programming for youth and provide support for adult influencers of youth to deliver evidence-based interventions. The \$56,250 of additional funding will bring the total funds allocated to the tobacco prevention and control grant to \$158,522 for the 2026-2027 fiscal year.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Health and Well-being for All.

Resource Persons: Rodney Jenkins, DrPH, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No.27BCC016 Public Health to recognize \$56,250 from the North Carolina Department of Public Health, Chronic Disease and Injury, Tobacco Prevention and Control Branch to support evidence-based tobacco/nicotine prevention and cessation training in Region 5

Attachments:

[451-1 FY27 Durham - signed](#)

[AAF AA 451 Tobacco Prevention](#)

[AAF Supplemental Document - Tobacco Prevention AA451](#)

[AAF-16 Legal Form](#)

26-0436

Approve Submission of a Letter to N.C. Department of Health & Human Services Outlining the Aggregate Percentage Change of 1.42% to Public Health's Chargemaster Rate

Agenda Text:

The Board is requested to approve submission of a letter to N.C. Department of Health & Human Services outlining the aggregate percentage change of 1.42% to Public Health's chargemaster rate.

For Managed Care Medicaid claim activity, Public Health receives Quarterly Separated Directed Payments. The Separate Directed Payment calculation is based on Public Health's specific Ratio of Costs to Charges (RCC) as determined from the Base Year (State Fiscal Year 2019) Medicaid cost report and trended forward annually for inflation. The rate is annually adjusted if the aggregate price changes (Chargemaster change) are more or less than the allowed inflationary increase. To that end, Public Health attests to periodic chargemaster changes. The letter attached reflects Public Health's aggregate chargemaster changes to applicable codes between July 1, 2025 and July 1, 2026, which is 1.42%. Public Health reports this percentage to N.C. Department of Health & Human Services.

The Board of Health has approved this amendment.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Healthy and Inclusive Community.

Resource Persons: Dr. Rodney Jenkins, DrPH, MHA, Public Health Director

County Manager's Recommendation: The County Manager recommends that the Board approve submission of a letter to N.C. Department of Health & Human Services outlining the aggregate percentage change of 1.42% to Public Health's chargemaster rate.

Attachments: [AAF DPH Chargemaster Rate Changes - FY27](#)
[Calculation of Aggregate Percentage Increase SFY 2026](#)
[LHD Chargemaster Cover Letter For SFY2027.docx](#)

26-0441

Approval of Property Tax Releases and Refunds for July 2026

Agenda Text: The Board is requested to approve the Releases & Refunds for July 2026, which includes adjustments to the current year's levy as well as prior years' levies. Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc. the attached reports detail monthly releases and refunds for June 2026.

This month's report includes releases and refunds for tax year 2026 totaling \$ 16,976.08. Prior tax years' (2015-2025) releases and refunds are in the amount of \$ 1,103,272.36. July 2026 releases and refunds total \$ 1,120,248.44.

Alignment with Strategic Plan: This item aligns with Durham County Strategic Goal: Financial Stewardship. This request is to ensure the county complies with financial requirements mandated by North Carolina General Statutes which ensures we are accountable to our citizens.

Resource Persons: Keyar Doyle, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board approve the property tax release and refund report for July 2026, as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments: [Releases & Refunds Backup Detail-July 2026-Aug 24, 2026](#)
[Backup-Bill Release Report July 2026-Aug 24, 2026](#)
[Backup-Pending Refund Report July 2026-Aug 24, 2026](#)
[NCVTS June Refunds](#)

26-0444

Continuum of Care ILA Renewal

Agenda Text: The proposed resolution approves an Interlocal Agreement (ILA) between Durham County and the City of Durham that establishes a new governance structure for the NC 502 Continuum of Care (Durham's CoC). The ILA reconstitutes HSAC as the Continuum of Care Governing Board, a thirteen-member body charged with HEARTH Act oversight and CoC compliance. These changes implement key governance recommendations of the Durham Strategic Framework to Prevent and End Homelessness, clarifying roles, right-sizing membership, and strengthening

accountability so that the City and County can move from planning into implementation.

The new ILA was developed with input from HSAC members and community partners to replace the 2012 agreement.

Key changes from the 2012 agreement include:

- **Reconstituting HSAC as the Continuum of Care Governing Board.** The renamed body reflects HUD's federally defined CoC governance role under the HEARTH Act and signals a new phase of focused, accountable governance aligned with the Strategic Framework.
- **A right-sized, sector-based thirteen-member voting body.** The new Board includes designated seats for Durham County, the City of Durham, the Durham Housing Authority, Durham Public Schools, a person with lived experience of homelessness, the business sector, a homelessness service provider, a public safety agency, and five at-large members.
- **Clearer roles and responsibilities** for the City, County, and CoC Governing Board. The agreement enumerates distinct responsibilities, including the City's duties as Lead Agency and Collaborative Applicant, the County's role in coordinating prevention resources and DSS programs, and the Board's responsibilities for HEARTH Act compliance, HMIS oversight, the annual Point in Time Count, and review and approval of the CoC Consolidated Application.
- **Structured terms and a new selection process.** Members serve three-year terms with a maximum of two consecutive terms. Non-institutional seats are filled through an open application and voting process administered by the City Clerk's Office and the CoC, ensuring sector representation rather than organizational interests.
- **Updated standards for ethics, attendance, education, and conflicts of interest.** The agreement aligns with the City and County Codes of Ethics, 24 C.F.R. § 578.95, the Open Meetings Law, and HUD Governance Charter requirements, including a mandatory annual orientation for all Board members.

Alignment with Strategic Plan: Healthy and Inclusive Community: Supporting equitable and inclusive health and well-being for all.

Resource Persons: Maurice Jones, Deputy County Manager.

County Manager's Recommendation: The County Manager recommends the Board approve the resolution authorizing the County Manager to execute the City of Durham and Durham County Interlocal Agreement Regarding the Continuum of Care and the Continuum of Care Governing Board.

Attachments: [Continuum of Care ILA Resolution August 2026 Final](#)
[Continuum of Care Supplemental Memorandum Final 8-24-26](#)

7. Public Hearings (90 min)

26-0437 Public Hearing - To Consider the Adoption of a Proposed Moratorium on the Acceptance and Processing of Applications for New or Expanded Data Centers, with potential exemptions, with Durham County (90min)

Agenda Text: The Board of County Commissioners will be holding a public hearing considering the adoption of a moratorium on the acceptance and processing of applications for new or expanded data centers in Durham County. Large-scale data centers, data processing facilities, cryptocurrency mining operations, and similar uses can require significant electricity and water resources and may have impacts on infrastructure, the environment, and surrounding communities. As data centers have expanded across the state and nation, some jurisdictions have enacted temporary moratoria on new or expanded facilities.

Durham County's existing regulations were not developed with these specific types of high-impact uses in mind. The County needs time to develop appropriate, comprehensive standards to ensure that any future development, and expansion of any such facilities, is consistent with the County's long-term land use plan and protects the public's health and interests. The table of permitted uses in the current Unified Development Ordinance does not define "data centers," "data processing facilities," "cryptocurrency mining operations," or any other uses associated with data processing facilities.

Additionally, the Durham Code of Ordinances does not consider the impact of the aforementioned uses on existing County infrastructure. Some data centers are already located in Durham, but the impact of their continued development and expansion is not yet regulated. A temporary moratorium on accepting and processing new applications for such facilities is a reasonable and necessary measure to allow County staff and the Planning & Development Department sufficient time to study the issues, engage with stakeholders, draft appropriate amendments to the Unified Development Ordinance, consider appropriate provisions for the future LDC, and to allow the County to adopt any needed amendments to the Durham Code of Ordinances to address utility extension for these high-impact uses.

Given the potential long-term implications of these uses, staff recommend a temporary moratorium to allow time to evaluate potential impacts and develop appropriate zoning standards and mitigation measures. During this period, Planning staff will also review regulatory approaches used by other jurisdictions in North Carolina and across the United States.

Staff recommend that the Board of County Commissioners consider adopting a temporary nine-month moratorium on hyperscale data centers, including, but not limited to, data centers, data processing facilities, and cryptocurrency mining operations. The proposed nine-month timeline aligns with the City of Durham's existing moratorium, allowing both jurisdictions to evaluate and develop regulatory approaches on a coordinated schedule.

The moratorium would:

- Remain in effect until May 2027;
- Allow staff to evaluate existing regulations and identify potential amendments;
- Provide an opportunity to assess infrastructure and community impacts associated with hyperscale data centers, data processing facilities, cryptocurrency mining operations, and other uses associated with data processing facilities; and
- Allow the governing body to consider whether additional standards, regulations, or review procedures are necessary.

EXEMPTIONS

There has been concern that an absolute ban on applications would unduly stifle the growth of companies seeking construction or expansion of smaller data centers, especially in and around the Research Triangle Park and the Treyburn Industrial Park. In response, staff is proposing limiting the moratorium to projects that exceed 100,000 square feet. The goal would be to allow smaller data centers to move forward with the development process, thus reducing the negative impact on the companies that are proposing to construct or rehab "enterprise" or "edge" centers during the moratorium.

Initially, staff considered exempting data centers based on the amount of MegaWatts used in a center. However, as the County does not have the statutory authority to regulate electricity usage and does not have access to such information, it would be very difficult for the County to apply and enforce any such exemption. Staff propose, instead, to use a center's square footage as a way to determine whether centers may or may not be allowable during the moratorium. A maximum square footage of 100,000 would significantly reduce the odds of a hyperscale data center being proposed for development for the duration of the nine-month moratorium, while allowing for the potential projects, those that will have minimal impact on public infrastructure, to move forward.

Alignment with Strategic Plan: Empowered Community and Sustainable Infrastructure Environment

Resource Persons: Claudia Hager, County Manager; Larissa Williamson, County Attorney; Maurice Jones, Deputy County Manager; Sara Young, Director of Planning and Development.

County Manager's Recommendation: The County Manager recommends that the Board hold a public hearing on the Data Center Moratorium and if prepared, vote to approve the recommended ordinance change.

Attachments: [Data Center Moratorium Ordinance 8-24-26](#)
[Data Center Moratorium Supplemental Memo Final 8-24-26](#)

8. Board and Commission Appointments (10 min)

[26-0445](#) Board and Commission Appointments (10min)

Agenda Text: Monica Wallace, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards:

- Durham-Wake Counties Research and Production Service District Advisory Committee
- Opioid Settlement Advisory Committee

The Board of Commissioners recognizes the need to have a representative sample of the citizens of Durham County serve on boards, commissions, committees, and authorities. No citizen may serve more than four consecutive terms for 2-year term boards; three consecutive terms for 3-year term boards; two consecutive terms for 4-year term boards; and one consecutive term for 5 and 6-year term boards in any one position, unless otherwise stated by statute; or there are no other applicants who meet the eligibility requirements. The Equalization and Review Board shall be exempt from these term limits.

Alignment with Strategic Plan: This item aligns with focus area: High Performing Organization.

Resource Persons: Monica Wallace, Clerk to the Board

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint members to the aforementioned Boards and Commissions.

Attachments: [B&C Appt Memo - 8.24.2026](#)

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

10. Adjournment

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

Monday, August 24, 2026

7:00 P.M. Regular Session

MINUTES

Place: Commissioners' Chambers, Second Floor, Durham County Government Administrative Complex, 200 East Main Street, Durham, North Carolina

Present: Chair Dr. Mike Lee, Vice Chair Nida Allam and Commissioners Michelle Burton, Wendy Jacobs and Stephen Valentine

Presider: Chair Dr. Mike Lee

Zoom Hybrid
Participants: 12

Regular Session – 7:00 PM

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Vice Chair Allam moved, seconded by Commissioner Burton to approve the agenda.

The motion carried unanimously.

Announcements

Monica Wallace, Clerk to the Board read the following announcements:

1. **Get Your Student Caught Up on Their Vaccines** – Students have 30 days from the first day of school to get caught up on all required vaccines. The Durham County Department of Public Health has all required vaccines available in their immunization clinic, by appointment or by walk-ins as schedule permits. Children who are underinsured or have no insurance can be vaccinated at no cost. For more information or to schedule an appointment, call the immunization clinic at 919-560-7608, or learn more on their website at www.dcopublichealth.org/immunization.
2. **Cooperative Extension Seeks Applicants for Extension Master Food Volunteer Program** – Love cooking and giving back to your community? Durham Cooperative Extension is looking for residents to join the Extension Master Food Volunteer (EMFV) Program. Interested residents are invited to join an upcoming information session to learn how they can turn their skills and passion into meaningful support for families across Durham. EMFVs support and amplify

Cooperative Extension's nutrition and cooking programs and can lead their own cooking demos in the community. Applications for the new cohort open later this summer, and anyone interested must attend an information session. Learn more about the program and register for an information session here: <https://dconc.gov/DurhamCo-News/Cooperative-Extension-Seeks-Applicants-for-Extension-Master-Food-Volunteer-Program.htm>.

1. **Real Talk! Community Conversation about Health on Wednesday, August 26** – Join Durham County Library and Duke Cancer Institute for Real Talk! Community Conversation About Health, a community-centered dialogue about health and wellness for adults at Stanford L. Warren Branch Library (1201 Fayetteville St) from 6:00 - 7:30 p.m. on Wednesday, August 26. This open conversation brings together community members and health professionals to explore topics such as cancer prevention, clinical research, screening opportunities, and other health questions that matter to you. Bring your curiosity, questions, and experiences, and connect with others in a welcoming, informal setting.
2. **Durham County Transportation Staff want your feedback!** – The Public Comment Period for the Q1 Amendments to the Fiscal Year 2027 Durham Transit Work Program is open now until Thursday, August 27. For additional information on the proposed amendments, please visit the Transportation Department's website: <https://bit.ly/DcoQ1Transit27>. To submit a public comment, please email Transportation@dconc.gov.
3. **County to Observe Labor Day Holiday** – Most Durham County Government offices will be closed on Monday, September 7, 2026, in observance of the Labor Day holiday. Offices will reopen with normal operating hours on Tuesday, September 8. For details on how the holiday may affect specific County services, please visit www.dconc.gov.
4. **Declaration of Independence: Rare Prints on Display** – Durham County Library invites you to view rare 19th-century prints of the Declaration of Independence at Durham County Main Library from September 8–20, 2026. As part of We the People: A Duke & Durham Initiative, Durham County Main Library and the Nasher Museum of Art at Duke University will present three historic copies of the Declaration of Independence, on loan from the David M. Rubenstein Americana Collection. This exhibition offers a rare opportunity to explore how the nation's founding document was visually rendered and circulated in early American history. For more information about the exhibit, visit: <https://durhamcountylibrary.libcal.com/event/17394114>.

The Board highlighted the following announcement:

- Durham County hosted over 600 officials and staff from 89 counties across North Carolina for the 119th Annual North Carolina Association of County Commissioners (NCACC) Conference. Attendees experienced general sessions, motivational speakers, and workshops addressing county issues.

Minutes

Commissioner Jacobs moved, seconded by Commissioner Valentine to approve August 10, 2026, Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

26-0415 Recognizing the Durham Library Foundation in Acknowledgement of Their FY2027 Gift of \$248,317.31 in Support of Durham County Library Programs

Kara Nunnally, Executive Director of the Durham Library Foundation, presented a gift check totaling \$248,317.31 to Durham County Library to support various library programs. Dana Conners, Director, Durham County Library accepted the check and stated that the funds would be allocated to support 14 different library programs.

The Board thanked Ms. Nunnally and the Durham Library Foundation for their continued support of the Durham County Library. The Board stated the Durham County Main Library Behind-the-Scenes Experience was featured as one of the off-site tours for the 119th Annual North Carolina Association of County Commissioners (NCACC) Conference.

26-0417 Proclamation – Supportive Housing Week

SUPPORTIVE HOUSING WEEK | 2026

WHEREAS, the Durham community works collaboratively to connect individuals and families experiencing homelessness to safe, stable housing and supportive services; and

WHEREAS, access to supportive housing is essential to the health, dignity, and well-being of every resident and strengthens our entire community; and

WHEREAS, Durham County continues to face a growing housing affordability crisis, making it increasingly difficult for many of our neighbors to secure and maintain stable housing; and

WHEREAS, supportive housing has been proven to reduce homelessness, strengthen communities, and improve outcomes for individuals and families while making more effective use of public resources; and

WHEREAS, Durham County recognizes the dedication and impact of local, non-profit organizations in building a stronger, more compassionate community where everyone has the opportunity to thrive.

NOW, THEREFORE, I, Dr. Mike Lee, Chair and on behalf of the Durham Board of County Commissioners, hereby proclaim August 24 – August 28, 2026, as

“SUPPORTIVE HOUSING WEEK”

in Durham County and encourage all residents to recognize this observance, support efforts to prevent and end homelessness, and celebrate Housing for New Hope’s lasting contributions to our community.

This 24th day of August 2026.

Dr. Mike Lee, Chair
Durham Board of County Commissioners

Russell Pierce, Housing for New Hope (HNN) Executive Director gave a brief overview of the significance of supportive housing and the various supportive pathways available. He added HNN collaborated with community partners to develop and implement effective pathways out of homelessness.

The Board inquired about the progress and status of the Carver Creek Supportive Housing Rehabilitation project. Mr. Pierce replied changes in federal and state funding prompted HNN to develop new strategies to support and finance services for the homeless community. He added Carver Creek Apartments was currently in phase one of renovations and HNN was pursuing funding opportunities to complete phase two of the renovations.

The Board inquired about Durham's Annual Point-in-Time (PIT) Count. Mr. Pierce responded the PIT Count was a federally mandated one-night census of people experiencing homelessness within the City and County of Durham. He added the count was coordinated locally to gather accurate data for federal funding, state planning, and community awareness. The Board asked how residents could volunteer for the PIT Count. Mr. Pierce responded the PIT Count lead and coordination was transferred back to the City of Durham and asked that residents contact the City.

The Board thanked Mr. Pierce and HNN for their continued commitment to safeguarding vulnerable individuals, offering essential services and creating accessible pathways.

Consent Agenda

Chair Dr. Lee asked the Board if they requested to pull or comment on any items on the Consent Agenda.

Chair Lee stated Items 26-0421 and 26-0441 were requested to be pulled for public comments.

Vice Chair Allam moved, seconded by Commissioner Burton to move Items 26-0421 and 26-0441 pulled from the consent agenda to before the public hearing on the agenda.

The motion carried unanimously.

Commissioner Jacobs requested to comment on Item 26-0411.

- Item 26-0411 – Commissioner Jacobs inquired about the available funding, a list of library conditions, establishing a coffee shop at Main Library and libraries selling promotional items. Dana Conners, Durham County Library Director responded the Library Master Facilities Plan would enable consultants to evaluate whether library locations adequately meet the needs of the community and the assessment would be integrated into the County Master Facilities Plan. She added further research would be conducted to determine the feasibility of a coffee shop and she would consult with the Friends of the Durham County Library about the possibility of selling promotional items on behalf of the library.

Commissioner Burton moved, seconded by Vice Chair Allam, to approve the following items on the Consent Agenda except Items 26-0421 and 26-0441.

The motion carried unanimously.

26-0388 Approval of Contract with Laerdal Medical Corporation for the Purchase of SimMan Essential Dark Simulator and Accessories not to exceed the amount of \$92,130.13

*26-0411 Approval of Budget Ordinance Amendment No. 27BCC011 Appropriating \$150,000 in General Fund Fund Balance for a Library Master Facilities Plan

26-0427 Approve and Authorize the Manager to Accept the Conveyance of Easements for the Whispering Pines Stream Restoration Project and Execute All Documents to Effectuate These Conveyances Upon Final Approval by the County Attorney's Office

26-0431 Durham County NCACC Goals for 2027 Legislative Session

*26-0433 Budget Ordinance Amendment No. 27BCC014 Public Health to Recognize \$233,176 from NC DHHS Division of Public Health's Local and Community Support Section for Local Workforce Development

*26-0434 Budget Ordinance Amendment No.27BCC015 Public Health to Recognize \$15,000 from the North Carolina Department of Public Health for the Improving Community Outcomes for Maternal and Child Health Grant for Family Matters Durham

*26-0435 Budget Ordinance Amendment No.27BCC016 Public Health to recognize \$56,250 from the North Carolina Department of Public Health, Chronic Disease and Injury, Tobacco Prevention and Control Branch to support evidence-based tobacco/nicotine prevention and cessation training in Region 5

26-0436 Approve Submission of a Letter to N.C. Department of Health & Human Services Outlining the Aggregate Percentage Change of 1.42% to Public Health's Chargemaster Rate

26-0444 Continuum of Care ILA Renewal

Consent Agenda Item #26-0411

**Durham County, North Carolina
FY2026-27 Budget Ordinance
Amendment Number 27BCC011**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:
That the 2026-2027 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Cultural and Recreation	\$17,151,779.00	\$150,000.00	\$17,301,779.00

Revenue

Other Financing Services	\$23,378,135.72	\$150,000.00	\$23,528,135.72
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All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved August 24, 2026

Consent Agenda Item #26-0433

**Durham County, North Carolina
FY2026-27 Budget Ordinance
Amendment Number 27BCC014**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2026-2027 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Services	\$112,752,907.00	\$233,176.00	\$112,986,083.00
<u>Revenue</u>			
Intergovernmental	\$72,327,619.00	\$233,176.00	\$72,560,795.00

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved August 24, 2026

Consent Agenda Item #26-0434

**Durham County, North Carolina
FY2026-27 Budget Ordinance
Amendment Number 27BCC015**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2026-2027 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Services	\$113,145,833.00	\$15,000.00	\$113,160,833.00
<u>Revenue</u>			
Intergovernmental	\$72,720,545.00	\$15,000.00	\$72,735,545.00

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved August 24, 2026

Consent Agenda Item #26-0435

**Durham County, North Carolina
FY2026-27 Budget Ordinance
Amendment Number 27BCC016**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:
That the 2026-2027 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Services	\$113,160,833.00	\$56,250.00	\$113,217,083.00
<u>Revenue</u>			
Intergovernmental	\$72,735,545.00	\$56,250.00	\$72,791,795.00

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved August 24, 2026

Items Pulled from the Consent Agenda

26-0421 Approval of Property Tax Releases and Refunds for June 2026

Pablo Friedmann, citizen asked the County Attorney to provide guidance to Boards to ensure compliance with the Public Request Act and that the Commissioners speak about the Board of Equalization and Review (BOER) meeting minutes, specifically regarding property reductions and tax refunds.

Keyar Doyle, Tax Administrator stated the public record request for the BOER meeting minutes were provided to the requestors. He added individuals seeking the BOER meeting minutes would need to submit a public records request through the Public Information Office. Mr. Doyle stated any confidential information would be redacted in accordance with legal requirements. He added the BOER meeting minutes available on the County website pertain specifically to personal property for the years 2023 and 2024.

The Board asked for a brief explanation regarding the process and reasoning behind the refunds issued for commercial property appeals. Mr. Doyle stated the 2025 reappraisal resulted in 10,533 appeals being filed and the goal was to resolve the appeals before January 5, 2026, which was the due date of property taxes without penalty. He added apartments and office building were the two types of commercial properties that were over assessed and reduced during the appeal process.

The Board inquired about potential legal obstacles that could prevent the County from posting the 2025 Board of Equalization and Review (BOER) meeting minutes on the County website. Mr. Doyle responded the County was not legally obligated to post the BOER meeting minutes on the website; however, the Tax Department would proceed with posting the minutes if requested by the Board. The Board asked about the three methods to assess property values. Mr. Doyle replied sales comparison, cost approach and income approach. The Board inquired about the timeline for posting the 2025 BOER meeting minutes to the County website. Larissa Williamson, County Attorney stated the Tax Department would need to collaborate with the Attorney's Office to ensure all the confidential

information was redacted before publication. Claudia Hager, County Manger stated the County was committed to being transparent and responsive, although the County would need to review laws and examine how surrounding counties handle the publication of BOER meeting minutes. The Board agreed to have staff present an update to the Board at an upcoming Work Session meeting.

Consent Agenda Item #26-0421

RELEASES AND REFUNDS – June 2026

Current Year 2025 Taxes	Releases	Refunds	
Real Property	\$ 479,217.39	\$ 259,085.66	
Personal Property	\$ 0.00	\$ 0.00	
Motor Vehicle	\$ 0.00	\$ 46.15	
Solid Waste	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 0.00	\$ 0.00	
Public Service	\$ 0.00	\$ 0.00	
VTs Refunds	\$ 0.00	\$ 21,018.11	
Gross Rec. /Bev. Lic.	\$ 0.00	\$ 134.54	
SUB – TOTAL	\$ 479,217.39	\$ 280,284.46	\$ 759,501.85
Prior Year 2015-2024	Releases	Refunds	
Real Property	\$ 0.00	\$ 73,547.86	
Personal Property	\$ 0.00	\$ 92.41	
GAP Vehicles	\$ 0.00	\$ 0.00	
Motor Vehicle	\$ 0.00	\$ 0.00	
Solid Waste	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 0.00	\$ 0.00	
VTs Refunds	\$ 0.00	\$ 0.00	
Gross Rec. /Bev. Lic.	\$ 0.00	\$ 0.00	
SUB - TOTAL	\$ 0.00	\$ 73,640.27	\$ 73,640.27
GRAND TOTAL	\$ 479,217.39	\$ 353,924.73	\$ 833,142.12

26-0441 Approval of Property Tax Releases and Refunds for July 2026

Pablo Friedmann, citizen stated he signed up to speak about the same concern with Item 26-0421.

RELEASES AND REFUNDS – July 2026

Current Year 2025 Taxes	Releases	Refunds	
Real Property	\$ 16,976.08	\$ 0.00	
Personal Property	\$ 0.00	\$ 0.00	
Motor Vehicle	\$ 0.00	\$ 0.00	
Solid Waste	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 0.00	\$ 0.00	
Public Service	\$ 0.00	\$ 0.00	
VTs Refunds	\$ 0.00	\$ 0.00	
Gross Rec. /Bev. Lic.	\$ 0.00	\$ 0.00	
SUB – TOTAL	\$ 16,976.08	\$ 0.00	\$ 16,976.08

Prior Year 2015-2024	Releases	Refunds	
Real Property	\$ 885,281.23	\$ 196,770.63	
Personal Property	\$ 0.00	\$ 826.41	
GAP Vehicles	\$ 0.00	\$ 0.00	
Motor Vehicle	\$ 0.00	\$ 0.00	
Solid Waste	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 0.00	\$ 0.00	
VTs Refunds	\$ 0.00	\$ 19,242.46	
Gross Rec. /Bev. Lic.	\$ 0.00	\$ 1,151.63	
SUB - TOTAL	\$ 885,281.23	\$ 217,991.13	\$ 1,103,272.36
GRAND TOTAL	\$ 902,257.31	\$ 217,991.13	\$ 1,120,248.44

Commissioner Jacobs moved, seconded by Vice Chair Allam to approve Items 26-0421 and 26-0441 pulled from the consent agenda.

The motion carried unanimously.

Public Hearings

26-0437 Public Hearing - To Consider the Adoption of a Proposed Moratorium on the Acceptance and Processing of Applications for New or Expanded Data Centers, with potential exemptions, with Durham County

Chair Dr. Lee opened the public hearing.

Maurice Jones, Deputy County Manger (DCM) shared the *Data Center Moratorium* presentation which highlighted the following: Data Centers, Types of Data Centers, Data Centers Concerns, Current Regulatory Authority Unified Development Ordinance Does Not Define and Durham County Proposed Moratorium.

Sarah Young, Director of Planning and Development stated that the Planning and Development staff were gathering information and analyzing relevant data to inform the development of a comprehensive draft proposal addressing data center regulations. Ms. Young stated her intention was to present the draft at the upcoming Joint City-County meeting, allowing both governing bodies to review and discuss the proposed regulations collaboratively. Following the presentation at the joint meeting, if the draft receives initial approval, it would then be brought forward separately for formal consideration and approval by each governing body at subsequent meetings.

Vice Chair Allam stated the majority of the Board agreed they did not want exemptions at the August 3rd Work Session meeting and the proposed moratorium language did not reflect what the Board desired. She asked if Section Four of the proposed moratorium was required by State law. Larissa Williamson, County Attorney replied Section Four was required by State law. Vice Chair Allam asked if the Board decided to adopt language in the proposed moratorium, would the public hearing notice cover the changes. Attorney Williamson responded yes; changes were stated in the public hearing notice. Vice Chair Allam asked when the County was informed about data center projects in the Research Triangle Park (RTP). DCM Jones replied RTP sent a letter to inform the Board about two data center projects. Vice Chair Allam asked if the City and the County could adopt different moratoriums. Ms. Young responded yes, adding staff would have to review the application at intake to determine specifics.

Commissioner Burton stated she realized she was giving direction to staff at the August 3rd Work Session meeting. She added she decided on changes to the language after talking with residents, visiting existing data centers and attending the North Carolina Association of County Commissioners (NCACC) Conference.

Commissioner Valentine stated decisions should be made at the dais with the discussion in front of the public to remain transparent. He added he did not send signals to staff about decisions against or for exemptions for data centers. Commissioner Valentine asked how 100,000 square feet become the benchmark for exemptions. DCM Jones replied the square footage was the difference between an enterprise data center and a hyper data center.

Commissioner Jacobs stated Work Sessions provided the Board with time to ask questions and ask for additional information. She stated the County was working with NCACC and partners about data centers.

The following citizens spoke virtually and supported passing the data center moratorium without exemptions: *Katie Roff, Pam Andrews, Donna Stainback, Wanda Allen, Tina Motley-Pearson, Jennifer Robinson and Mary Molina.*

The following citizens spoke in-person in support of passing the data center moratorium without exemptions: *Stephanie Turner, Eva Paig Bahnuk, Astrid Carole Dail, Leslie Dre, Heidi Grable, Christian Sykes, Robin Lacey, Shanise Renee, Camile Leonard, Ashley Daniels, Tia Hunt, Ve Pocal. Dr. Rania Masal, Allen Freyor, Sandra Smith-Nonini, Dulle Campos, Prince Williams, Adari Protorwall, Alyson Hyman, Megan Homig, Edgar Arrieta, Victoria Plant, Samantha Krop, Molly Crabb, Clark Thomas, Elizabeth Thomas, Meech Carter, Jenn Walsh, Emily Sutton, Kayla Igo-Knease, Stephanie Gans, Mustafa El-Ehmeddas, Charlie Rios, Jayanna Sims, Lindsay Savelli, Beth Bruch, Rafael Diaz, Samatha Boyd, Andrea Cazales, Pablo Friedmann, Isacc Hessel-Robinson, Annie Dolon, Ryder Sammons, Kimberly Lawym, Jenn Alexander and Patrick Alexander.*

The following citizens supported passing the data center moratorium with exemptions: *Scott Levitan and Ramsay Ritchie.*

Chair Dr. Lee closed the public hearing.

Commissioner Burton stated Durham County had 14 enterprise data centers and asked how much water and energy usage. Ms. Young responded that she contacted the water center to get water usage and staff were not able to track energy usage. Commissioner Burton asked when the research would be complete. Ms. Young responded that the plan was to complete the research by December 2026.

Vice Chair Allam moved, seconded by Commissioner Burton to extend the meeting until midnight.

The motion carried unanimously.

Commissioner Jacobs shared the following statement:

“I first want to thank our residents for all your input and engagement. I appreciate all the emails, phone conversations and meetings about this important issue. I also greatly appreciate everyone who has sent me articles and links to information. I not only have read all of them but have tried to take advantage of every opportunity to educate myself further on this issue by attending Data Center sessions at the national NACo Conference in July and our statewide NCACC Conference here in Durham this past week. I also attended a webinar provided by the National League of Municipalities. I will continue to seek every opportunity to learn about Data Centers so that I can make the most well-informed decisions possible as your county commissioner as we move forward with a data center ordinance.

I want to be clear- I do not support the construction of hyperscale, mega, crypto mining, crypto currency, large cloud computing data centers in Durham County. I know many of our residents are very concerned about their negative impacts on our water, air, electrical grid, noise, land use, and farmland. I share these concerns. This type of data center is currently being constructed in neighboring Person County by Microsoft on 1,350 acres. We are also seeing construction or expansion of hyperscale data centers in other predominantly rural counties in North Carolina such as the 1.3 million sq ft Meta Campus in Rutherford County, the 800-acre Amazon Campus in Richmond County and the 1 million sq ft Apple Maiden Campus in Catawba County.

I share the concerns and fears that Durham residents have about these types of data centers. I also want to be clear that these are not the type of data centers we currently have in Durham city or county. It is important to understand that the jurisdiction of Durham County is specifically the unincorporated areas of Durham County outside of the Durham City limits and in the two other areas of Durham County jurisdiction, RTP and Treyburn Industrial Park, both of which are our major employment campuses. In considering the proposed moratorium on data centers it is important we consider the actual realities in Durham County.

We have data centers everywhere in our community. They are a part of the way we all function each day whether it comes to our medical care, online shopping, work, how we communicate or receive information. As a matter of fact, you can go to the top floor of the building we are into the IT Department and see a sign that says Data Center. The types of larger data centers we currently have in Durham County are all located in RTP and are considered Enterprise or Edge Data Centers. They directly support the work of the more than 400 research, life science, pharmaceutical, technology, financial, advanced manufacturing and other companies in RTP. These companies are not only the economic engine of Durham County but also of our region and the state of North Carolina. It is estimated that RTP contributes \$25.1 billion of economic impact and employs 55,000 employees. RTP employs many Durham residents and is an important jobs pipeline for our students who graduate from NCCU, Duke, Durham Tech and DPS.

Over the 14 years I have served on this board, we have worked very hard to attract and retain companies who pay a family sustaining wage for young people in Durham -good jobs with good benefits. This has paid off. RTP is now one of the most important life science and bio tech hubs in our country and the world. Durham County has invested millions of dollars in programs like the BULL's Academy that has prepared and connected hundreds of young people of color to this life changing transformational jobs. RTP is not in the City of Durham. It is within Durham County. I think it is important our residents have this context to understand why Durham County's moratorium language expands upon the exemptions included in the City of Durham moratorium and also includes reasonable accommodations to support the more than 400 companies- from small start-ups at the Frontier to major research and development campuses -who depend on enterprise and edge data centers for the work they do each day.

I would like to try to directly address concerns I have heard from our residents:

Why not adopt the City of Durham Data Centers Moratorium?

It is important to understand that the City and County jurisdiction, land use and zoning are different. Because there are existing enterprise and edge data centers also already within the city of Durham within or close to residential areas, appropriate locations of data centers in regard to dense residential development need to be carefully considered. I am strongly committed to protecting our rural residential development, watershed and farmland in Northern Durham County and want to make sure all of our residents understand that right now NO data centers can be built in the unincorporated areas of Durham County without being annexed into the City and receiving City water and sewer services. This cannot happen due to the City's current adopted moratorium. I will seek to ensure these areas are

permanently protected under our future data center ordinance.

So, this just leaves RTP and Treyburn Industrial Park for Durham County Government's consideration. I am not currently aware of existing Enterprise or Edge data centers in Treyburn but from what I have learned since our April 3 work session is that there are currently 20 data centers in RTP-12 in Durham County, the first one built in 1981 and the most recent one built in 2013. They range in size from the smallest, 10k sq ft built in 2005, to the largest, 450 sq ft built in 1995. Almost every one of these 20 data centers has been renovated or updated at some point ranging from 4 to 30 years after their original construction. Located appropriately within a research and development campus, these are the types of data centers that support the daily work of storing and processing information needed by large and small companies throughout RTP

Similar to the City of Durham's moratorium language, Durham County's language includes an exemption for data centers key to the daily functioning of our economy and our jobs- data centers supporting financial institutions, government activities, educational institutions, medical centers and hospitals. We also have many large government agencies RTP like EPA and NIH that depend on data centers. Unlike the City of Durham, we have the responsibility to take into consideration the ongoing business activities and functioning of the more than 400 businesses in RTP and the thousands of Durham residents who depend on these businesses for their livelihood and to support their families.

We are in a drought. What about the large amount of water used by data centers?

This is a huge concern with large, AI, hyperscale data centers. Durham County's moratorium language, similar to the City's, exempts secondary support data centers. In addition, the proposed Durham County moratorium includes exemption of enterprise or edge data centers -the type that exist in RTP- up to 100,000 sq ft with the added restriction that they must be "a closed loop water system or other cooling technology to achieve equivalent or greater reduction in potable water consumption". The Durham County moratorium will put into place right now this water usage requirement. I hope we will look further into this issue and how to address concerns about possible PFAFS contamination in cooling water.

What about electricity? Data centers use a tremendous amount of energy, putting pressure on our grid and costs get passed onto consumers.

I agree that this is a concern, especially regarding hyperscale data centers. Unfortunately, local governments in North Carolina have no control over electricity- this is under the authority of the NC Utilities Commission. It will be important that all of us- elected officials and residents- raise these issues directly with the Utilities Commission. Electrical infrastructure - four substations- have already been constructed and planned to support the research and development ecosystem in RTP so existing capacity is available specifically for the RTP employment campus. In our new data center ordinance, I would like to explore our ability to require green and renewable energy infrastructure such as solar generation for power and back up storage.

I am concerned about noise and its impact on residents.

I also share this concern that has been documented with hyperscale data centers. According to our planning department staff, they are not aware of any documented complaints concerning our existing data centers in Durham- some that have been around for nearly 40 years. The proposed Durham County moratorium requires any new or renovated enterprise or edge data centers must rely "exclusively on non-diesel back up generation". We are proactively taking the first step to address issues with diesel generators associated nationally with noise complaints from people living near hyperscale data centers. Not allowing diesel back up generation will also address concerns about diesel emissions. Noise will be an area we can look at further regulating in our ordinance.

We want data centers to be completely banned in Durham County. We want a moratorium for as long as possible.

It is important to understand what is allowable under NC General Statute 160D-107 and the very limited authority that local governments have around land use and zoning in North Carolina. We are also following NC GS 160D-107 by having a time limited moratorium that is tied to a concrete action we will take within a justifiable timeframe- adopting a new data center ordinance because this is a need that does not currently exist. During an information session led by a legal land use expert from UNC School of Government last week, I learned that our ability to create a new data center zoning ordinance may be impacted by GS. 160D-601 which currently restricts Downzoning. We are fortunate

that RTP 3.0, the newly adopted zoning envisioning a work, live, play future for RTP, may help us better face some of these challenges within this area of Durham County.

Durham County should do exactly what the City of Durham approved of without any additional exemptions. 9 months is not a long time and will not have any negative impacts on RTP.

Since our August 4 work session, we have heard from many stakeholders that a 9-month moratorium that does not allow for potential renovation or new construction of enterprise and edge scale data centers in RTP could in fact have unintended economic consequences and could cause both potential short- and longer-term harm to Durham County's economy. We have heard from one of RTP's anchor institutions, IBM, that they may have the need to renovate their existing data centers within this 9-month period. We heard from the RTP foundation about two active projects in process data centers which could result in an estimated half billion dollars in capital investment. This is the type of investment that can help provide needed property tax revenue to help fund our schools and provide vital services such as EMS and reduce the property burden on our residents.

We face a very precarious and challenging time for families as well as local governments. People are struggling with rising costs of daily life. Young people are struggling to find good paying jobs. Local governments are under extreme financial pressures due to unfunded mandates from our state and federal governments and loss of federal funding in many areas. The impact of inflation, rising fuel and material goods hurts Durham residents as well as our City, County and DPS budgets. NC's 2nd congressional district, which includes Durham County and most of RTP, was the hardest hit of any district in the United States. Duke University, Durham County's single largest employer, and other large employers like EPA, NIH, RTI, and FHI have been impacted by cuts to government agencies and loss of federal grants. It is estimated we have lost more than 6,000 jobs in RTP in the past two years.

The good news is that RTP is ready to pivot, transform and innovate just like we did back in 1965, more than 60 years ago, when it was just a pine forest and North Carolina was one of the poorest states in the United States. Durham County Government has been a strong partner in the reimagining of RTP. Since 2012 we have invested \$20 million in RTP 2.0 - the 100-acre HUB- to create a new model of work, live, play RTP. The newly adopted RTP 3.0 zoning ordinance now gives RTP the opportunity to transform the 7,000-acre employment campus into a more walkable, transit oriented, mixed-use environment where 40,000 people may live and work one day.

It has been one of my biggest priorities as a county commissioner over the past 14 years that Durham County Government partner with RTP employers to ensure we have a pipeline of meaningful and good paying jobs-family sustaining jobs- with good benefits, accessible to people of all backgrounds and education levels including a high school or associates degree or the appropriate certifications attainable at Durham Tech. Our partnership with NCCU, Durham Tech, DPS, Duke and employers in RTP to create a strong education to jobs pipeline for all Durham residents becomes even more important right now as we adapt locally to complex state and federal economic challenges.

I believe the data center moratorium language proposed by our staff is a careful approach to this complex issue. The proposed moratorium will create important and necessary guardrails to protect our residents and natural environment from the threat of hyperscale data centers over the next 9 months as we develop a comprehensive data center ordinance. This moratorium language will take the first steps toward addressing concerns about noise and water usage, and at the same time take measured steps to avoid unintended negative economic consequences during a time when tax revenue to fund local services and the need for good paying jobs for our residents are also critical issues for our community. I believe that Durham and RTP can be a national leader in implementation of environmentally sustainable best practices and look forward to the process of working together with all stakeholders in Durham to achieve this mutual goal."

Chair Dr. Lee shared the following statement:

"The Board has received numerous public comments and a significant number of emails concerning the issue of AI data centers. The feedback shared during tonight's meeting was expected, as it aligns with the sentiments expressed in previous discussions. Notably, during the last meeting, every member of the dais agreed with the stance on AI data centers. The Board not only supports a moratorium but, if given the opportunity, would favor banning hyperscale AI use data centers. I share this view and fully support such measures.

There appears to be some confusion regarding the nature and scope of the moratorium. One citizen mentioned concern about the possibility of building a data center near their home, which prompted their attendance and comments tonight. Another resident pointed out that not all data centers are alike, emphasizing the need to specifically ban AI data centers, which presents its own set of challenges. The underlying issue stems from how data centers are defined and regulated especially since not all data centers utilize AI. This question has been central to my conversations with residents and staff about the subject.

The debate centers on what exactly constitutes a data center and what types of operations should be restricted. There are differing opinions, with some advocating for a total stoppage of any activity related to data centers, while others recognize that not all centers involve AI use. This distinction is reflected in the proposed moratorium.

The issue of square footage was raised during public comments. I did not originate the 100,000 square feet figure; it was first mentioned during the meeting as a possible compromise. I questioned its implications and sought clarification on what such a measurement would mean for different types of centers. We must ensure that our decisions are made with proper oversight, understanding the consequences, and balancing immediate needs with long-term goals.

My position remains unchanged: Durham needs to be protected from AI data centers, including large-scale facilities, while maintaining flexibility to support small businesses and organizations that do not utilize AI but rely on data retrieval. Companies such as American Underground and other small firms depend on these services. Developers who spoke in favor of a moratorium without exceptions highlighted the importance of data storage in modern development, a practice I am familiar with from my experience at IBM. Data retrieval is essential for many businesses, and a broadly written moratorium with no exemptions could hinder innovation and progress.

It is crucial that we do not inadvertently restrict legitimate business activities or innovation. Vice Chair Allam and Commissioner Valentine raised important points about aspects of the moratorium, including the 100,000 square feet threshold. Reviewing and refining these measures are necessary to avoid confusion and ensure we fulfill our responsibility to limit unintended consequences, as Commissioner Jacob emphasized. The moratorium, as written, aims to address these concerns for nine months. However, this is a temporary solution, and future regulations will be included in the UDL, which will require more complex decisions to minimize challenges.

I support the moratorium as it is currently written, but I am open to making adjustments to resolve inconsistencies identified during discussions. The essence of the moratorium aligns with my goal of preventing hyperscale AI data centers while allowing regular data retrieval centers to operate. It is important that we maintain balance in our approach to regulation and oversight.”

Vice Chair Allam shared the following statement:

“In addressing the provisions of the data center moratorium, it is important to clarify which sections are supported and which raise explicit concerns. Section 4B, as required by state law, and Section 4C, which aligns with the city's moratorium and pertains specifically to office server room provisions, are not opposed. These sections do not impact the current community objections regarding carve-outs for data centers.

The primary objections are focused on Sections 4A and 4D. The definition of exemptions within the moratorium essentially determines the exact issues that should be researched during the moratorium period. By exempting facilities using closed loop cooling systems, the ordinance implies that such systems resolve all concerns, which have not been substantiated through research. Further, allowing exemptions for facilities relying on non-diesel backup suggests that any alternate backup system is acceptable, without proper evaluation. Exempting buildings under 100,000 square feet assumes that size alone mitigates the problems raised by the community, despite evidence to the contrary. The memo references ongoing staff research and the lack of data collection methods for PFAS, highlighting that many studies listed in Section 6 have yet to be completed.

There is an inherent contradiction between sections of the ordinance. Section 3, statement 2 asserts that the moratorium prevents the vesting of development rights under outdated regulations. However, section 4 allows certain uses to vest under those same outdated regulations, undermining the purpose of the moratorium. Any challenge to the

moratorium under General Statute 160D-107 would receive expedited review, with the County required to demonstrate compliance a difficult task given these contradictions.

The memo identifies eight categories of concern related to data centers: electricity consumption, water consumption, noise pollution, air emissions, hazardous materials storage, and others. Section 4A addresses only two of these areas, leaving six concerns unaddressed. The focus on closed loop cooling systems is based on assumptions about their superiority, but research to confirm their effectiveness has not been completed. These systems may save water but consume more electricity, which is also a significant concern for the Board.

Section 4D is particularly confusing, as it applies water-saving and non-diesel requirements to new facilities under 100,000 square feet but not to expansions of existing buildings. If these requirements are meaningful for new facilities, they should also apply to expansions. Staff have noted that megawatt thresholds, not square footage, are the appropriate measure, but as the County lacks authority over energy usage, the exemption defaults to footage. This is problematic, as technological advancements increase electricity usage within the same footprint, making the exemption static and potentially outdated.

The standards being developed over the next nine months may not affect companies entering during the moratorium. These companies could expand within the static square footage exemption, escalating concerns about electricity usage. The long-term impacts of these decisions will outlast the nine-month moratorium and affect future generations, including their health, environment, and financial stability. Water scarcity is already an issue, as drought conditions persist and water reservoirs are at record lows, yet the moratorium allows for facilities that could consume substantial amounts of water.

The purpose of a moratorium is to pause development while research is conducted and definitions, thresholds, and exemptions are established through a public process involving community and business stakeholders. Prematurely including exemptions undermines this process. County governments in North Carolina have limited powers, and self-imposed restrictions through these exemptions further reduce their ability to act. The state already grants numerous tax exemptions to data centers, limiting potential revenue generation. Policy decisions are deliberate and shaped by various influences, including industry lobbying, which often seeks to avoid regulation.

The tech industry, like others, could undertake research to improve closed loop systems and reduce harmful emissions, but change often requires regulatory pressure. Land use remains one of the few powers available to Durham County, and decisions made now will have lasting consequences. The intent is not to ban data centers permanently, but to use the nine-month moratorium to thoroughly research and define appropriate regulations for inclusion in the UDO, ensuring a balanced approach that protects public interests."

Commissioner Burton shared the following statement:

"I am pleased that we are engaging in this conversation. During our Work Session on August 3rd, I posed an important question: Are we developing a Unified Development Ordinance (UDO) specifically for data centers, or are we creating an ordinance targeting hyperscale AI data centers? This distinction matters because these facilities currently lack regulation. As someone trained as a librarian, particularly at the elementary level. I spent three decades teaching children how to synthesize and evaluate information. In my current capacity, I have applied these skills to learning about data centers, even though my initial knowledge on the topic was limited.

One aspect of this debate that stands out to me is the prevalence of technology use among young adults in this room. Many are typing on phones, watching videos, and posting on social media, which are activities that all rely on data centers. It is essential to recognize that our everyday technology usage depends on these facilities.

It is crucial that we use precise language and clarify that our focus is on hyperscale AI generative data centers. When we lump all types of data centers together in our messaging, it leads to confusion. We received emails expressing opposition to data centers in Durham, with messages such as "no data centers in Durham," "we don't want data centers in Durham," and "don't build data centers in Durham." However, it is important to note that we already have approximately 14 enterprise data centers in Durham and around 20 in the Research Triangle Park.

I have given staff clear direction regarding the water usage of data centers. Many emails and public comments tonight have voiced concerns about water and energy consumption, including those related to enterprise data centers. It is evident that we have not yet conducted the necessary studies. As we move forward, it is important that we conduct this research, it is essential for staff to ensure that we gather comprehensive information regarding the data centers that are currently established in the area. Understanding the presence and operations of these existing data centers will provide valuable insights and support the objectives of our study.

I have been hearing comments suggesting that the Board catered to corporate interests, but I can only speak for myself. I genuinely listen to the community and try to take their concerns to heart. I conducted my own research by visiting some data centers in the Research Triangle Park and observing their scale. I also traveled to Person County to see the Microsoft data center under construction. Based on what I observed, I am certain that I do not want such hyperscale, mega-sized data centers in Durham County, and I believe that other Board members share this sentiment.

I am concerned about the tendency to view data centers in binary terms as either entirely bad or entirely good. Some of the posts I have read reflect this perspective, and it worries me. Additionally, the city's recent moratorium did not account for the Research Triangle Park, which falls under county jurisdiction. This is an important consideration that we must discuss and evaluate carefully as we make decisions about data centers in our community.

Thank you."

Commissioner Valentine shared the following statement:

"I want to acknowledge the insightful comments shared by my esteemed colleagues regarding what I consider to be a highly complex and nuanced issue facing our community. I also wish to thank the community for actively participating and expressing their views in the marketplace of ideas. Over the past several months, we have had the opportunity to hear from many residents, and I have carefully reviewed the concerns raised by the community.

Among these concerns, I hear fear and uncertainty surrounding data centers and the impact they may have on individuals in our community. This is especially relevant at a time when our resources are being strained due to ongoing growth. Those who are familiar with me know that I am deeply committed to addressing issues that affect our water, waterways, and pollution, as well as, in the case of data centers, noise and other environmental challenges. I have thoughtfully considered all these factors in my decision-making process.

When it comes to growth in our community, it has always been my position that we must move forward intelligently and responsibly. The discussion today, as alluded to by at least one county commissioner, dates back to a unanimous decision in November 2005 by this Board to open Research Triangle Park (RTP) and for residential and mixed-use development under RTP 3.0. The vision established in 1959 set the stage for exponential growth in our state, and the commitment to opening the park has been pivotal. I do not want to fail to honor that commitment, as RTP has served as an economic driver for our community, state, and nation, significantly contributing to the standard of living we enjoy here in Durham County.

I believe there is a consensus within our community about the direction we should take. This is not Loudon County, and I am determined to ensure that it never becomes Loudon County. The discussion centers on the exclusion of hyperscale data centers, especially those that are AI-focused and considered mega data centers. It is apparent and I think everyone agrees that such centers are not consistent with the values of our community. Our staff was tasked with conducting thorough research and proposing exemptions in the spirit of safeguarding our ability to attract business to Research Triangle Park. I believe the intent behind these exemptions accurately reflects that goal.

I have previously spoken from this dais about the 100,000 square feet exemption. Given the rapid pace of technological advancement, it is my understanding that, regarding establishing guardrails, this exemption represents one of the few measures we currently have as we seek a permanent solution to this issue in our community.

If amendments are opposed, I would support incorporating the language from section 4A into section 4D. Additionally, I believe we should evaluate whether the 100,000 square feet exemption should serve as the primary guardrail. If there

are other considerations, I am open to discussing those, especially since the County faces unique circumstances compared to the city. RTP, Treyburn, and other incorporated areas present distinct considerations, but once again, this is not Loudon County. I will continue to fight vigorously to prevent hyperscale data centers from coming to Durham County.”

Motion 1:

Vice Chair Allam motioned to amend the proposed ordinance by striking Section 4(a) and Section (4d) retaining Section 4(b) and Section (4c) and by conforming Section 3 as necessary so that the statutory statements match the amended scope.

The motion failed.

Motion 2:

Vice Chair Allam motioned, seconded by Commissioner Valentine to amend section 4(d) to apply the same cooling and backup generators conditions required under section 4(a).

The motion carried unanimously.

Motion 3:

Vice Chair Allam motioned, seconded by Commissioner Valentine to amend section 4(a) to require as a condition of exemption that an applicant certify in writing its expected connected electrical load, cooling system type and working fluid and its backup generator fuel and that such certification be a public record.

The motion was approved as follows:

- Ayes: Chair Lee, Vice Chair Allam, Commissioners Burton and Jacobs
- Nays: Commissioner Valentine

Motion 4:

Vice Chair Allam motioned, seconded by Commissioner Burton to amend the plan of action in section 6 expressly to include study of the relationship between facility floor area and electrical load, the water and energy tradeoffs of closed-loop and other cooling technologies including disclosure of working fluids, the emissions profile of non-diesel backup generation, and aggregation and phasing standards and that staff report to the Board on these items before the draft ordinance is presented in December 2026.

The motion carried unanimously.

Motion 5:

Commissioner Jacobs motioned, seconded by Commissioner Valentine to adopt the proposed Moratorium on the acceptance and processing of applications for new or expanded Data Centers with the voted approved changes keeping in place the remaining provisions.

The motion was approved as follows:

- Ayes: Chair Lee, Commissioners Burton, Jacobs and Valentine
- Nays: Vice Chair Allam

Board and Commission Appointments

Larissa Williamson, County Attorney announced the voting results.

The Board made the following appointments (incumbents are identified with an (i). Individuals who are recommended by a Board are underlined.) Individuals listed in bold print were appointed.

Durham-Wake Counties Research and Production Service District Advisory Committee

(i) **Gina Anderson** (Allam, Burton, Jacobs Lee, Valentine)

(i) **Sarah Gaskill** (Allam, Burton, Jacobs, Lee, Valentine)

(i) **Brandi Saulles** (Allam, Burton, Jacobs, Lee, Valentine)

Opioid Settlement Advisory Committee

Elijah Basemore (Burton, Lee, Valentine)

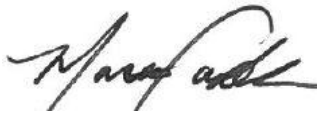
Lucius Wilson (Allam, Jacobs)

Adjournment

Vice Chair Allam moved, seconded by Commissioner Burton to adjourn the Regular Session meeting at 11:49 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Deputy Clerk to the Board