



Durham County

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

Meeting Agenda Board of County Commissioners

Monday, October 24, 2022

7:00 PM

Commissioners' Chambers

Regular Session

"Public Charge"

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

7:00 pm Regular Session

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

22-0637 Announcements (5min)

Agenda Text:

1. **DCo Public Health COVID-19 Vaccination Clinic Hours** - The COVID-19 vaccination clinic at the Durham County Department of Public Health, 414 E. Main St., has the following walk-in hours to get your free vaccination: Monday, Wednesday, Thursday & Friday: 9 a.m. to 4 p.m.; and Tuesday: 9 a.m. to 5:45 p.m. All approved doses available. Please note, clinics are closed between 11:30 a.m.-1 p.m. daily and on Saturday and Sunday. Visit www.dcopublichealth.org/COVIDVaccines or call 919-560-9217 for more information.
2. **Next Sheriff Speaks Session on Expungement Process** - On Wednesday, October 26, Durham County Sheriff Clarence Birkhead will host a community discussion "The Sheriff Speaks with Durham County about the Expungement Process." This series of community discussions is open to

all residents and free of charge. This session is at Antioch Baptist Church, 1415 Holloway Street, beginning at 5:30 p.m. Kate Fellman from You Can Vote, Sheriff Birkhead, and representatives from Legal Aid NC will be panelists.

3. **Margaret Killjoy Book Tour Comes to Main Library** - Join author Margaret Killjoy on tour as she celebrates the release of her forthcoming collection, "We Won't Be Here Tomorrow and Other Stories." She will read selections from her new book, discuss her many projects, and answer any questions. Event is at Durham County Main Library on Wednesday, Oct. 26, 6-7:30 p.m. Registration Required at <https://durhamcountylibrary.libcal.com/event/9444468>.
4. **Residents and Businesses Invited to Participate in Operation Green Light from Nov. 7-13** - The Durham County Veteran Services Department and the National Association of Counties invite all Durham County residents and businesses to participate in Operation Green Light from Nov. 7-13, 2022, by lighting up your porch, lights in windows, or business lights with green to bring awareness to the unique challenges faced by many veterans and the resources that are available. Find out more here: <https://www.naco.org/resources/naco-launches-operation-green-light>.
5. **Child Tax Credit Deadline for Easy Claims is Nov. 15** - The deadline of November 15, 2022 is fast approaching for simplified filing for the 2021 expanded Child Tax Credit (CTC). The portal at <https://www.getctc.org> allows families to easily claim the tax credit. Simplified filing makes it easy for families with no or low incomes to claim the 2021 CTC and potentially other money. Individuals can continue to claim the 2021 expanded CTC until April 2025, but after www.GetCTC.org closes on November 15th, they will need to file full tax returns to do so.
6. **Website Now Live for Student Loan-Forgiveness** - The U.S. Department of Education is now accepting applications for student loan relief beginning now through Dec. 31, 2023. This loan relief can erase up to \$20,000 for Pell Grant recipients and up to \$10,000 for non-Pell Grant recipients. Please visit www.studentaid.gov/debt-relief/application <http://www.studentaid.gov/debt-relief/application> for additional information and to apply.
7. **Volunteer for New Cultural Roadmap Planning Group** - Durham County and the City of Durham have entered into a joint agreement to govern the development of the new Durham Cultural Roadmap. This roadmap is an updated strategic vision to guide and support the Bull City's local arts and

cultural ecosystem and the artists and creatives that make it vibrant. Led by the Durham Cultural Advisory Board (DCAB), development of the Cultural Roadmap will include input from a Cultural Roadmap Planning Group comprised of volunteers who reflect the diversity of Durham, including young people and members of the cultural and business communities. The planning process kicks off in fall 2022 and is expected to be completed by December 2023. For more information, or to volunteer for the Cultural Roadmap Planning Group, visit

<https://www.durhamnc.gov/451/About-the-Cultural-Roadmap> or send an email to: dcab@durhamnc.gov <<mailto:dcab@durhamnc.gov>>.

8. **2022 Bond Referendum Website** - Durham voters will be asked to vote yes or no on a 3-part General Obligation Bond Referendum during the upcoming General Election period. Bonds for Durham Public Schools, Durham Technical Community College, and Museum of Life and Science of \$550.2 million will be seen on the upcoming ballot. Durham County Government has created a website providing key information about the 2022 Bond Referendum at <http://durhamcounty2022bondsreferendum.org/>
9. **Early Voting has Begun** - The Early Voting Period for the 2022 General Election began on Thursday, October 20 and continues each day through Saturday, November 5. Election Day for the local, state and national elections - including the three-part 2022 General Obligation Bond Referendum - is Tuesday, November 8. To find out all the information you need to vote early, by mail, or on Election Day, visit www.dcovotes.com
<http://www.dcovotes.com>

4. Minutes (5 min)

[22-0639](#)

Minutes (5min)

Attachments: [September 28, 2022 Regular Session](#)
[October 3, 2022 - Work Session](#)

5. Ceremonial Items (20 min)

[22-0600](#)

Proclamation - PEACH Lead & Healthy Homes Economic Initiative and Lead Poisoning Prevention Week (10min)

Agenda Text: The Board is requested to proclaim October 25 - 29, 2022 as PEACH Lead & Healthy Homes Economic Initiative and Lead Poisoning Prevention Week.

PEACH has worked with a cooperation of agencies within the State of North Carolina, including Children's Environmental Health, the State Laboratory of Public Health, and the NC Lead and Healthy Homes Outreach Task Force, and PEACH will continue to strive to increase lead education and testing for low-income residents

and pre-1978 homes. PEACH will also partner with local universities to continue to provide internships for undergraduate, graduate, and doctorate level students, provide income opportunities for low-wealth community workers, all in an effort to assist Durham with primary prevention of lead poisoning to the 8,300 high risk children in Durham County and to help improve healthy homes for all of Durham's residents.

Alignment with Strategic Plan: This item aligns with Strategic Goal 2.

Resource Persons: Lenora Smith, Executive Director with Partnership Effort for the Advancement of Children's Health (PEACH)

County Manager's Recommendation: The County Manager recommends that the Board proclaim October 25 - 29, 2022 as PEACH Lead & Healthy Homes Economic Initiative and Lead Poisoning Prevention Week.

Attachments: [Proclamation - Lead Poisoning Prevention Week - Oct22](#)

22-0647

Recognition of Durham County's Kids "I Voted" Sticker Contest Winner Annabel Swansey (10min)

Agenda Text:

The Board is requested to recognize Annabel Swansey as the inaugural winner of the Durham County Kids "I Voted" Sticker Contest, sponsored by the Board of Elections and Kids Voting Durham. Fourteen designs were submitted by Durham students in grades K-12. After designs were submitted and reviewed, over 75 Durham students in grades K-12 voted for their favorite design. Following public voting, the top three designs were placed before the Board of Elections at a public meeting to select the winning design and the Board unanimously selected Annabel's design as the new Durham County Kids "I Voted" sticker. The new design will be provided to all kids that accompany their parents to vote or participate in a simulated election administered by Kids Voting Durham for the 2022 General Election.

Chair Baxton and Board of Elections member Pamela Oxendine will provide an overview of the contest and present Ms. Swansey with a custom plaque displaying her winning design.

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

Resource Persons: Elections Director Derek Bowens and Deputy Director Brenda Baker

County Manager's Recommendation: The County Manager recommends that the Board recognize Annabel Swansey as the inaugural winner of the Durham County Kids "I Voted" Sticker Contest.

Attachments: [2022_11_08_Swansey_Sticker_Submission.jpeg](#)

[2022_11_02_Sticker_Poster.png](#)

[2022_Top_3_Stickers.png](#)

6. Consent Agenda (15 min)**22-0614****Request for Approval of Easement Agreement/Legal Description and Dedication Plat with Dominion Energy for a Natural Gas Easement Necessary for the New Northern High School****Agenda Text:**

The Board is requested to approve the attached Easement Agreement, Legal Description and Dedication Plat with Dominion Energy for the natural gas easement for the new Northern High School located at 4622 N. Roxboro Street. (See attachment 1 - pages 1 - 6)

The agreement will grant access to Dominion to install and service the natural gas lines feeding the new Northern High School site currently under construction. The easement agreement is required by Dominion Energy to construct and maintain the natural gas services which are required to fuel the new facilities. The dedication plat includes a proposed variable width easement consisting of 20,060 S.F./0.461 acres.

The County Attorney's Office has reviewed the Easement Agreement and Dedication Plat which is attached for the Board's reference.

Alignment with Strategic Plan: This aligns with Goal 4 - Environmental Stewardship - through the improvement of the environmental performance of County buildings to reduce energy use and greenhouse gas emissions from the built environment. The project also addresses Goal 5 - Accountable, Efficient and Visionary Government - by providing more efficient service delivery and better customer service.

Resource Persons: Bernard Hall, Project Manager, Durham Public Schools Construction and Capital Planning; Fredrick Davis, Durham Public Schools Director of Construction and Capital Planning; Peri Manns, ASLA, Assistant General Manager/Deputy Director, Engineering & Environmental Services; Willie Darby, Acting County Attorney

County Manager's Recommendation: The County Manager recommends that the Board approve the attached Easement Agreement, Legal Description and Dedication Plat with Dominion Energy for the natural gas service easement for the new Northern High School.

Attachments:

[Dominion Easement Legal](#)

[Northern Durham HS - Dominion Easement Plat Sealed](#)

[Northern Durham HS2](#)

22-0619**Budget Ordinance Amendment No. 23BCC00040 Cooperative Extension to Recognize \$3,000 in Funding from DAISA Enterprises, LLC and the Kresge Foundation to Attend In-Person the White House**

Conference on Hunger, Nutrition, and Health**Agenda Text:**

The Board is requested to approve Budget Ordinance Amendment No. 23BCC00040 Cooperative Extension to recognize \$3,000 in funding from DAISA Enterprises, LLC and the Kresge Foundation to attend in-person the [White House Conference on Hunger, Nutrition, and Health](https://health.gov/our-work/nutrition-physical-activity/white-house-conference-hunger-nutrition-and-health) [<https://health.gov/our-work/nutrition-physical-activity/white-house-conference-hunger-nutrition-and-health>](https://health.gov/our-work/nutrition-physical-activity/white-house-conference-hunger-nutrition-and-health).

The Durham County Food Security Coordinator was invited to attend in-person the White House Conference on Hunger, Nutrition, and Health on September 28, 2022 in Washington, DC. The one-day conference was an important milestone since it has been “more than 50 years since the first and only White House Conference on Food, Nutrition, and Health was held in 1969. The White House Conference on September 28th was intended to catalyze national, state, and local government agencies, as well as the private sector around a coordinated strategy to improve food security, nutrition, and health in the United States.

This funding covered travel expenses.

Alignment with Strategic Plan: This item aligns with Goal 2: Health and Well-Being for All of the Durham County Strategic Plan.

Resource Persons: Mary Oxendine, County Food Security Coordinator; Donna Rewalt, County Extension Director

County Manager’s Recommendation: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 23BCC00040 Cooperative Extension to recognize \$3,000 in funding from DAISA Enterprises, LLC and the Kresge Foundation to attend in-person the White House Conference on Hunger, Nutrition, and Health.

Attachments:

[Invitation to the WHConf 9.16.22](#)

[WHConf funding](#)

[WHConf Check](#)

[AAF-040 Legal Form](#)

22-0623**Request for refund of excise tax to McCollum Law, P.C.****Agenda Text:**

The Board is requested to consider the refund of excise tax filed in the Durham County Register of Deeds Office in error by McCollum Law, P.C.

The law firm has stated that it submitted a document for filing with Durham County, along with excise tax, however the document should have been filed in Wake County. The amount of the tax which is seeking to be reimbursed is in the amount of \$463.00.

Per North Carolina General Statute 105 - 228.37 a taxpayer who pays more tax than

is due under this section may request a refund of the overpayment by filing a written request with the board of county commissioners in the county where the tax was paid.

Alignment with Strategic Plan: Responsible and accurate financial stewardship is consistent with each of the County's strategic goals however may most closely be linked with Goal 5, Visionary Government.

Resource Persons: J.T Tabron, Assistant Register of Deeds

County Manager's Recommendation: The County Manager recommends that the Board refunds the stated excise tax to McCollum Law, P.C.

Attachments:

[Wake deed of trust](#)

[Wake deed](#)

[Durham deed of trust](#)

[Durham deed](#)

[McCollum Law refund request](#)

22-0631

Property Tax Releases and Refunds for September 2022

Agenda Text:

The Board is requested to approve the Releases & Refunds for the month of September 2022, which includes adjustments to the current year 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 report details releases and refunds for the month of September 2022.

Releases and refunds for tax year 2022 total \$ 182,931.25. Prior tax years' (2016-2021) releases and refunds are in the amount of \$466.25. September 2022 releases and refunds total \$183,397.50.

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

Resource Persons: T. Dwane Brinson, Tax Administrator

County Manager's Recommendation: The County Manager recommends that the Board accept the property tax release and refund report for September 2022 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

Attachments:

[Releases and Refunds Backup Detail-Sept 2022-October 24, 2022](#)

[Backup-Tax Release and Refunds-Sept 2022-Oct 24, 2022](#)

[NCVTS August Refunds](#)

7. Other Business (45 min)**22-0615****Durham County Family-Friendly Workplace Policies (30min)****Agenda Text:**

The Board is requested to hear a presentation from MomsRising's representative, Tina Sherman, on the proposal her agency is bringing to Durham County Government to adopt pregnancy accommodations and safe days and extend the current parental leave policy of 12 weeks to also include family leave.

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

Resource Persons: Brenda Howerton, Board Chair; Dr. Kimberly Sowell, County Manager; Kathy Everett-Perry, CHRO/Chief Employment Counsel; Deidre Gonzales, Human Resources Manager

County Manager's Recommendation: The County Manager requests that the Board hear the presentation from MomsRising and ask any questions regarding the adoption of the proposed policies for Durham County Government.

Attachments:

[Durham County Workplace Policies Fall 2022](#)

22-0640**Durham County Public Health Focused Update (15min)****Agenda Text:**

The Board has requested a public health focused update from County staff on all health-related response and efforts.

Alignment with Strategic Plan: This item aligns with Goal 2: Health and Well-Being for All

Resource Persons: Rodney Jenkins, Public Health Director; Kristen Patterson, Deputy Public Health Director and Joanne Pierce, General Manager

County Manager's Recommendation: The County Manager recommends that the Board receive an update from County staff on all health-related response and efforts

8. Board and Commission Appointments (10 min)**22-0630****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:

- Board of Adjustment
- Citizens Advisory Committee
- Discover Durham Tourism Development Authority
- Durham Open Space and Trails Commission
- Durham County Women's Commission
- Durham Workforce Development Board

- Industrial Facilities and Pollution Authority

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

Alignment with Strategic Plan: This item aligns with Goal 5 Accountable, Efficient and Visionary Government. When citizens are engaged and partners on our Boards and Commissions, the vision of our Strategic Plan is achieved - a thriving, vibrant diverse community with abundant opportunity for all residents to live, work, learn, play and grow.

Resource Persons: Monica 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: [Legistar Attmt - 10.24.2022](#)

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

10. Closed Session

22-0641

Closed Session

Agenda Text:

The Board is requested to adjourn into Closed Session to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; pursuant to G. S. 143-318.11(a)(3)

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

Resource Persons: Willie Darby, Acting County Attorney

County Manager's Recommendation: The County Manager recommends that the Board meet in Closed Session and provide direction to staff.

11. Adjournment