

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

Monday, October 26, 2020

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 Wendy Jacobs, Vice-Chair James Hill and Commissioners Heidi Carter, Brenda Howerton and Ellen Reckhow

Presider: Chair Wendy Jacobs

**Opening of Regular Session - Pledge of Allegiance**

**Agenda Adjustments**

Chair Jacobs announced that there were no agenda adjustments.

**Announcements**

Chair Jacobs read the following announcements:

1. **Early Voting Begins on Thursday, October 15<sup>th</sup>** – For a complete list of early voting locations, dates and hours, please visit [www.dcovotes.com](http://www.dcovotes.com) or call 919-560-0700
2. **Durham Youth: Cast Your Ballot with Kids Voting Durham!** – Everyone has a voice, including kids. Youth under 18, may cast their vote by visiting [www.kidsvotingdurham.org/elections/](http://www.kidsvotingdurham.org/elections/) on or before November 3<sup>rd</sup>.
3. **Webinar on Special Education Services** - Join Durham County Cooperative Extension as they host special education experts and advocates for a webinar on special education resources for children in Durham and North Carolina. The webinar will take place on October 29 from 6-7 p.m. on Zoom at <https://go.ncsu.edu/ecwebinar>

For more information, contact Christa Gibson at [cgibson@dconc.gov](mailto:cgibson@dconc.gov)

4. **HOPE Program Aims to Help Prevent Evictions and Utility Disconnections** – The Housing Opportunities and Prevention of Evictions (HOPE) Program is now accepting applications from low-and moderate income renters experiencing financial hardships due to COVID-19.

Renters can call 2-1-1 to get started or visit [www.nc211org.hope](http://www.nc211org.hope) for more information. Applications can be found on the website in both English and Spanish.

5. **Welcome Baby Giving Closet** – Welcome Baby Giving Closet needs girls and boys winter clothes sizes newborn – 7/8. Please drop off your donations at 721 Foster Street on Mondays from 10 a.m. – 4 p.m.

Please make sure clothes are washed for everyone’s safety due to COVID. For more information, please contact Patience Mukelabai at 919-560-7392 or by email at [pmukelabai@dconc.gov](mailto:pmukelabai@dconc.gov)

6. **Durham County Nonprofit Agency Funding Program** – Durham County began accepting applications for its new COVID-focused nonprofit funding program on October 15, 2020. The 18-month program, which runs January 1, 2021 to June 30, 2022, will seek funding proposals from nonprofits that address both COVID response and recovery issues, as well as plan for stronger, more equitable systems in the aftermath of COVID, across three strategic target areas (Food Security; Child, Youth, and Family Wellness; Workforce Development).

The application process opened on Thursday, Oct. 15, with submissions due on Thursday, Nov. 12, 2020. Awards will be announced in early January. Recipients of funds will meet with County staff to finalize a quarterly report template, including a list of activities, deliverables, and performance measures.

Please use the following link to the county Budget Web page for more details:

<https://www.dconc.gov/government/departments-a-e/budget-management-services/non-profit-agency-funding-program>

If you have questions about this process, including eligibility or application procedures, please contact Anna Hawksworth in the Durham County Budget Office at [ahawksworth@dconc.gov](mailto:ahawksworth@dconc.gov)

7. **NC launches fund to help small business adversely impacted by pandemic** – A new grant program called RETOOLNC is available to help North Carolina historically underutilized Businesses (HUB) and Disadvantaged Business Enterprise (DBE) firms impacted by COVID. Additionally, NC Commerce has resources to support mortgage and utility and rent assistance to firms that experienced extraordinary disruptions through the MURR Mortgage Utility and Rent Relief Program. To learn more about these programs please go to: <https://www.nccommerce.com/grants-incentives/disaster-recovery/mortgage-utility-and-rent-relief-murr-program> and <https://ncadmin.nc.gov/businesses/hub>.

8. **EAT NC Delivers DPS School Meals** – If your DPS Student is attending school at home and you are unable to pick up school meals from a DPS site, please sign up for EAT NC’s weekly home meal deliveries by visiting [www.eatnorthcarolina.org/dpsschoolmeals](http://www.eatnorthcarolina.org/dpsschoolmeals)

This work is made possible by Durham County Government and a growing list of businesses, organizations and people. To support his effort, please visit <https://tinyurl.com/drivemeals>

9. **Durham Announces Halloween Safety Guidelines** – Because of COVID-19, traditional activities like trick or treating, indoor events, and large gatherings are strongly discouraged and considered high risk.

The City of Durham and Mayor Steve Schewel have shared Halloween Safety Guidelines for the Durham Community which can be found by visiting [www.durhamnc.gov](http://www.durhamnc.gov) (COVID-19 Updates and Resources Section).

10. **NC MOVES 2050** – The NC Department of Transportation wants your feedback for the NC Moves 2050 plan – an update to the state’s long-range transportation plan. To learn more about NC Moves 2050, please visit [www.ncmoves.gov](http://www.ncmoves.gov). Persons who do not speak English or have limited ability to read, speak or understand, please call 1-800-481-6494.

Chair Jacobs announced the Durham Recovery and Renewal Task Force launched a website which provided information about members, the meeting calendar, agendas, minutes and recorded meetings. She added the information would be sent to the Clerk and Deborah Craig-Ray, General Manager.

## **Minutes**

Commissioner Carter moved, seconded by Commissioner Howerton to approve the September 8, 2020 Work Session and September 14, 2020 Regular Session minutes.

The motion carried unanimously.

## **Ceremonial Items**

### **20-0580 Proclamation – National Case Management Week 2020**

Chair Jacobs read the following resolution:

#### **NATIONAL CASE MANAGEMENT WEEK | 2020**

- WHEREAS,** Duke Regional Hospital, formerly Durham Regional Hospital and Durham County General Hospital, has proudly served the citizens of Durham and surrounding counties since opening its doors in 1976; and
- WHEREAS,** Duke Regional Hospital’s mission is to care for their patients and the health of the community; their vision is to be the best community hospital; and
- WHEREAS,** Duke Regional Hospital strives to provide equal and outstanding medical care to Durham’s most vulnerable citizens regardless of socioeconomic status; and
- WHEREAS,** Duke University Hospital has proudly served the citizens of North Carolina since opening its doors in 1930; and
- WHEREAS,** Duke University Hospital’s mission is to put the person who needs our care at the center of everything we do. Their vision is to discover, develop and deliver a healthier tomorrow. Their core value is caring for our patients, their loved ones and each other; and
- WHEREAS,** COVID-19, caused by a coronavirus called SARS-CoV-2, is a global pandemic that has had a significant impact on the Durham community; and
- WHEREAS,** Duke University Hospital and Duke Regional Hospital have taken precautions to keep everyone safe and protected from possible exposure to COVID-19 during

appointments, surgeries, and procedures at our hospitals and clinics. The well-being of our patients, visitors, and staff remains the Health System’s top priority; and

**WHEREAS,** Case Managers and Utilization Managers at Duke Regional Hospital and Duke University Hospital are a passionate group of Registered Nurses, Licensed and/or Clinical Social Workers dedicated to delivering excellent care to patients and their families. They are committed to helping all patients and families manage stressors related to illness, addressing psychosocial challenges exacerbated by hospitalization and illness, as well as, ensuring safe post-acute discharge plans; and

**WHEREAS,** Team members of the Case Management Department at Duke Regional Hospital and Duke University Hospital have worked tirelessly during the course of the COVID-19 pandemic to ensure that patients returning to the community have the necessary resources to self-isolate and recover. Case Managers at both hospitals have arranged countless housing/hotel accommodations, food provisions, transportation arrangements, medications, home oxygen setups, and much more, often at the expense of the Health System, in support of the Durham community.

**NOW, THEREFORE, BE IT RESOLVED** I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim October 11-17, 2020 as

**“CASE MANAGEMENT WEEK”**

in Durham County, and commend its observance to our citizens.

This the 26<sup>th</sup> day of October 2020.

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Wendy Jacobs, Chair  
Durham Board of County Commissioners

The Board thanked Case Management workers for their vital and important work; adding most Case Management workers were on the frontline helping patients during the COVID-19 pandemic.

**20-0585 Introduction of Jess Bousquette as Adverse Childhood Experiences and Resilience Coordinator**

Rodney Jenkins, Public Health Director introduced Jess Bousquette, Adverse Childhood Experience and Resilience Coordinator to the Board and the community. Lindsey Bickers Bock, Director of Health Education and Community Transformation stated she was excited for Ms. Bousquette to join Durham County Public Health.

Ms. Bousquette explained her work experience and education. She stated she was honored to meet the Board virtually and looked forward to working with community partners. The Board welcomed Ms. Bousquette to Durham County and expressed how important her position was. They were excited to have invested in such an important position that would help implement system-wide applications.

**20-0575 Durham County Sheriff's Office Receives A Full Accreditation from The Council On Accreditation Of Law Enforcement Agencies (CALEA)**

Clarence Birkhead, Sheriff of Durham County thanked the Board for the recognition; adding he was proud to lead the organization and honored for the achievement. Lieutenant Brendan Hartigan, Sheriff's Office Accreditation Manager shared the Sheriff's Office received eight (8) accreditations and the accreditation was the gold standard.

The Board congratulated the Sheriff's Office and inquired about the length of time it took to receive the accreditation. Sheriff Birkhead responded it took four (4) years. The Board asked if the policies and procedures would change for the next accreditation. Chief Deputy Whitted responded the policies and procedures would be updated as needed.

**Consent Agenda**

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

The Board requested to comment on the following: 20-0576.

- Item 20-0576 – Commissioner Reckhow asked if the program was developed to achieve the goals listed in the item. Sheriff Birkhead responded the department implemented changes before receiving the grant. He added the funds would cover traffic enforcement officers and updated information and materials for education. Commissioner Howerton asked if the department would be able to achieve goals with existing staff or if additional staff was needed. Sheriff Birkhead responded he would use existing staff.

Hearing no additional comments, Chair Jacobs entertained a motion for approval.

Commissioner Howerton moved, seconded by Commissioner Carter to approve the following items on the Consent Agenda.

The motion carried unanimously.

20-0547 Memorandum of Agreement with the North Carolina Department of Public Safety and Durham County Youth Home.

\*20-0566 Approve Budget Ordinance Amendment No. 21BCC000048 Recognizing \$10,000 from the COVID-19 Relief Grant to the Durham County Solid Waste Division.

\*20-0567 Property Tax Releases and Refunds for September 2020.

20-0573 Approval to proceed with the IFB for the Northern Convenience Center Project, which will be supported by LOBs funding.

\*20-0576 Budget Ordinance Amendment No. 21BCC000047 To Recognize \$25,000 in Governor's Highway Safety Program Grant Funding for the Durham County Sheriff's Office.

\*20-0578 Capital Project Amendment No. 21CPA000016 Appropriating \$30,693 in Funding From Lincoln Community Health Center for the Lincoln Community Health Center Parking Lot Expansion.

Consent Agenda Item #20-0566

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000048**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Environmental Protection	\$4,604,506	\$10,000	\$4,614,506
<u>Revenue</u>			
Intergovernmental	\$55,714,845	\$10,000	\$55,724,845

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

Approved October 26, 2020

Consent Agenda Item #20-0567

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 2020.

Releases and Refunds –September 2020

Releases and Refunds for 2020 Taxes

Real Property	\$ 161.18
Personal Property	\$ 9,266.03
Motor Vehicle	\$ 0.00
Solid Waste	\$ 0.00
VTS Refunds	\$ 18,435.78
Total	\$ 27,862.99

Releases & Refunds for Prior Years

2014 - 2019

Real Property	\$ 0.00
Personal Property	\$ 0.00
Solid Waste	\$ 0.00
Total	\$ 0.00
Grand Total	\$ 27,862.99

Consent Agenda Item #20-0576

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000047**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Public Safety	\$65,932,575	\$25,000	\$65,957,575
<u>Revenue</u>			
Intergovernmental	\$55,689,845	\$25,000	\$55,714,845

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

Approved October 26, 2020

Consent Agenda Item #20-0578

**DURHAM COUNTY, NORTH CAROLINA  
2020-21 Capital Project Ordinance  
Amendment Number 21CPA000016**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2020-21 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project Name	Project #	Current Budget	Increase / Decrease	Updated Budget
LCHC Phase II Renovation	4730DC139	\$2,246,920.00	\$30,693	\$2,277,613.00
<b>Total</b>				<b>\$2,277,613.00</b>

Adopted this the 26th day of October 2020.

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**Other Business**

**20-0574 City of Durham Racial Equity Task Force Report**

Judge Elaine O’Neal, Racial Equity Task Force Chair thanked the Board for allowing the task force to present the report. She explained the mission and gave an overview of the task force. Judge O’Neal thanked Black Agenda 919 for supporting the task force.

Kaaren Halderman, Racial Equity Task Force Vice-Chair provided the Board with an overview of the task force glossary, report and highlights and thanked the Board, community and members for their support. She acknowledged the following task force members who shared additional information:

- Howard Machtinger, Racial Equity Task Force member explained the housing issues in Durham and provided solutions and resource needs.
- Jamal Moss, Racial Equity Task Force member discussed community engagement and equity, health and well-being of the community and the impact of environmental and built community on health.
- Katie Mgongolwa discussed the educational needs of children in Durham including the need for Pre-K, equitable schools, school nurses and for students to be seen and heard in the community.
- Vanessa Hines explained public history and the need to tell the history of Durham in public places; adding the hard truth could be exposed with public art and public history.
- James Tabron stated the task force provided the community a chance to share, listen and learn. He asked the Board to review the questions submitted by the task force and provide answers or feedback.

Chair Jacobs thanked the task force for their presentation. Ms. Halderman stated the report referred to transparency in Durham and requested that the Board address racial issues and to make a public announcement addressing those issues.

Chair Jacobs shared the following statement:

*“As the Board Chair, I have a responsibility in leading the board through our work and also our challenges. Transparency is an important aspect of governing, so I’d like to share the steps I’ve been taking and will continue to take in regard to this matter.*

*After the reports, I reached out to our County Attorney and Senior Assistant County Attorney to collaborate with our Board in identifying next steps and expertise as we repair and rebuild our working relationships. Our attorneys proposed that our Board and County Manager attend racial equity trainings and receive support and training to improve manager board relations and collaboration. Our attorneys have recommended that because these next steps deserve adequate time, commitment, and attention, we should wait until the new Board has convened to begin the process.*

*Thank you for asking about community involvement in the issue. Over the past 9 months, I have worked closely with and sought input from our County attorneys. From those discussions it is my understanding that since this matter involves personnel issues, we very limited in what can be said. In order to avoid unintentionally violating any personnel laws, the County can not host community discussions on the details of this matter. I don’t recall making a promise to host a community conversation, and I apologize deeply for any miscommunication about that.*

*As the Board Chair, it’s important for me to listen humbly and to create space for County staff if they want to share about the impacts of my actions in leading the Board through this challenge. I’ve begun to reach out to staff, and I’ll continue that process. Deep listening through conflict is a priority for the Board as a whole.*



*Truly, thank you all for holding me accountable to my leadership as Board Chair. My aim is to support our County team in building trust and repairing harm as we work together to respond to the pandemic's disparate impacts on communities of color and working-class communities, and as we work together to fight back against the continued rise of white supremacy throughout our country. Thank you to the Task Force for all your work towards dismantling inequity at all levels."*

Kweli Rashied-Henry, Racial Equity Officer stated she was pleased to be a part of the racial equity movement in Durham and also work to listen to the voices of county staff. She explained racial equity training would not solve the problem and the task force and County could work together to build the bridge to solve racial equity.

Commissioner Reckhow stated the pandemic exposed the racial inequality in the community and the need to address the problem. She asked if all the data in the report was obtained by the task force. Ms. Halderman responded some of the data was outsourced. Commissioner Reckhow stated the task force should consider using local universities and colleges to help research the data.

Commissioner Howerton stated the community partners stood in solidarity for the support of the task force. She added a lot of hurt and pain was in the community and children were experiencing adverse trauma due to racial equity. She recommended Joanne Pierce, General Manager be included in all racial equity work. Mr. Machtinger noted many members of the community would not listen to the task force because of trust issues and trust was fundamental.

Commissioner Carter shared the following statement:

*"I want to thank the members of the racial equity task force for their dedication to providing us with what I think is an outstanding report. I especially appreciate the report's policy proposals and recommendations for action, which I support going forward (including the formation of a RE Commission). I hope we will use the tools in the report to run all policy decisions through a racial equity impact analysis, which I think will strengthen our approach to policy development.*

*I believe the report recommendations are strongly relevant to several of our major BOCC goals and investments: more fully-funded public schools, universal Durham PreK, increased food security, affordable housing subsidies and construction, enhanced transit system, and more. And there are two major policy actions that I believe have a tremendous impact on racial equity of wealth that I hope we will revisit with our new board in December. Those are the \$15/hour for DPS classified staff members and a local tax assistance grant for long-time low-income homeowners.*

*I firmly resolve to work with my colleagues to enact policies and target county investments that will dismantle systems of oppression that harm people of color, working people, and others in our community. I feel strong alignment with the urgency of the 6 inter-related issue areas you have highlighted, and I look forward to working with you and our community on sustainable strategies and structures to continue your work. Thank you so much.*

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*In regard to the question as to how the BOCC plans to respond to the Coleman reports moving forward, I would like to share reflections about my own responses to the issue thus far and how I plan to take action moving forward.*

*During this year, I have continued to reflect on race and reconciliation, both broadly and in the context of the investigation reports. I have struggled with how best to respond to the manager's account of racial bias in my interactions with him and County staff. I have tried to make statements along the way that both acknowledge the manager's account and point out what I considered inaccuracies and mischaracterizations of our interactions related to disagreements about public policy and implementation. Looking back, I recognize that my defensive reaction perpetuated a familiar defensive response by a white person, especially in the midst of ongoing anti-Black violence in our country. I am truly sorry for this and want to tell you what I plan to do going forward to repair and rebuild.*

*On a personal level, I will respond in the future first and foremost by listening and reflecting deeply. It is my lifelong responsibility as a white person to continually examine my actions as I work across difference and to be proactive in confronting and undoing racism in its various forms. I will deepen my own anti-racist efforts, which include making anti-racist education a regular practice, listening and learning from community members, and seeking to build trust while working across difference. As your County Commissioner, I will continue to advocate for anti-racist and pro-working-class policies that improve the lives of people of color and working people and fight back against systems that advantage white people and wealthy people.*

*In the workplace, it's so important to me to foster a healthy relationship between the Board and our dedicated County staff members. Based on the investigative reports, I recognize that some county staff in addition to the County Manager have felt some actions of mine were racially biased, I am sincerely sorry for that. As a practice of deep listening and relationship building, I have started to and will continue to reach out to staff to ask if they'd like to share further about the impact of my actions.*

*Overall, I believe that we are united in working against the far right's harmful actions and policies at the state and federal levels, as we build a Durham that supports everyone, and especially fights for people of color and working people. Towards that end, I'm committed to my personal growth and cultivating work relationships of respect and trust, and I'm committed to working together to advance a shared vision of Durham where everyone can thrive."*

**Directive: Commissioner Howerton recommended Joanne Pierce, General Manager be included in all racial equity work.**

### **Durham County Public Health Focused Update on the COVID-19 Crisis.**

Rodney Jenkins, Public Health Director thanked the Board and County Management for their support in the COVID response.

Mr. Jenkins provided the following updates for Durham County:

- 8880 total cases
- 42 seven-day moving average
- 28.8 percent were African American; 27.4 percent were Caucasian; 38.3 percent were Latinx
- 15 percent of cases were under age 18

- Greatest number of cases were among people who worked in nursing care facilities, hospitals, general medicine or surgical and unemployed.
- Free COVID-19 testing was available to residents of Durham Housing Authority and the general community at four (4) sites: McDougald Terrace, JJ Henderson, 519 E. Main Street and Oxford Manor.

Chair Jacobs inquired about the number of families who received relief payments and asked if long-term care cases increased due to visitors. Mr. Jenkins responded 30 families received relief payments. He added long-term care cases were not increased by visitors; but by the residents instead. Commissioner Carter asked if the Health Ambassadors were working in the community. Mr. Jenkins responded the ambassadors were working in the LatinX communities and assisting with faster food distribution.

## **Board and Commission Appointments**

Lowell Siler, 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.

### Audit Oversight Committee

**Ali Gill** (Carter, Hill, Jacobs)  
 Antionette Dave (Howerton)  
 George Kolasa (Reckhow)

### Board of Adjustment

**Natalie Beauchaine** (Carter, Hill, Howerton, Jacobs, Reckhow)

### Durham County Women's Commission

**Lucia Ferejohn** (Carter, Jacobs, Reckhow)  
 Courtney Kelley (Hill)  
 Joyce T. Tyler (Howerton)

### Durham-Wake Counties Research and Production Service District Advisory

**Ginger Dosier** (Carter, Hill, Howerton, Jacobs, Reckhow)  
**Stephanie Harris** (Carter, Hill, Howerton, Jacobs, Reckhow)  
**Ostra R. Jewell** (Carter, Hill, Howerton, Jacobs, Reckhow)  
**Greg Luberecki** (Carter, Hill, Howerton, Jacobs, Reckhow)  
**Benjamin Parker** (Carter, Hill, Howerton, Jacobs, Reckhow)  
**Steven Pearson** (Carter, Hill, Howerton, Jacobs, Reckhow)  
**Tyson Strutzenberg** (Carter, Hill, Howerton, Jacobs, Reckhow)

### Farmland Protection Advisory Committee

**(i)Kenyon Browning** (Carter, Hill, Howerton, Jacobs, Reckhow)  
**(i)Nicole Connelly** (Carter, Hill, Howerton, Jacobs, Reckhow)

## **Closed Session**

Chair Jacobs stated the board was requested to adjourn to Closed Session for the following:

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

Commissioner Reckhow moved, seconded by Commissioner Howerton to adjourn into the Closed Session.

The motion carried unanimously.

### **Reconvene to Open Session**

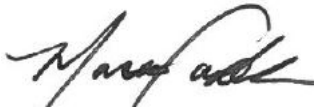
Chair Jacobs announced the Board met in Closed Session and provided direction to staff.

### **Adjournment**

Commissioner Carter moved, seconded by Commissioner Reckhow to adjourn the Regular Session meeting at 10:01 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton  
Deputy Clerk to the Board