

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

Monday, July 12, 2021

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 Brenda Howerton, Vice-Chair Wendy Jacobs and Commissioners Nida Allam, Nimasheena Burns and Heidi Carter

Presider: Chair Brenda Howerton

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Howerton announced that there were no agenda adjustments.

Announcements

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

1. **Public Art is Coming to DCo** – The new Durham County parking deck under construction in the 300 block of East Main Street includes a wall of public art and we want YOUR input!

Please visit www.surveymonkey.com/r/Parasoleil2107 by August 9th to share your ideas!

2. **Durham Food and Beverage FREE Job Fair** – Looking for full-time and part-time employment? Discover Durham and the American Tobacco Campus are hosting a job fair on Tuesday, July 13th from 3pm – 7pm. There will be over 25 participating employers with positions starting at \$13-15/hr.

For registration and additional information, please visit www.bulldcityjobfair.com

3. **Public Input Needed on Region's Triangle Bikeway Study** – Participants are asked to share their ideas on where they would prefer to walk along the 17-mile biking/walking path connecting Raleigh, Cary, Morrisville, RTP, Durham and Chapel Hill.

Community members can provide feedback by visiting the study website <https://www.publicinput.com/trianglebikewaystudy> and taking an online survey. The survey deadline is July 16, 2021. Please visit www.trianglebikeway.com or additional details.

4. **Final 2020 Durham County Community Health Assessment Now Available** - After months of work, the final 2020 Durham County Community Health Assessment (CHA) is now available! Find information on what impacts the health of your Durham neighbors and how COVID-19 has affected the top priorities of affordable housing, access to care, mental health, poverty and obesity, diabetes, and food access.

Learn more and view the CHA at www.healthydurham.org

5. **Homeschool Learning Lab from Durham County Library** - Enjoy weekly virtual lessons exploring world cultures, science, DIY projects, and art! All students, grades K-8 are welcome to join every Thursday from 10-11am. Pre-registration is required and can be accessed by visiting <https://durhamcountylibrary.libcal.com/calendar>, search for “Homeschool Learning Lab” For more information, please contact dpeterson@dconc.gov

6. **Welcome Baby’s Clothing and Diaper Giveaway** – Welcome Baby is hosting a contactless pick-up for baby clothing and diapers. Sizes are based on availability and no appointment is needed. Just bring your photo ID, proof of Durham address, Medicaid card/birth certification of children under 5 years old. Pick up is on Friday’s (July 16th, 23rd and 30th) from 9am – 1pm at 721 Foster Street.

Masks are required for pick-up. For additional questions, please call 919-560-7150 or visit www.facebook.com/welcomebabydurham

7. **Subscribe to Durham This Week Online Newsletter** - Did you know that each week the Durham County Manager’s Office releases a newsletter – Durham This Week Online – that provides updates on County services, news items, video releases, job listings and much more!

Subscribe today at www.bit.ly/SubscribeDTWO

Commissioner Burns congratulated Derek Bowens, Board of Elections Director and staff for recognition of the Board of Elections Poll County Application by the National Association of Counties (NACo).

Chair Howerton stated she would provide the Board and community with information received at the NACo Conference.

Commissioner Allam announced the Durham County Main Library would reopen to the public on Tuesday, July 20, 2021 at 2 p.m.

Citizen Comments

The Majority of the Durham County Racial Equity Core (GARE) Team

Dear Commissioners,

We, the DCo Racial Equity Core Team - Government Alliance on Race and Equity (GARE) Cohort, are writing to you in our capacity as affected citizens regarding a matter of public concern. Allow us to begin by stating that we are grateful for the previous commitment of the Board to promote racial equity within local government and across Durham County. As you each know, racial equity work is a challenging and sacred trust to which we have all pledged our allegiance. We, however, have also promised not to turn a blind eye to the potential manifestation of inequity, no matter where it appears or from which seat of power it emanates. This is why we feel the need to engage the question that friends, colleagues and neighbors confront us with daily which is, how can the sudden

and ill-defined manner in which the former County Manager was relieved of his duties, be reconciled with our pledge to maintain equitable treatment for all races?

Many would hold that former County Manager Davis was accomplished and experienced and that his departure was not due to job performance, as stated by the Board. We believe he is credited with navigating the organization through a global pandemic, helping the enterprise achieve one of the highest municipal credit ratings in the state, aiding the County in realizing previously unseen levels of population growth and investment, beginning the implementation of several Commissioner initiatives (including universal Pre-K), enjoying a high level of support from employees across County Government, and several other accomplishments. If those points are taken into consideration, it appears that this treatment of immediately relieving him of his duties prior to the expiration of his contract was not only inconsistent with his satisfactory job performance, but was also embedded with a mean-spiritedness and lack of decorum that has permeated relationships across County Government and increasingly the community at large.

The means by which the former Manager was fired has left a high degree of uncertainty and an overriding sense of concern among some employees. Many of them feel silenced by the way the Manager was immediately dismissed. These perceptions by several employees, citizens and community groups have begun to negatively impact County Government's ability to: serve its diverse public and recruit new employees committed to the highest ideals of inclusive governance. It demonstrates a lack of willingness to grapple with difficult issues which will ultimately make the community more resilient. How do we address the concerns of Durham County citizens and employees who fear retaliation and retribution if they dare to speak up about racism, or worse, fear being silenced or terminated? How do we proceed with our charge to examine structural inequities based on race in our community and County Government if we cannot interrogate the impact of our own actions? The Coleman Report, with its challenging findings, serves as additional supporting evidence that our collective course may benefit from a co-designed reset by County leadership and the staff who work to implement our shared vision.

We request as citizens that the time is now for all of us to begin healing by 1. The entire Board of County Commissioners attending racial equity training and mediation together, as recommended and defined by the Coleman report; 2. Improving interpersonal relations on the Board and with the Board's interactions towards staff and citizens (As we are working to train employees, what message does it send that our Commissioners appear to be resisting training?). 3. As citizens speaking on an area of public concern and as members of County's Racial Equity Core Team, we request that the Board employ racial equity tools to its future decision making processes and further move to add a racial equity directive as a high level, guiding principle to each of County Government's five strategic plan goal areas, in order to avoid disparate impacts among not only its managers, but its employees and citizens. 4. We request that the Board engage in an open town hall to address inequity and race relations in Durham and in Durham County Government and thereby continuing the hard work of striving for racial equity. We look forward to hearing your response, which may be coordinated through the County Racial Equity Officer. Thank you.

Sincerely,

The Majority of the Durham County Racial Equity Core (GARE) Team

Chair Howerton stated the National Association of Counties (NACo) Conference held a session on racial equity and the nation was discussing racial equity.

Minutes

Vice-Chair Jacobs moved, seconded by Commissioner Allam to approve the June 14, 2021 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

21-0433 Introduction of Jason Shephard as the Office of Emergency Services (OES) – Chief Fire Marshal

Jim Groves, OES Director introduced Mr. Shephard and shared a brief overview of his employment history and associations. Mr. Shephard thanked the Board for the opportunity and the warm welcome received from everyone at Durham County. He added he was excited to work in Durham County and looked forward to meeting the Board in person.

The Board welcomed Mr. Shephard to Durham County and looked forward to working with him.

Consent Agenda

Chair Howerton asked the Board if they requested to pull or comment on any items on the Consent Agenda. Hearing none, Chair Howerton entertained a motion for approval.

Commissioner Allam moved, seconded by Commissioner Burns to approve the following items on the Consent Agenda.

The motion carried unanimously.

21-0420 Service Contract with Animal Protection Society of Durham, Inc

*21-0421 Budget Ordinance Amendment No. 22BCC00004 Library to Recognize \$7,270 in Durham County Grant Revenue from The National Film Preservation Foundation

*21-0428 Approve Budget Ordinance Amendment No. 22BCC00002 Recognizing \$25,000 from NCDEQ's Community Waste Reduction and Recycling Grant to the Durham County Solid Waste Division

*21-0432 Approve Budget Ordinance Amendment No 22BCC00003 to Appropriate General Fund fund balance in the Amount of \$296,220 for Approved Food Security Service Contracts with Beyu Caffé and Farmer Foodshare

21-0434 Quality Mortuary Contract FY 21-22

21-0435 Budget Ordinance Amendment No. 22BCC000001 - Administrative Changes to The Public Health Fee Schedule

*21-0436 Capital Project Amendment No. 22CPA000004 - Appropriate \$750,000 of Collection System Rehabilitation Fund Fund Balance and Transfer to the Collection System Rehabilitation Capital Project

(SE051) for a Total Project Budget of \$4,559,613.67

21-0437 Award of Contract(s) for RFP NO. 21-038, Elevator Maintenance and Repair Services at Various Facilities

*21-0438 Capital Project Amendment No. 22CPA00003 - Transferring 2016 GO Bond Funds Between Two Durham Technical and Community College Projects - Reducing DTCC Facilities Building Project by \$580,339.98 and Increasing DTCC Newton Building Project by the Same Amount

21-0439 Approve Salary Pay Band Range to Align with 3% COLA included in the FY 2021-22 Adopted Budget

21-0442 Approval to renew the Contract with Ascendant Strategy to utilize ClearPoint Performance Management Software using FY 2021-22 existing operating funds in the amount of \$41,900

21-0443 Approval of The National Institute for Economic Development Contract Amendment for FY2022

21-0448 Adoption of Resolution related to Authorization of a Not to Exceed \$50,000,000 General Obligation (GO) Bond, Series 2021

Consent Agenda Item #21-0418

**Durham County, North Carolina
2021-2022 Budget Ordinance
Amendment Number 22BCC00004**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 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	\$14,131,823	\$7,270	\$14,139,093
<u>Revenue</u>			
Intergovernmental	\$58,425,400	\$7,270	\$58,432,670

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

Approved July 12, 2021

Consent Agenda Item #21-0428

**Durham County, North Carolina
2021-2022 Budget Ordinance
Amendment Number 22BCC00002**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 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>			
Environmental Protection	\$4,590,170	\$25,000	\$4,615,170
<u>Revenue</u>			
Intergovernmental	\$58,400,400	\$25,000	\$58,425,400

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

Approved July 12, 2021

Consent Agenda Item #21-0432

**Durham County, North Carolina
2021-2022 Budget Ordinance
Amendment Number 22BCC00003**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 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>			
Economic and Physical Development	\$7,610,196	\$296,220	\$7,906,416
<u>Revenue</u>			
Other Financing Services	\$28,683,894	\$296,220	\$28,980,114

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

Approved July 12, 2021

Consent Agenda Item #21-0436

**Durham County, North Carolina
2021-22 Capital Project Ordinance
Amendment Number 22CPA000004**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2021-22 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/ Decrease	Revised Budget
Collection System Rehabilitation Project (SE051)	\$3,809,613.27	\$750,000	\$4,559,613.27
Totals	\$3,809,613.27	\$750,000	\$4,559,613.27

Adopted this the 12th day of July 2021.

Consent Agenda Item #21-0438

**Durham County, North Carolina
2021-22 Capital Project Ordinance
Amendment Number 22CPA000003**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2021-22 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project Name	Project #	Project Status	Current Budget	Increase / Decrease	Updated Budget
DTCC Facilities Building Project	59205300CC013	Amending	\$2,000,000	-\$580,339.08	\$1,419,660.92
DTCC Newton Building Project	59205300CC012	Amending	\$19,100,000	\$580,339.08	\$19,680,339.08
		TOTAL	\$21,100,000	\$0	\$21,100,000.

Adopted this the 12th day of July 2021.

Board and Commission Appointments

Willie Darby, Senior 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.

Alcoholic Beverage Control Board

Samaruddhi Thaker (Allam, Burns, Carter, Howerton, Jacobs)

Animal Welfare Advisory Board

(i)**Gale Adland** (Allam, Burns, Carter, Howerton, Jacobs)

(i)**Ryan Urquhart** (Allam, Burns, Carter, Howerton, Jacobs)

Dangerous Dog Appeal Board

(i)**Mimi Davis** (Allam, Burns, Carter, Howerton, Jacobs)

(i)**Michelle Digsby** (Allam, Burns, Carter, Howerton, Jacobs)

Durham County Women's Commission

Shirrell Thomas (Allam, Burns, Carter, Howerton, Jacobs)

Juvenile Crime Prevention Council

John Morris (Allam, Burns, Carter, Howerton, Jacobs)

Closed Session

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

- To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations; pursuant to G.S. 143-318.11(a)(4)
- The Board is requested to adjourn into Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee; pursuant to G. S. 143-318.11(a)(6).

Commissioner Carter moved, seconded by Vice-Chair Jacobs to adjourn into the Closed Session.

The motion carried unanimously.

Reconvene to Open Session

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

Commissioner Allam moved, seconded by Vice-Chair Jacobs to approve a contract with the Clerk to the Board and a 11 percent salary increase effective July 1, 2021.

The motion carried unanimously.

Adjournment

Commissioner Carter moved, seconded by Commissioner Allam to adjourn the Regular Session meeting at 8:02 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Macio Carlton". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Macio Carlton
Deputy Clerk to the Board