

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

Monday, September 13, 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. **FREE Adult Day Care Services and Support** – The Durham Center for Senior Life is excited to start a new program for caregivers of individuals living with dementia or cognitive impairment in Durham.

Services will be available Saturdays from 10am-2pm and Sundays 9am – 1pm. If you are interested in learning more about this program, please contact Melissa Black, Dementia Care Services Director at 919-688-8247 ext. 113 or by email at mblack@dcsinc.org

2. **Walk-Ins Welcome at the DCo Public Health Vaccine Clinic** – We're here and ready for you to take your shot. Visit the Vaccine Clinic Monday-Thursday for your first, second or third dose (for immunocompromised individuals) at 414 E. Main Street. The hours are as follows:

- Mondays 9am – 4pm; Tuesdays 9am – 6pm; Wednesdays 9am – 4pm and Thursdays 9am – 4pm. The Clinic is closed daily from 11:30am – 1pm.

For more information, please visit www.dcopublichealth.org/covidvaccines or call 919-560-9217

Vice-Chair Jacobs stated on Wednesday, September 15th at 6 p.m. Durham Technical Community College would hold a public meeting on redistricting for Durham. She added residents could register and submit public comments online or register one hour before the meeting in person.

Commissioner Allam stated the Straight Talk Support Group was hosting a fundraiser to cover application fees for rentals and utilities. She also reminded the public of that the early voting period was set to begin on September 16th.

Chair Howerton recognized all first responders, families and anyone involved with the September 11th attack.

Minutes

Commissioner Allam moved, seconded by Commissioner Burns to approve the August 9, 2021 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

21-0496 Durham County IS&T Department being Recognized as a Top 10 Digital County

Greg Marrow, Chief Information Officer stated the award was for initiatives that streamlined delivery of government services, encouraged open data, collaboration, shared services, enhanced cybersecurity, disaster response and recovery efforts. Mr. Marrow thanked the Information Services and Technology (IS&T) staff for supporting the County over the last 18 months during the pandemic.

The Board thanked Mr. Marrow and IS&T staff for achieving the award and being in the top ten every year since 2017.

21-0557 World Alzheimer’s and Dementia Awareness Day

Commissioner Carter read the following proclamation:

WORLD ALZHEIMER’S AND DEMENTIA AWARENESS DAY | 2021

WHEREAS, September 21st is World Alzheimer’s and Dementia Awareness Day; and

WHEREAS, Dementia is a syndrome in which there is deterioration in memory, thinking, behavior, and the ability to perform everyday activities. Alzheimer’s is the most common cause of dementia; and

WHEREAS, Dementia is the 7th leading cause of death worldwide, and 6th leading cause for North Carolina; and

WHEREAS, there is no known treatment currently available to cure dementia or to alter its progressive course; care and support can be given to enhance the quality of life and well-being of persons with dementia; and

WHEREAS, Durham County supports the vision of a dementia-inclusive community where all persons with dementia are valued and fully supported in their pursuit of quality of life and well-being; and

WHEREAS, Durham County invites you to join in partnerships, collaborations, and advocacy efforts to promote well-being, inclusion, and health equity for persons with dementia.

NOW, THEREFORE, BE IT RESOLVED I, Brenda Howerton, Chair of the Durham Board of County Commissioners and on **behalf** of the Durham Board of County Commissioners, do hereby proclaim September 21, 2021 as

“WORLD ALZHEIMER’S AND DEMENTIA AWARENESS DAY”

in Durham County, North Carolina. We commend this observance and urge everyone to join with Dementia Inclusive, Inc. to honor older adults with dementia, on September 21st and throughout the year.

This 9th day of September 2021.

Brenda Howerton, Chair
Durham Board of County Commissioners

Janeen Gordon, Assistant Director of Aging and Adult Services, Department of Social Services shared an overview of the facts and disparities surrounding Alzheimer’s and Dementia. She thanked the Board for the recognition of World Alzheimer’s and Dementia Awareness Day.

Chair Howerton inquired about the percentage of Durham County residents diagnosed with Alzheimer’s and Dementia. Ms. Gordon responded she would provide the data to the Board.

The Board thanked Ms. Gordon and the Department of Social Services for the proclamation and educating the Durham community on Alzheimer’s and Dementia.

21-0564 Recognition of Services and Retirement of Lincoln Community Health Center CEO Phil Harewood

Vice-Chair Jacobs read the following resolution:

PHILIP HARWOOD

WHEREAS, Chief Executive Officer for Lincoln Community Health Center Philip Harewood, will soon retire from the Duke Family Medicine and Community Health faculty; and

WHEREAS, he has established a remarkable career and is well regarded for his contributions to healthcare leadership and management; and

WHEREAS, Philip Harewood holds a Bachelor of Business Administration in Accounting and a Master of Business Administration in Health and Hospital Management; and

WHEREAS, he began his esteemed health care career as an auditor for Empire Blue Cross in New York City and after ten years of work focused on hospital and other health care provider field audits for Medicare, Medicaid, and Blue Cross reimbursement, his work shifted to

areas of budget and reimbursement which later led him becoming CEO of a for-profit hospital in Barbados, West Indies; and

WHEREAS, Harewood continued his history of excellent leadership and service when he came to Durham in 1992; and

WHEREAS, he has served as part of the senior leadership team at Lincoln Community Health Center for the past 28 years and now heads administration direction and day-to-day operation of the health care center and its staff as chief executive officer; and

WHEREAS, while earning the admiration and respect of the medical community, Harewood has made significant contributions to professional organizations, has received many appointments, and has also published and presented multiple works related to health care and fiscal management; and

WHEREAS, Harewood has led a remarkable career and created a rich legacy that will continue to impact the lives of others for many years to come.

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Durham County Board of Commissioners, do hereby resolve to wish a happy retirement and express sincere gratitude to

PHILIP HARWOOD

and encourage the entire Durham Community to celebrate him and his significant professional accomplishments and community contributions.

This the 13th day of September 2021.

Brenda Howerton, Chair

Wendy Jacobs, Vice-Chair

Nida Allam, Commissioner

Nimasheena Burns, Commissioner

Heidi Carter, Commissioner

Dr. Rosemary Jackson, Lincoln Board of Directors Member stated Mr. Harewood was quiet, strong and a leader; adding, that he and his staff handled community problems and provided answers.

Philip Harewood, Chief Executive Officer of LCHC thanked his family, friends, colleagues, staff and the community. He added his goal and mission was to provide high quality and accessible health care to the marginalized community and he was thankful for the Public Health Department and Department of Social Services.

The Board thanked Mr. Harewood for his devotion, services, leadership and providing care to the Durham community and wished him well with his retirement.

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 of approval.

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

The motion carried unanimously.

*21-0522 Request to Extend the Building Bridges Between Jails and Community-Based Treatment for Opioid Use Disorder Demonstration Project Grant and Approval of Budget Amendment No 22BCC00016 Recognizing \$17,000 in Grant Funding for the Durham County Sheriff's Office

*21-0524 Budget Ordinance Amendment No 22BCC00017 to recognize \$14,000 in Grant Revenue from the Burt's Bees Foundation to support an updated biological inventory for the New Hope Creek corridor

*21-0526 Approve the Final Budget for Phase II of the McFarland Farm Conservation Easement and Approve Capital Project Amendment No.22CPA000006 Decreasing the Open Space & Farmland Preservation Capital Project (4730DC083) by \$72,160 and Budget Amendment No. 22BCC000015 transferring \$72,160 from the Pay-As-You-Go Capital Project Fund to the General Fund to Support the Purchase of the McFarland Farm Conservation Easement

21-0530 Emergency & Scheduled Repairs for TWWTP Contract Amendment with Carolina Civilworks, Inc

21-0533 Utilities Contract Amendment with David Young Utilities, Inc, for Collection System Emergency & Scheduled Repairs

21-0534 Utilities Contract Amendment with Axis Utility, Inc. for Collection System Emergency & Scheduled Repairs

*21-0536 Contract Amendment and Budget Amendment No. 22BCC000019 Establishing and Adding Funds (\$60,000) for the FY21-22 Durham Pre-K Contract with Child Care Services Association

21-0537 Approve Fiscal Year 2021-2022 Contract with Greater Durham Black Chamber of Commerce for Services Related to Small Business Support

21-0539 Utilities Contract Amendment with Carolina Civilworks, Inc. for Emergency & Scheduled Repairs

21-0540 Application for Funding for Chin Page Road Pump Station for Utilities Division

21-0542 Utilities Contract Amendment with National Power

21-0543 Approval of Contract with Hagerty Consulting for Complex Coordinated Terrorist Attack (CCTA) Training

21-0547 Alliance Health Services Carry-Over Funds from FY 2020-21 into FY 2021-22

*21-0550 BOCC Approval of Budget Ordinance Amendment No.22BCC00018 recognizing \$318,750 of FY 2021-22 Governor’s Highway Safety Program (GHSP) Grant Funding

*21-0554 Approve Proposed Interlocal Agreement and Joint Use Agreement for the New Station 18 Co-located Public Safety Facility Located at Herndon Road, Durham, NC and Approve Capital Project Amendment No.22CPA00007 to Appropriate FY 2021-22 Approved County Contribution (PAYGO) Funds (\$2,468,366) to Create the New Station 18 Project (4330DC002)

21-0558 Board Recommendation for 2021-2022 Durham County ABC Board Chair

Consent Agenda Item #21-0522

**Durham County, North Carolina
2021-2022 Budget Ordinance
Amendment Number 22BCC00016**

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>			
Public Safety	\$66,720,468.00	\$17,000.00	\$66,737,468.00
<u>Revenue</u>			
Intergovernmental	\$63,498,414.00	\$17,000.00	\$63,515,414.00

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

Approved September 13, 2021

Consent Agenda Item #21-0524

**Durham County, North Carolina
2021-2022 Budget Ordinance
Amendment Number 22BCC00017**

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	\$4,687,330.00	\$14,000.00	\$4,701,330.00
<u>Revenue</u>			
Intergovernmental	\$63,515,414.00	\$14,000.00	\$63,529,414.00

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

Approved September 13, 2021

Consent Agenda Item #21-0526

**DURHAM COUNTY, NORTH CAROLINA
FY 2021-22 Budget Ordinance
Amendment Number CPA-6**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:
That the FY 2021-22 budget ordinance is hereby amended to reflect budget adjustments.

Project #	Project Name	Current Budget	Increase / Decrease	Updated Budget
47302636DC083	Open Space and Farmland Preser	\$13,758,367.70	(72,160.00)	\$13,686,207.70

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

Approved September 13, 2021

**Durham County, North Carolina
2021-2022 Budget Ordinance
Amendment Number 22BCC00015**

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	\$4,599,170.00	\$72,160.00	\$4,662,330.00
<u>Revenue</u>			
Other Financing Sources	\$28,683,894.00	\$72,160.00	\$28,756,054.00

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

Approved September 13, 2021

Consent Agenda Item #21-0536

**Durham County, North Carolina
2021-2022 Budget Ordinance
Amendment Number 22BCC00019**

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>			
Education	\$181,207,477.00	\$60,000.00	\$181,267,477.00
<u>Revenue</u>			
Other Financing Services	\$29,489,506.16	\$60,000.00	\$29,549,506.16

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

Approved September 13, 2021

Consent Agenda Item #21-0550

**Durham County, North Carolina
2021-2022 Budget Ordinance
Amendment Number 22BCC00018**

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>			
Public Safety	\$66,737,468.00	\$318,750.00	\$67,056,218.00
<u>Revenue</u>			
Intergovernmental	\$63,529,414.00	\$318,750.00	\$63,848,164.00

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

Approved September 13, 2021

**DURHAM COUNTY, NORTH CAROLINA
2021-22 Capital Project Ordinance Amendment
Number 22CPA00007**

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.

Durham County Capital Projects	Current Budget	Increase/Decrease	Updated Budget
Station 18 Co-located Public Safety Facility(4330DC002)	\$0.00	\$2,468,366	\$2,468,366
TOTALS		\$2,468,366	\$2,468,366

Adopted this the 13th day of September 2021.

Public Hearings

21-0553 Public Hearing – Zoning Map Change, 2104 and 2112 Ellis Road (Z2000042)

Danny Cultra, Senior Planner stated the Board was requested to hold a public hearing to consider the proposal to change the zoning designation of two parcels of land totaling 4.86 acres located at 2104 and 2112 Ellis Road. He added the current zoning was Residential Rural (RR) and Residential Suburban-29 (RS-20) and there was a proposal to change the zoning to Commercial General with a Development Plan (CG(D)). Mr. Cultra stated the designated Research/Research Application on the Future Land Use Map (FLUM) and the proposed CG(D) zoning was inconsistent with the designated Future Land Use. He added if the proposed zoning was approved, staff recommended a change to the FLUM to designate the property as Commercial.

Chair Howerton opened the public hearing.

Todd Patton, Citizen

Members of the Board of County Commissioners,

In regard to case Z2000042 2104 & 2112 Ellis Road on the September 13, 2021 agenda, I encourage you to vote against this proposal for the following reasons:

1. The property is currently zoned residential. Housing costs in Durham are skyrocketing due to high demand for housing and a shortage of supply. Durham rental rates increased by 3.6% in just the past month and 10.2% in the past year: <https://www.apartmentlist.com/nc/durham#rent-report>. 600,000 people will be moving to the Triangle over the next 20 years, including 90,000 to Durham. About 40,000 new

housing units will be needed in a very limited amount of space across Durham. Considering the density of the multi-family development nearby, this site is large enough for 100+ apartments. That is the best use for this site. This is not the time to be reducing the amount of land available for new homes.

<https://www.wraltechwire.com/2021/06/30/triangle-rental-demand-pricing-out-affordability-as-end-to-eviction-moratorium-nears/>

2. The property lies about a 1/2 mile from the NC Railroad crossing of Ellis Road. That crossing is proposed as a stop for the regional passenger rail line planned to run from Durham to Clayton. This stop would serve the northern part of RTP and surrounding areas. A self-storage site is not a transit friendly development. Details on the regional rail plan may be found here:

<https://www.readyforrailnc.com/project-overview/proposed-stations/>

3. This is a high visibility site along the Durham Freeway at the entrance to Durham. Is this the type of development that we want as the first thing people see when leaving RTP for Durham? As the staff report notes, there are already fifteen storage businesses within five miles of this site - and dozens more across Durham.

Please don't just accept whatever a developer brings forward. Durham has a limited amount of developable land. Demand the highest & best use for this site - multifamily housing that would help to address the housing shortage and gentrification of Durham.

Sincerely,

Todd Patton

Patrick Byker, Partner at Morningstar Law Group, representing Stackhouse Development, LLC stated the property was unsuitable for residential or apartments due to a concrete median divider in the road at the property location. He added commercial properties on Ellis Road and surrounding areas had a need for storage; noting the storage would not be visible from Highway 147 due to 100 feet of woods blocking the view.

Eric Rifkin, representing Ellis Crossing Developer shared a brief overview of the need for self-storage in the Ellis Road area.

Commissioner Allam asked how the site would impact the regional passenger rail line. Sarah Young, Planning Director responded the question would need to be answered by the Transportation Department.

Vice-Chair Jacobs inquired about an assessment on the highest and best use of the property for the community. Robert Shunk, Director of Entitlements of Stackhouse Developments, LLC replied self-storage was the best use of the property due to the concrete median. Mr. Byker stated the property lot had geographical constraint measurements. Vice-Chair Jacobs inquired about the constraints for residential use of the property. Mr. Shunk responded the median would cause traffic to backup including more accidents with increased U-turns at the intersection if the property was residential.

Commissioner Carter questioned changing the property from residential to commercial and the planned transit stop near the property. Mr. Byker responded the zoning change was approved by the City-County Planning Commission and the property was more than a half mile away from the planned transit stop.

Chair Howerton stated the public hearing would be open for 24 hours for receipt of comments.

Other Business

21-0492 Durham County Public Health Focused Update on the COVID-19 Crisis

Rodney Jenkins, Director of Public Health shared the *COVID-19/Vaccine Distribution Updates* which highlighted the following: COVID-19 Layered Prevention Strategies, Current COVID-19 Statistics, Durham County COVID-19 Confirmed Cases, Current COVID-19 Race and Ethnicity Trends, COVID-19 Percent Positive Labs, CDC Vaccine Updates Durham County Residents, Vaccine Dashboard Data for Durham Residents, Number and Percent of Post Vaccination Cases, Vaccines by Month by Race/Ethnicity, Attack Rate Increasing for Vaccinated Individuals, COVID-19 by Age, and Vaccine Dose (1, 2 and 3) Since January 1, 2021, Risk of Dying Increases for Unvaccinated Individuals, Educational Clusters, Usage and Capacity Hospitalization Data.

The Board inquired about the percentage of deaths in women from COVID-19, community partnerships and questioned if companies were reaching out to Public Health after the President's mandatory vaccine mandate. Mr. Jenkins replied he would provide the data to the Board regarding the percentage of deaths in women. With regards to community partnership, he stated things were well and they helped Durham become the largest county with the highest vaccine rate. Mr. Jenkins also stated there were no companies reaching out to Public Health and felt it was because of the high rate of vaccinations in the county.

21-0541 County Food Security Initiatives Update and Recommendations for Recovery

Mary Oxendine, County Food Security Coordinator shared the *County Food Security Update and Recommendations for Recovery* which highlighted the following: Presenters and Partners, Agenda, Food Security Initiatives Update, County Investment – Emergency Food \$2,053,436.00, Support Initiatives, Pandemic Good Security - Lessons Learned, American Rescue Plan Act Recommendations, Context, Data at a Glance, Ongoing Needs, Urgent Recommendations Provide Stopgap Funding and Develop Long-term Capacity for Food Security Organizations, Provide Sustained Access to Fresh Produce Via Produce Boxes, Replace and Replenish End Life Durham Public Schools Kitchen Equipment, Important Recommendations, Enhance and Extend the Double Bucks Program, Support Women and Minority Owned Food Businesses, Invest in Women and Black, Indigenous and People of Color Farmers to Recover from COVID, Meaningful Engagement to Inform Food System Priorities, Conduct Baseline Food System Assessment, Summary and Discussion.

The Board asked if any Afro-American farmers in Durham obtained the Good Agricultural Practices Certification (GAP). Donna Rewalt, County Extension Director replied a couple were certified. Ms. Oxendine added the proposal was not for GAP certified farmers. The Board stated they wanted the funds to be for people of color and women owned businesses. Ms. Oxendine responded the funds would be issued throughout the community and prioritized for people of color and women owned businesses. The Board asked if the proposal would be an Enterprise Fund or part of Durham Public Schools. James Keaten, Director of School Nutrition Services replied an Enterprise Fund.

Interim County Manager Claudia Hager thanked Ms. Oxendine for the overview of the needs and strategies. She added the Board would be updated on recommendations, compliance guidelines and discuss partnering with the City on joint funds.

The Board recommended Ms. Oxendine contact each of the Commissioners individually for discussion and questions and addressing the stopgap funding for emergency food with the fund balance. Interim County Manager Hager stated the same process used for items approved in the budget would be used for the proposal.

Directives:

- **Vice Chair Jacobs recommended for Mary Oxendine to contact each of the Commissioners individually for discussion and questions.**
- **Commissioner Carter recommended addressing the stopgap funding for emergency food with the fund balance.**

Adjournment

Commissioner Burns moved, seconded by Commissioner Allam to adjourn the Regular Session meeting at 9:58 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Macio Carlton".

Macio Carlton
Deputy Clerk to the Board