

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

Monday, October 24, 2022

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 and Commissioners Nida Allam, Nimasheena Burns and Heidi Carter

Presider: Chair Brenda Howerton

Excused Absence: Vice Chair Jacobs

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Howerton announced that there were no agenda adjustments.

Announcements

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

- 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 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.
- 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

Ms. Wallace added the Durham County Veteran Services Department was excited to announce its annual Veterans Day Recognition and Celebration Program will return in person for the first time since 2019, on Thursday, November 10th in Meeting Rooms B and C on the second floor of the Durham

County Human Services Building at 11 a.m. She stated the entire community is invited to join in honoring service members and their families from all branches of service during this celebration of patriotism, service and sacrifice the day before the Veterans Day holiday on November 11th.

Commissioners shared the following additional announcements.

- Citizens could register for the upcoming Durham Big Sweep 2022 cleanups on Tuesday, October 25th at 9:30 a.m. and Saturday, October 29th at 11 a.m.
- The Durham County Matching Grants Program was accepting applications until November 16th at 5 p.m. and for additional information to contact Brendan Moore at brmoore@dconc.gov.
- The Public Service Loan Forgiveness Program was accepting applications until October 31st.

Commissioner Burns asked for an excused absence for the November 14, 2022 Regular Session meeting.

Commissioner Allam moved, seconded by Commissioner Carter to grant Commissioner Burns an excused absence for the November 14, 2022 Regular Session meeting.

The motion carried unanimously.

Minutes

Commissioner Burns moved, seconded by Commissioner Carter to approve the September 28, 2022 Regular Session and October 3, 2022 Work Session minutes.

The motion carried unanimously.

Ceremonial Items

22-0600 Proclamation – PEACH Lead and Healthy Homes Economic Initiative and Lead Poisoning Prevention Week

Commissioner Burns read the following proclamation:

PEACH LEAD AND HEALTHY HOMES ECONOMIC DEVELOPMENT INITIATIVE AND LEAD POISONING PREVENTION WEEK | 2022

WHEREAS, in 1998, Partnership Effort for the Advancement of Children’s Health (PEACH) was established with the support of Congressman David Price and EPA funding to North Carolina Central University to establish a Community University Partnership (CUP) with the Northeast Central Durham Community Reinvestment Board to explore the lingering effects of lead-based paint in older housing in the NECD community, and

WHEREAS, in 2007 under the leadership of community-members Marion Lamberth, Lenora S. Smith, the late Effie Steele, and NCCU Public Health Education Department Chair, Dr. Theodore Parrish, submitted application and received designation as a 501 C3 IRS Charitable organization to empower grassroots communities to mitigate home hazards, including lead, mold, pesticides, indoor air quality and home safety; and

WHEREAS, in 2009, the State of North Carolina enacted the Lead-Based Paint Hazard Management Program for Renovation, Repair and Painting, requiring that, prior to performing renovation, repair, and painting activities for compensation, companies and individuals must become certified by the NC Department of Health and Human Services, Division of Public Health, Health Hazards Control Unit; and

WHEREAS, in 2014 PEACH became an authorized North Carolina and EPA training provider for the Renovate, Repair, and Painting (RRP) training program, after serving four years as a training provider with the National Center for Healthy Housing; and

WHEREAS, in 2016 PEACH partnered with the Mayor’s Poverty Reduction Initiative to create a Durham RRP brochure for contractors and to initiate a PEACH lead risk assessment capacity building and Healthy Homes project to educate families and to protect children from lead exposure, asthma triggers, and physical home safety hazards; and

WHEREAS, in 2017, as a result of lead repairs by a contractor, in violation of the RRP Lead-safe rule, and that caused lead-based paint and lead-dust contamination to two neighboring properties, and where regulatory guidelines prevented contractor accountability, PEACH began a series of Town Hall meetings that culminated with the situational assessment, Identification of Regulatory Gaps in Lead Poisoning Prevention and Lead Hazards in Housing in Durham, NC that offered immediate, short term, and long term recommendations and was presented to the joint City and County Board of Elected Officials in May 2019 with the support of the Durham County Health Director; and

WHEREAS, in 2019, to further the situational assessment recommendations, PEACH encouraged, and the City of Durham Community Development Department submitted a National League of Cities Healthy Housing Leaders Forum application and was one of six cities selected to receive technical assistance to advance effective healthy housing policies, programs and practices that protect residents from the hazards posed by asthma and lead and along with other community stakeholders completed the DURHAM Healthy Housing City Action Roadmap; and

WHEREAS, in 2020, during the COVID-19 pandemic, PEACH contracted with Curamericas Global to increase COVID-19 awareness and coordinated and participated in activities that tested vulnerable community members, recruited and vaccinated hard-to-reach community members, and where hired staff became community-health workers; and

WHEREAS, with the 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, PEACH will continue to train contractors in lead safe work practices and to provide academic and community internships, and to provide income opportunities for low-wealth community workers, all in an effort to assist 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.

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 October 23 – 29, 2022 as

“PEACH LEAD AND HEALTHY HOMES ECONOMIC DEVELOPMENT INITIATIVE AND LEAD POISONING PREVENTION WEEK”

in Durham County.

This 24th day of October 2022.

Brenda Howerton, Chair
Durham Board of County Commissioners

Lenora Smith, Executive Director of Partnership Effort for the Advancement of Children’s Health (PEACH) thanked the Board for the proclamation and gave an overview of the origin and history of PEACH. She added the PEACH Lead Poisoning Prevention Community Event would be held on Saturday, October 29th at 800 N. Magnum Street from 11 a.m. – 3 p.m.

The Board thanked Ms. Smith and PEACH for educating and protecting the children and families in the Durham community. The Board also thanked PEACH for training and hiring Community Health Workers during the pandemic to assist with COVID-19 related needs.

22-0647 Recognition of Durham County’s Kids “I Voted” Sticker Contest Winner Annabel Swansey

Dawn Baxton, Durham County Board of Elections Chair thanked the Board for the recognition of the winner and introduced Pamela Oxendine, Durham County Board of Elections Member. Ms Oxendine stated 14 designs were submitted by Durham students in grades K-12 and the students voted for their favorite designs. She added the Board of Elections voted on the top three designs and unanimously selected Annabel Swansev’s design as the winner. Ms. Oxendine stated the “I Voted” sticker would be provided to all kids that accompany their parents to vote or participated in a simulated election.

Ms. Swansey thanked the Board of County Commissioners and the Board of Elections for the recognition. The Board thanked Ms. Swansey for participating in the contest and thanked the Board of Elections for providing Durham students with the opportunity to participate in voting.

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

The motion carried unanimously.

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

*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

22-0623 Request for refund excise tax to McCollum Law, P.C.

*22-0631 Property Tax Releases and Refunds for September 2022

Consent Agenda Item #22-0619

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00040**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2022-2023 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	\$10,070,886.00	\$3,000.00	\$10,073,886.00
<u>Revenue</u>			
Intergovernmental	\$78,845,089.91	\$3,000.00	\$78,848,089.91

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

Approved October 24, 2022

Consent Agenda Item #22-0631

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 – September 2022

Releases and Refunds for 2022 Taxes

Real Property	\$ 75,769.26
Personal Property	\$ 83,775.28
Motor Vehicle	\$ 0.00
Solid Waste	\$ 1,065.00
Stormwater Utility	\$ 2,280.00
VTS Refunds	\$ <u>20,041.71</u>
Total	\$ 182,931.25

Releases & Refunds for Prior Years

2016 - 2021

Real Property	\$ 0.00
Personal Property	\$ 466.25
Solid Waste	\$ 0.00
Stormwater Utility	\$ 0.00
VTS Refunds	\$ <u>0.00</u>
Total	\$ 466.25

Grand Total	\$ 183,397.50
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Other Business

22-0615 Durham County Family-Friendly Workplace Policies

Tina Sherman, Senior Campaign Director, Maternal Justice at Moms Rising shared a presentation titled the *Expanding Family-Friendly Workplace Policies for Durham County Workers* which highlighted the following: Who is Moms Rising, Family-Friendly Workplace Policies, Opportunities for Expansion, Expansion to Paid Family and Medical Leave: A Matter of Equity, Use of Sick Day as Safe Days, Pregnancy Accommodations, Employment of Pregnant Workers, The Importance of Workplace Pregnancy Accommodations, Infant Mortality in North Carolina, Why are Local and State Protections Providing Pregnancy Accommodation Needs, Employer Impact and Support, Support for Lactation and Related Benefits.

Kathy Everett-Perry, Chief Employment Counsel stated Dr. Kimberly Sowell, County Manager introduced the Family-Friendly Policies during her Budget Presentation and the only new policies they wished to include was the Pregnancy Accommodations and the Wellness/Safe Days policies.

The Board stated the Pregnancy Accommodations were beneficial and vital to employees. They inquired about language and financial costs associated with the policies and asked would those topics be brought back for discussion. Ms. Sherman responded yes if the Board approved the adoption of the policies. The Board asked if specific language was needed to explain policies and their usage. Ms. Sherman replied allowing some flexibility was important and making sure employees were informed of their rights and given examples of policies was also important. She added she would assist the Human Resources Department with the development of the language for the policies.

Commissioner Burns moved, seconded by Commissioner Allam to give permission to move forward with the proposed policy changes and come back with the financial cost associated with the policies.

The motion carried unanimously.

22-0642 Durham County Public Health Focused Update on the COVID-19 Crisis

Mr. Jenkins shared the *COVID-19/Monkeypox/Flu Updates* which highlighted the following: Current COVID-19 Statistics, Current Race and Ethnicity Trends, COVID-19 Percent Positive Labs, Usage and Capacity Hospitalization Data, COVID-19 Community Level, Free COVID-19 Testing, Free COVID-10 At-Home Tests, COVID Vaccine Updates, Vaccine Recommendations, Monkeypox Background, Monkeypox Vaccinations and Flu Vaccine Recommendations.

The Board asked if Durham County tested two wastewater sites for COVID-19. Mr. Jenkins responded yes, adding the County received reports once a week and the report results of COVID-19 were reduced. He added the County asked the State to fund testing at an additional wastewater site in Durham County.

The Board thanked Mr. Jenkins and the Department of Health for keeping Durham County safe and educated on health needs.

Board and Commission Appointments

Willie Darby, Acting 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.

Board of Adjustment

Justin Hall (Allam, Burns, Carter, Howerton)

Citizens Advisory Committee

Alexa Hartenstein Hamel (Allam, Burns, Carter, Howerton)

Discover Durham Tourism Development Authority

(i)Jennings Brody (Allam, Burns, Carter, Howerton)

(i)Daniel Edwards (Allam, Burns, Carter, Howerton)

Durham County Women’s Commission

Rheda Denning (Allam, Burns, Carter, Howerton)

Catherine Woyee (Allam, Burns, Carter, Howerton)

Durham Open Space and Trails Commission

Fred Myatt (Allam, Burns, Carter, Howerton)

Durham Workforce Development Board

Angelica Thacker (Allam, Burns, Carter, Howerton)

Industrial Facilities and Pollution Authority

Fred Myatt (Allam, Burns, Carter, Howerton)

Closed Session

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 Allam moved, seconded by Commissioner Burns 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.

Adjournment

Commissioner Allam moved, seconded by Commissioner Burns to adjourn the Regular Session meeting at 8:48 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Deputy Clerk to the Board