

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

Monday, December 12, 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, 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 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](http://www.dcopublichealth.org/COVIDVaccines) or call 919-560-9217 for more information.
2. **Get Your Flu Shot at DCoDPH** – Flu shots are available by appointment at the Durham County Department of Public Health. Call 919-560-7608 to schedule yours today. Most private insurance fully covers the cost of flu shots. Shots are available for free to some eligible individuals. Visit [www.DCoPublicHealth.org/FluSeason](http://www.DCoPublicHealth.org/FluSeason) or call 919-560-7608 for more information.
3. **NC Homeowner Assistant Fund (NCHAF)** – The NCHAF is available for homeowners to help prevent mortgage delinquencies, defaults, displacements and foreclosures due to COVID-19. To qualify you must be past due on your mortgage by at least 30 days. For more information and how to apply, please visit [www.nchaf.gov](http://www.nchaf.gov).
4. **Volunteers Needed for Durham Food Security Network** – The Durham Food Security Network is looking for people with experience in farming or in the food industry to fill open seats on its Steering Committee! Stipend is \$50 per meeting. Deadline to apply is Dec. 31 at 11:59 p.m. Apply at <https://bit.ly/3fmfKxN>.

5. **Solarize the Triangle Deadline is Dec. 31** – Solarize the Triangle is a community-based group-buying program developed by 11 local Triangle governments to has enrolled over 1,000 residents and businesses seeking proposals for solar-energy systems. Sign up for your FREE assessment today at [www.solarizethetriangle.com](http://www.solarizethetriangle.com) and get on the road to discounted solar energy!
6. **Durham Winter Holiday Parade on Dec. 17** – Kick off the holiday season at the Durham Holiday Parade in downtown Durham on Saturday, December 17! Cheer on dynamic floats, hometown bands, drill teams, schools, and community groups as they make their way down Main Street at the Durham Holiday Parade. The procession will conclude with a guest appearance from Santa. This is a free event and will be held rain or shine! Seating is not provided. Spectators are encouraged to bring their own chairs and blankets! Parade begins at 10 a.m. For more information go to <https://DPRPlaymore.Org/309/Holiday-Parade>.
7. **Sign Up for City-County Planning Notification Service** – The Durham City-County Planning Department invites all residents interested in staying informed about upcoming zoning and other land-use public hearings to sign up for its Public Notification Service. You will receive a weekly email notification with upcoming announcements, scheduled public hearings, and major site plans. Sign up here: <http://bit.ly/SignUpPPNS>.
8. **The Low-Income Energy Assistance Program** – LIEAP kicks off December 1st for applicants 60+, those with disabilities, and who receive Food and Nutrition Services. Residents can call 919-560-8192 to make a virtual appointment with the Department of Social Services' LIEAP Specialists. On January 3, 2023 all Durham residents may apply online as well at: <https://epass.nc.gov>. The LIEAP Program ends March 31, 2023.
9. **Your Input is Needed** – The Regional Transportation Planning Agency is conducting a study of the US 70 East Corridor and your input is needed. There are two virtual meetings held on December 13<sup>th</sup> and 15<sup>th</sup> from 5:30 – 6:30pm and one in-person meeting held on December 17<sup>th</sup> from 11am-12noon. The survey must be complete by January 6, 2023, for additional details and to complete the survey, please visit <https://bit.ly/us70east>.

Commissioners shared the following additional announcements.

- The Board was planning how best to invest the National Opioid Settlement funding and asked citizens to fill out the Opioid Survey on the Durham County website before January 16, 2023.
- A bicyclist was killed in a hit-and-run crash on Sunday, December 4<sup>th</sup>, becoming the 23<sup>rd</sup> traffic victim in Durham in 2022.
- The Board acknowledged and honored retiring Acting County Attorney Willie Darby.
- The Board thanked County staff for their work and providing the best for Durham County citizens.

## Minutes

Commissioner Allam moved, seconded by Vice Chair Jacobs to approve the November 7, 2022 Work Session, November 25, 2022 Regular Session and December 5, 2022 Regular Session minutes.

The motion carried unanimously.

## **Consent Agenda**

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

Chair Howerton requested to pull Item 22-0726.

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

Commissioner Burns moved, seconded by Commissioner Allam to approve the following items on the Consent Agenda except Item 22-0726.

The motion carried unanimously.

22-0635 Proposed Relocation of Abandoned “McGhee Family Cemetery”

22-0643 Approval of Purchase of Goods contract(s) with various vendors for the private office, resident beds, classroom, conference and miscellaneous furnishings from the NC State Contract and/or Omnia Partners buying programs for the New Durham County Youth Home

22-0656 Enter into a Contract in the Amount of \$104,270.70 with Kontek Systems to Provide Audio Visual Support for all Durham County Conference and Courtrooms that Contain Audio Visual Equipment

22-0660 Approve an Amendment of \$30,740.16 to the Weststaff Staffing Contract to continue the Contracted Services of a Junior Software Developer, Increasing the Total Contract Amount to \$54,993.76

22-0661 Approval to Renew the County’s Three-Year Microsoft Enterprise Agreement Contract for the Continuation of Microsoft Licenses and Services, and to Authorize the County Manager to Execute Subsequent Maintenance Renewals, Amendments, and Annual Payments Not to Exceed the Existing Operational Budget. The Amount of this Enterprise Agreement Contract is \$1,326,279.87

22-0674 Greater Triangle Commuter Rail Study Memorandum of Understanding Extension Agreement

\*22-0675 Budget Ordinance Amendment No. 23BCC00048 Public Health to Recognize \$2,422 from the NC DHHS Division of Public Health Epidemiology Section/Communicable Disease Branch for TB Infection and Disease Screening

22-0678 Request to Approve Amendment to Contract with Innovative Interfaces Incorporated

22-0697 Increase the 300 E. Main St. Affordable Housing Redevelopment Master Development Agreement Through PAYGO Funding of \$1,500,000 and Loan #3 to Execute Amendment #2 to the Master Development Agreement for the Project

22-0700 Durham County Sheriff’s Office Contract Approval with ePLUS Technology Inc. in the amount of \$185,435.88

\*22-0709 Budget Ordinance Amendment No. 23BCC00049 - Appropriate General Fund Restricted Fund Balance Totaling \$1,344,307.20 to Increase Expenditure Authority for Cooperative Extension,

Social Services, Library, CJRC, and Youth Home

22-0710 Holland Industrial Services, Inc. Contract Amendment for Triangle Wastewater Treatment Plant

\*22-0711 Budget Ordinance Amendment No 23BCC00050 Transferring \$2,791,093.79 from the Human Services Functional Area to General Government (\$2,498,907.79), Environmental Protection (\$125,000) and Education (\$167,186) Functional Areas to Support Ongoing General Services, Vehicle Purchases, and County Administration Operating Needs

22-0712 Machinery and Equipment Repair Contract Amendment with Alfa Laval Inc.

22-0713 Carolina Management Team, LLC Contract Amendment for Painting and Coating Services

22-0714 Contract Amendment for dba Hydrostructures, P.A. (Duke’s Root Control, Inc.) for Utilities Division

22-0721 Structural Rehabilitation and Concrete Repair of Roxboro Street Parking Deck

22-0728 Environmental Enhancement Grant Memorandum of Understanding

22-0729 Removal of Citizen Board Member Due to Poor Attendance

\*22-0730 Property Tax Releases and Refunds for November 2022

22-0732 Service Contract Approval of \$433,000 with Communities in Partnership to Operate a Durham County Grant Program Supporting Food Security Efforts Reaching our Most Vulnerable Residents

22-0733 Service Contract Approval of \$50,000 for Meals on Wheels to Expand the Number of Food Insecure Seniors Provided Meal Delivery Services

22-0734 Authorize \$167,186 contract amendment with Kate’s Korner to support Student Learning Center Located at Durham Technical Community College

Consent Agenda Item #22-0675

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00048**

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>
<b><u>GENERAL FUND</u></b>			
<b><u>Expenditure</u></b>			
Human Services	\$111,732,910.87	\$2,422.00	\$111,735,332.87
<b><u>Revenue</u></b>			
Intergovernmental	\$79,155,411.97	\$2,422.00	\$79,157,833.97

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

Approved December 12, 2022

---

Consent Agenda Item #22-0709

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00049**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Cultural and Recreation	\$15,891,449.16	\$14,393.82	\$15,905,842.98
Economic and Physical Development	\$10,372,388.47	\$11,050.04	\$10,383,438.51
Human Services	\$114,526,426.66	\$1,271,157.34	\$115,797,584.00
Public Safety	\$78,014,937.59	\$47,706.00	\$78,062,643.59
<u>Revenue</u>			
Other Financing Sources	\$67,523,893.39	\$1,344,307.20	\$68,868,200.59

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

Approved December 12, 2022

---

Consent Agenda Item #22-0711

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00050**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Education	\$195,054,459.54	\$167,186.00	\$195,221,645.54
Environmental Protection	\$5,508,838.55	\$125,000.00	\$5,633,838.55
General Government	\$177,791,169.66	\$2,498,907.79	\$180,290,077.45
Human Services	\$115,797,584.00	(\$2,791,093.79)	\$113,006,490.21

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

Approved December 12, 2022

Consent Agenda Item #22-0730

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 November 2022.

Releases and Refunds – November 2022

<u>Current Year 2022 Taxes</u>	<u>Releases</u>	<u>Refunds</u>	
Real Property	\$ 71,105.69	\$ 419,714.83	
Personal Property	\$ 217,802.64	\$ 2,033.64	
Motor Vehicle	\$ 0.00	\$ 0.00	
Solid Waste	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 0.00	\$ 0.00	
VTS Refunds	\$ 10,342.37	\$ 0.00	
<b>SUB - TOTAL</b>	<b>\$ 299,250.70</b>	<b>\$ 421,748.47</b>	<b>\$ 720,999.17</b>
<hr/>			
<u>Prior Year 2016-2021</u>	<u>Releases</u>	<u>Refunds</u>	
Real Property	\$ 0.00	\$ 1,333.67	
Personal Property	\$ 5.26	\$ 0.00	
Motor Vehicle	\$ 0.00	\$ 13.27	
Solid Waste	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 0.00	\$ 0.00	
VTS Refunds	\$ 0.00	\$ 0.00	
<b>SUB - TOTAL</b>	<b>\$ 5.26</b>	<b>\$ 1,346.94</b>	<b>\$ 1,352.20</b>
 <b>GRAND TOTAL</b>	 <b>\$ 299,255.96</b>	 <b>\$ 423,095.41</b>	 <b>\$ 722,351.37</b>

\*\*\*\*\*

**Public Hearings**

**22-0701 Public Hearing for Little Acres Drive Repairs, Final Assessment Resolution for Little Acres Drive Repairs, and Budget Ordinance Amendment No. 23BCC00052 Appropriating \$200K of General Fund Fund Balance to the Transportation Fund Center for Little Acres Drive Repairs**

Jay Gibson, General Manager of Environmental Stewardship and Community Prosperity stated Durham County approved an Orphan Roads Policy to provide guidance for how the County could assist residents with the repair and transfer of orphan roads to the North Carolina Department of Transportation (NCDOT). He added the policy allowed County staff to manage the improvement project and allowed for financing of the project subject to budget appropriation by the County.

Ellen Beckman, Durham County Transportation Manger stated that 11 of the 12 residents on Little Acres Drive submitted a valid petition to Durham County requesting an orphan road project to facilitate the transfer of their road to NCDOT.

The Board asked if the one unsigned resident was opposed to the project. Ms. Beckman responded the one unsigned resident was not opposed to the project. The Board asked if the residents were concerned about the increase in the cost of the project from the initial estimated cost. Ms. Beckman replied the initial cost was explained as being an estimated cost and the residents agreed to the increased cost of the

project. Mr. Gibson added the County was hoping to see a decrease in the cost of the project when bids were opened for the project.

Chair Howerton opened the public hearing.

**Citizen Comments**

**Lora Wheeler**

Ms. Wheeler a citizen stated the project was a huge milestone for the Little Acres Drive Community. She added the residents were willing to pay for the project with the increased price. She stated the resident that did not sign was concerned with financing and special taxes and thanked the Board, Mr. Gibson, Ms. Beckman and NCDOT.

The Board inquired about the developer of the community. Ms. Wheeler responded the developer was deceased and the community did not have a Homeowners’ Association.

Chair Howerton closed the public hearing.

The Board thanked Mr. Gibson and Ms. Beckman for the Orphan Road Policy and stated the County was providing staff to assist at no cost. The Board asked for pictures before and after the repairs. The Board asked if the repair project process would move faster with the next project. Ms. Beckman responded yes, this was the first project and was a learning process. She added another community had contacted the County for repair assistance with their neighborhood.

Commissioner Allam moved, seconded by Commissioner Carter to approve a Final Assessment Resolution for repairs to Little Acres Drive, and approve Budget Ordinance Amendment Number 23BCC00052 appropriating \$200K of General Fund Fund Balance to the Transportation Fund Center for repairs to the road.

The motion carried unanimously.

**Directive: Vice Chair Jacobs asked Jay Gibson and Ellen Beckman to provide the Board with pictures before and after the Little Acres Drive Repairs.**

Item #22-0701

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00052**

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>			
Transportation	\$1,489,459.73	\$200,000.00	\$1,689,459.73
<u>Revenue</u>			
Other Financing Sources	\$68,868,200.59	\$200,000.00	\$69,068,200.59

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

Approved December 12, 2022

\*\*\*\*\*

**Other Business**

**American Rescue Plan Act (ARPA) Update**

Claudia Hager, General Manger shared the *American Rescue Plan Act Proposed Nonprofit Allocations* which highlighted the following: Discussion, Key Dates – Recap, American Rescue Plan Act Funding Categories, Guiding Principles Highlights Established in June 2021, Durham County Process ARPA Process Highlights, Durham County ARPA Community RFP’s - \$10.4 Million, ARPA Proposals Evaluation Process, ARPA RFP Community Grant Recommendations, RFP Category 1: Capacity Building and Technical Assistance for Child Care, RFP Category 2: Expanding Access to Affordable Child Care, RFP Category 3: Improving Child and Family Social-Emotional And Mental Health – Children Ages 0-12, RFP Category 4: Improving Child and Family Social-Emotional And Mental Health – Children Ages 13-24, RFP Category 5: Youth Initiatives and Enrichment Opportunities. RFP Category 6: Capacity Building for Culturally-Affirming Maternal Health Support, RFP Category 7: Crime Intervention Initiatives, Next Steps with ARPA Community Grant Award Process and Next Steps with ARPA Planning.

The Board inquired about the funding for Families Moving Forward (FMF). Ms. Hager responded that FMF applied for \$26,000 and the County was funding \$50,000 to allow capacity building at FMF. The Board asked if the County planned partner with the City to provide assistance to organizations with applications. Ms. Hager replied the County was working with the City and Andy Miracle, Economic Development Director to create models for small business infrastructure for manageable growth. Dr. Kimberly Sowell, County Manager added the County offered applicants office hours and virtual sessions for assistance during the application process. The Board asked how the County planned to prevent duplication of applications. Ms. Hager responded the County verified applications had a system to check for duplications. The Board requested a press release to provide the public with a list of nonprofit organizations receiving allocations.

The Board thanked the County General Managers, departments and staff for assisting with the proposed nonprofit allocations. The Board stated the ARPA was awarding \$10 million to 49 nonprofit organizations in the Durham community with 47 of the 49 organizations supporting babies, children and youth. The Board added 2 organizations were supporting legal assistance for adults.

**Directive: Vice Chair Jacobs requested a press release to provide the public with a list of nonprofit organizations receiving ARPA allocations.**

Commissioner Allam moved, seconded by Commissioner Burns to approve staff’s recommendation for ARPA proposals totaling \$10,383,139

The motion carried unanimously.

**Board and Commission Appointments**

Larissa Williamson, Senior Assistant 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.

City-County Appearance Commission

**Charles Simpson** (Allam, Burns, Carter, Howerton, Jacobs)

Durham Open Space and Trails Commission

**Lois Ballen** (Allam, Burns, Carter, Howerton, Jacobs)

**Deborah Luecken** (Allam, Burns, Carter, Howerton, Jacobs)

**Steve Cohn** (Allam, Burns, Carter, Howerton, Jacobs)

Farmland Protection Advisory Board

**Talmage Layton** (Allam, Burns, Carter, Howerton, Jacobs)

**Items Pulled from the Consent Agenda**

22-0726 Budget Ordinance Amendment No. 23BCC00051 Recognizing a \$25,000 Duke Energy Donation to the Office of Emergency Services (OES) Emergency Management Division

Jim Groves, Emergency Services Director introduced Elizabeth Schroeder, Chief Emergency Manger. Ms. Schroeder thanked Indira Everett, Director – East Region, Local Government and Community Relations for the \$25,000 donation from Duke Energy. Ms. Schroeder added the Office of Emergency Services (OES) would be used to purchase two drones to expand response, recovery and assessment capabilities. Ms. Everett thanked the Board, Mr. Groves, Ms. Schroeder and OES staff and presented the \$25,000 check to the OES.

The Board thanked Ms. Everett and Duke Energy for the \$25,000 donation to the OES.

Vice Chair Jacobs moved, seconded by Commissioner Carter to approve Consent Agenda Item 22-0726.

The motion carried unanimously.

Consent Agenda Item #22-0726

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00051**

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>			
Public Safety	\$78,062,643.59	\$25,000.00	\$78,087,643.59
<u>Revenue</u>			
Contribution and Donations	\$281,608.00	\$25,000.00	\$306,608.00

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

Approved December 12, 2022

\*\*\*\*\*

## **Closed Session**

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).

Vice Chair Jacobs moved, seconded by Commissioner Carter 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 Carter to adjourn the Regular Session meeting at 9:29 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton  
Deputy Clerk to the Board