

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

Monday, April 24, 2023

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. **DCoDPH COVID-19 Vaccine Clinic Hours** – The COVID-19 Vaccination Clinic at the Durham County Department of Public Health is open for your walk-in vaccination doses on Mondays, Wednesdays and Fridays from 9 a.m. to 4 p.m. (Closed 12-1 p.m.) The clinic is closed on Tuesdays, Thursdays and weekends. Visit [www.dcopublichealth.org/COVIDVaccines](http://www.dcopublichealth.org/COVIDVaccines) for more information.
2. **Durham Local Reentry Council Resource Fair** – April is Second Chance Month, and the Durham Local Reentry Council will hold a Resources Fair at the Criminal Justice Resource Center at 326 E. Main St. on Wednesday, April 26 from 1:30 to 4:30 p.m. Come out and meet and hear from and about employers, health/wellness providers, housing provider, supportive services, food bank and voting rights.
3. **Durham Dementia Community Event** –Come out on Saturday, April 29 to the Durham Dementia Community Event from 10 a.m. to 2 p.m. at the Durham County Human Services Building, 414 E. Main St. The keynote address will be from Jay Reinstein, who is living well with early onset dementia. The event is free, and lunch will be served. Registration is required by calling 984-287-9399 or visiting: <https://bit.ly/DementiaEventDCo>
4. **Carolina Flyers Home Opener on April 29<sup>th</sup>** – The Carolina Flyers Ultimate Frisbee team hosts its home opener against the D.C. Breeze on Saturday, April 29 at Durham County Memorial Stadium. Gates open at 5 p.m. and the game starts at 6 p.m. Tickets are \$12 for adults and free for kids 12 and under. Tickets can be purchased at <https://theaudl.com/flyers/tickets>

5. **Briggs Ave. Community Garden Spring Plant Sale** – Join the Durham County Cooperative Extension Master Gardener volunteers at the Briggs Ave Community Garden Annual Spring Plant Sale on Saturday, April 29 from 10am – 2pm at 1598 S. Briggs Ave. We will be selling a variety of tomatoes, cucumbers, squash, eggplant, peppers (hot and sweet), herbs, okra, fruit (watermelons, strawberries, cantaloupe), and flowers. Free parking alongside the road or in the parking lot across the street. All proceeds go directly to the community garden. For additional information, please contact: Gaebryl Vives at 919-560-0526 or [gvives@dconc.gov](mailto:gvives@dconc.gov).
6. **Annual Pond Clinic on May 6<sup>th</sup>** – The Durham and Orange County Soil and Water Conservation Districts are holding their annual Pond Clinic on Saturday, May 6 from 9am – 1pm at Cornwallis Farm. Join to learn all about pond maintenance and construction, wildlife management, fish production and aquatic weeds (bring yours to be identified), as well as a shock boat demonstration at the conclusion of the clinic. Register by April 29<sup>th</sup> by calling the Durham County SWCD at 919-560-0558 or the Orange County SWCD at 919-245-2750. Free lunch provided for all participants.
7. **Durham PreK Applications for 2023-24 is Open** – Haven't applied for pre-k yet? The Durham PreK application for 2023-2024 school year is open can be found on [www.durhamprek.org](http://www.durhamprek.org). All children in Durham County who will turn 4 years old on or by August 31, 2023 are eligible. Please visit the website mentioned or call 1-833-773-5338 for more information.

Commissioners shared the following additional announcements.

- The Board welcomed Maggie Cveticanin, Department of Social Services Director. Ms. Cveticanin stated she was honored to be selected for the position and looked forward to serving the Durham community.
- May 9<sup>th</sup> was National Fentanyl Awareness Day and residents were encouraged to attend free virtual events.
- County leaders attended the Durham Family Justice Center's ribbon cutting ceremony on Monday, April 24<sup>th</sup>, ahead of the grand opening on Tuesday, April 25<sup>th</sup>.
- National Library Week was April 23<sup>rd</sup> – 29<sup>th</sup> and Durham County Libraries celebrated with the Library Fest and a variety of programs.
- The Durham County District Attorney's Office, the Wilson Center for Science and Justice at Duke Law School and the Religious Coalition for a Nonviolent Durham presented a Motus Theater's JustUs performance at the Rubenstein Arts Center on April 29<sup>th</sup> at 6 p.m.

## Minutes

Vice Chair Jacobs moved, seconded by Commissioner Allam to approve the April 3, 2023 Work Session minutes.

The motion carried unanimously.

## Ceremonial Items

### 23-0196 Proclamation – National Therapy Animal Day

Vice Chair Jacobs read the following proclamation:

**NATIONAL THERAPY ANIMAL DAY | 2023**

**WHEREAS,** there are thousands of Pet Partners therapy animal teams serving in communities across the United States; and

**WHEREAS,** Pet Partners has designated April 30 as National Therapy Animal Day; and

**WHEREAS,** Pet Partners therapy animal teams in Durham play an essential role in improving human health and well-being through the human-animal bond; and

**WHEREAS,** Pet Partners therapy animal teams make millions of visits per year in settings such as hospitals, nursing homes, schools and hospice; and

**WHEREAS,** Pet Partners therapy animal teams interact with a variety of people in our community including veterans, seniors, patients, students facing literacy challenges, and those approaching end of life; and

**WHEREAS,** these exceptional therapy animals who partner with their human companions bring comfort and healing to those in need.

**NOW, THEREFORE BE IT RESOLVED,** I, Brenda Howerton, Chair and on behalf of the Durham Board of County Commissioners, do hereby proclaim April 30, 2023 as

**“NATIONAL THERAPY ANIMAL DAY”**

in Durham County, North Carolina.

This 24<sup>th</sup> day of April 2023.

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Brenda Howerton, Chair  
Durham Board of County Commissioners

Ellen Vogel, Community Member and Volunteer of the Therapy Animal Team stated dogs and cats were common therapy animals, but they could include horses, rabbits and birds. She added therapy animals visited rehabilitation centers, senior centers, schools and hospitals to help residents.

The Board thanked Ms. Vogel for providing the animal therapy program to residents in the community.

**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 23-0277.

Vice Chair Jacobs commented several consent agenda items were related to the American Rescue Plan Act (ARPA). Dr. Kimberly Sowell, County Manger stated in December 2022 the Board approved for staff to initiate 49 contracts with non-profits to allocate about \$10.3 million dollars of ARPA funding. She added the County issued Request for Proposals (RFPs) in seven focus areas and the Board would be approving 24 contracts.

The Board asked how the County planned to release information about approved contracts with non-profits. Claudia Hager, Deputy County Manager responded news releases and postings on the County

website.

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 23-0277.

The motion carried unanimously.

23-0130 Authorize the County Manager to enter into contract with Motorola Solutions in the amount of \$44,182.64 and approve subsequent contract amendments not to exceed a total cost of \$50,000

23-0236 Contract approvals for American Rescue Plan Act Community Grants Awarded in RFP Category 1: Capacity Building and Technical Assistance for Child Care totaling \$1,050,500

\*23-0245 Budget Ordinance Amendment No. 23BCC00086 Public Health to Recognize \$5,000 from Delta Dental Foundation for the Emerging Smiles Dental Assistance Program

\*23-0269 Approve Budget Ordinance Amendment No. 23BCC00087 Cooperative Extension to appropriate \$15,690 in General Fund balance to create a 4H FTE to implement the Juntos 4-H youth program in Durham County

\*23-0275 Budget Ordinance Amendment No. 23BCC00085 Appropriating \$167,400 of General Fund Balance to the Durham County Sheriff's Office to Purchase Meal Preparation and Life Safety Equipment

23-0278 Contract approvals for American Rescue Plan Act Community Grants Awarded in RFP Category 2: Expanding Access to Affordable Child Care, totaling \$2,050,500

23-0280 Contract approvals for American Rescue Plan Act Community Grants Awarded in RFP Category 4: Improving Child and Family Social-Emotional and Mental Health Children Ages 13-24, totaling \$825,000

23-0281 Contract approvals for American Rescue Plan Act Community Grants Awarded in RFP Category 5: Youth Initiatives and Enrichment Opportunities, totaling \$1,251,000

23-0282 Contract approvals for American Rescue Plan Act Community Grants Awarded in RFP Category 7: Crime Interventions, totaling \$225,000

23-0300 Contract approvals for American Rescue Plan Act Community Grants Awarded in RFP Category 3: Improving Child and Family Social-Emotional and Mental Health Children Ages 0-12, totaling \$1,180,000

Consent Agenda Item #23-0245

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00086**

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>			
Human Services	\$121,696,045.42	\$5,000.00	\$121,701,045.42
<u>Revenue</u>			
Intergovernmental	\$85,624,880.56	\$5,000.00	\$85,629,880.56

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

Approved April 24, 2023

Consent Agenda Item #23-0269

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00087**

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	\$10,915,492.64	\$15,690.00	\$10,931,182.64
<u>Revenue</u>			
Other Financing Sources	\$77,353,195.44	\$15,690.00	\$77,368,885.44

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

Approved April 24, 2023

Consent Agenda Item #23-0275

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00085**

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	\$78,421,414.69	\$167,400.00	\$78,588,814.69
<u>Revenue</u>			
Other Financing Sources	\$77,185,795.44	\$167,400.00	\$77,353,195.44

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

Approved April 24, 2023

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## **Public Hearings**

### **23-0289 Public Hearing - Ordinance to Amend the Durham Unified Development Ordinance Provisions Regulating Open Space, Utility and Solid Waste Collection Facilities, and Screening to Require Pet Waste Receptacles**

Jessica Dockery, Planning Manager stated the Board was requested to adopt an ordinance amending the Durham Unified Development Ordinance standards in sections Open Space (Section 7.2), Utility and Solid Waste Collection Facilities (Section 7.6), and Screening (Section 9.7) to include requirements for pet waste receptacles.

The Board asked if the ordinance was enforceable and how the number of receptacles was determined. Ms. Dockery responded the receptacles would be located on Homeowners Association (HOA) land and HOA maintained, adding the ordinance would require the minimum number of receptacles with the hope residents would ask for more if needed. The Board asked who would maintain receptacles on trails and state parks. Ms. Dockery replied, greenway trails would be maintained by the City and County unless the trail was in a subdivision which would be maintained by the HOA. She added no decision was made about state parks and the ordinance was not retroactive to existing neighborhoods, trails, and parks. The Board asked if an HOA would receive a penalty for not maintaining receptacles. Ms. Dockery responded a zoning compliance enforcement would be issued for those not maintaining receptacles.

Chair Howerton opened the public hearing.

No citizens were signed up to speak.

Chair Howerton closed the public hearing.

#### **First Motion:**

Commissioner Burns moved, seconded by Vice Chair Jacobs to adopt an ordinance amending the Durham Unified Development Ordinance standards in sections Open Space (Section 7.2), Utility and Solid Waste Collection Facilities (Section 7.6), and Screening (Section 9.7) to include requirements for pet waste receptacles.

The motion carried unanimously.

#### **Second Motion:**

Commissioner Burns moved, seconded by Commissioner Allam to adopt the appropriate consistency statement as required per NCGS § 160D-605.

The motion carried unanimously

### **23-0290 Public Hearing – Zoning Map Change – Leesville Storage**

Alexander Cahill, Senior Planning Manager stated the Board was requested to conduct a public hearing and receive public comments on the Zoning Map Change, Leesville Storage (Z2200037). He added a request for a zoning map change was received from Warren Mitchell, of Leesville Storage Partners LLC, for two parcels of land totaling 22.353 acres located at 4615 and 4627 Leesville Road. Mr. Cahill stated the current zoning was Commercial General with a development plan (CG(D)) and Residential Rural with the Falls/Jordan Lake District - B (F/J-B) Watershed Protection Overlay. He added the

applicant proposed to change the designation to Commercial General with a development plan (CG(D)) with the Falls/Jordan Lake District - B (F/J-B) Watershed Protection Overlay. Mr. Cahill stated the applicant also proposed to rezone the properties to facilitate the construction of a self-storage business. The request, Case Z2200037, received a recommendation of approval from the Planning Commission on March 14, 2023, by a vote of 12-1.

The Board asked if the self-storage would have well water and if the agreed multi-use path was separated from the road. Mr. Cahill responded the applicant was not planning to annex into the city limits and would use well water and the multi-use path would be separated from the road. The Board inquired about the hours of the self-storage and was concerned about noise and lights at night on the adjacent residential properties. Mr. Cahill responded the applicant would be able to answer the question.

Chair Howerton opened the public hearing.

Nil Ghosh, Associate with Morningstar Law Group

Mr. Ghosh stated he was representing the applicant. He stated the site would use well and septic with the plan for one bathroom in the office, hours would be 6 a.m. – 11 p.m. and the multi-use path would be separated from the road. Mr. Ghosh added there was no neighborhood push-back.

The Board inquired about the buffer along the property site. Mr. Ghosh responded the required buffer was consistent with the Unified Development Ordinance (UDO). The Board asked about the location of the boat storage. Warren Mitchell, Applicant stated the boat storage was adjacent to the site and was approved by the Board about three years ago. He added the property next door to the site was a rental house and he purchased the property to use as the site driveway. Mr. Mitchell stated the lighting would cutoff at closing and the self-storage units would face internal and not towards the road.

Steven Knill, Citizen

Mr. Knill stated self-storage was important to residents in the area and the storage facility would not contribute to additional traffic.

Chair Howerton closed the public hearing.

First Motion:

Commissioner Burns moved, seconded by Commissioner Allam to adopt an ordinance amending the Unified Development Ordinance by taking property out of Commercial General with a development plan (CG(D)) and Residential Rural (RR) with the Falls/Jordan Lake District - B (F/JB) Watershed Protection Overlay and establishing the same Commercial General with a development plan (CG(D)) with the Falls/Jordan Lake District - B (F/JB).

The motion carried unanimously.

Second Motion:

Commissioner Allam moved, seconded by Commissioner Carter to adopt the appropriate consistency statement as required per NCGS § 160D-605.

The motion carried unanimously

## **Other Business**

### **23-0272 Durham County Adverse Childhood Experiences and Resilience Presentation**

Jess Bousquette, Adverse Childhood Experiences and Resilience Coordinator shared the *Adverse Childhood Experiences and Resilience Update* which highlighted the following: Overview of Focus Areas, Four Realms of Adversity, Positive Childhood Experiences, Durham Adverse Childhood Experiences and Resilience Taskforce, Durham Adverse Childhood Experiences and Resilience Taskforce Members, Accomplishments, Resilient Durham, Revised Mission and Vision, Formation of the Trauma-Informed Care Task Group, Partnership with the National Center for Child Traumatic Stress, Training and Workforce Development, Investments in Responding to COVID-19 and Family Resilience, What's Next, Strengthening Partnership, Trauma-Informed Care Initiative at the Department of Public Health, Training and Workforce Development.

The Board asked Ms. Bousquette about partnering with churches in Durham and integrating training with other County departments. Ms. Bousquette responded she partnered with churches and was working to provide training. Rod Jenkins, Public Health Director replied Public Health was ready to assist other Durham County departments with training as well. The Board inquired about additional mental health resources in schools. Ms. Bousquette responded discrimination based on sexual orientation and disabilities were two areas where additional training and mental resources were needed in schools. The Board stated they hoped to receive recommendations during the Budget Work Sessions. The Board asked if per- and polyfluoroalkyl substance (PFASs) chemicals were affecting the health of our youth in Durham. Mr. Jenkins responded the City and County were currently discussing and tracking.

## **Board and Commission Appointments**

Al Andrews, 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.

### **Durham County Hospital Corporation Board of Trustees**

**(i)Whitney Stanley** (Allam, Burns, Carter, Howerton, Jacobs)

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

**Philip Fong** (Allam, Burns, Carter, Howerton, Jacobs)

**(i)Federico Manson** (Allam, Burns, Carter, Howerton, Jacobs)

**(i)Mashaal Al-Hegelan** (Allam, Burns, Carter, Howerton, Jacobs)

Mr. Andrews stated the vacant position for the Juvenile Crime Prevention Council did not reach a majority vote and would be readvertised.

## **Items Pulled from the Consent Agenda**

### **Consent Agenda Item 23-0277 2022 Community Child Protection Team (CCPT) & Child Fatality Prevention Team (CFPT) Annual Report**

Commissioner Carter stated in 2022 the Community Child Protection Team and Child Fatality Prevention Team reviewed over 40 child fatality, child neglect and child abuse cases. She added the teams identified deficiencies in the system and provided a recommendation report. Commissioner Carter stated the teams were asking for funding to expand the Safe Sleep Outreach and Education Campaign. She asked staff to review the recommendations provided by the teams and provide feedback to the Board including funding costs. Chair Howerton asked if the Board would like to discuss at an upcoming



Work Session. Vice Chair Jacobs responded the Board could discuss at a Budget Work Session.

Vice Chair Jacobs moved, seconded by Commissioner Burns to approve Consent Agenda Item 23-0277.

The motion carried unanimously.

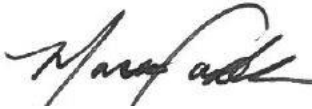
**Directive: Commission Carter asked staff to review the Child Protection Team and Child Fatality Prevention Team recommendations report and provide feedback and funding costs to the Board.**

**Adjournment**

Commissioner Allam moved, seconded by Commissioner Burns to adjourn the Regular Session meeting at 9:09 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton  
Deputy Clerk to the Board