

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

Monday, August 28, 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

Closed Session – 6:00 PM

The Board requested to adjourn to Closed Session for the following:

- 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 Allam moved, seconded by Commissioner Carter to adjourn into Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Commissioner Burns moved, seconded by Commissioner Allam to reconvene into Open Session.

The motion carried unanimously.

Chair Howerton announced the Board met in Closed Session to discuss the approval of a four (4) percent salary increase for the following appointed/elected officials effective June 28, 2023: Monica Wallace, Clerk to the Board of County Commissioners; Alan Andrews, Durham County Attorney; Dr. Kimberly Sowell, Durham County Manager; Sharon Davis, Register of Deeds; Clarence Birkhead, Durham County Sheriff; Dwane Brinson, Former Tax Administrator; Chair of the Board of County Commissioners and Board of County Commissioners.

Commissioner Burns moved, seconded by Commissioner Allam to approve a four (4) percent salary increase for the following appointed/elected officials effective June 28, 2023: Monica Wallace, Clerk to the Board of County Commissioners; Alan Andrews,

Durham County Attorney; Dr. Kimberly Sowell, Durham County Manager; Sharon Davis, Register of Deeds; Clarence Birkhead, Durham County Sheriff; Dwane Brinson, Former Tax Administrator; Chair of the Board of County Commissioners and Board of County Commissioners.

The motion carried unanimously.

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Commissioner Allam moved, seconded by Commissioner Burns to postpone the vote for the Durham Technical College Board of Trustees appointment.

The motion carried unanimously.

Chair Howerton stated the Durham Technical College Board of Trustees appointment would be moved to the September 5, 2023 Work Session meeting for a vote. She added no additional applications would be accepted for the position.

Vice Chair Jacobs asked to add a discussion about creating a letter from the Board regarding federal transportation funding.

Announcements

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

1. **DCoDPH COVID-19 Vaccinations** – The Durham County Department of Public Health (DCoDPH) advises all Durham County residents to make sure they are up to date on their COVID-19 vaccinations as cases are rising in our community. All approved brands and doses are available for free at the DCoDPH vaccination clinic for all people age six months or older. Updated, fall boosters are expected to be available by the start of October and will be available at DCoDPH. COVID-19 walk-in vaccination clinic is open at the Durham County Human Services Building, 414 E. Main St., on Mondays, Wednesdays, and Fridays from 9 a.m. to 4 p.m. (Closed 12-1 p.m.).
2. **Final Comprehensive Plan Public Hearing on August 31** – Join us at the final Durham Comprehensive Plan public hearing, a special Joint City Council and Board of County Commissioners public hearing on Thursday, August 31 at 7 p.m. in the City Council Chambers of City Hall, 101 City Hall Plaza. Visit <https://engagedurham.com/201/Adoption-Process> to learn more! Thank you to all the residents who have provided input throughout this process.
3. **Youth Ages 15-22 Apply for Changed by Youth Ambassador Program** – The Durham Office on Youth is accepting applications for its Changed by Youth Ambassador Program. New ambassadors, ages 15 to 22, will be paid \$17.50 an hour for 10-15 hours a month. They will receive racial equity, youth advocacy and facilitation training and other support to make sure they are successful in their projects. Young people who are interested in meeting and working with other young people, learning about Durham's community and local government, and getting paid to work on engagement, program and planning projects are encouraged to apply at <https://bit.ly/changedbyyouth23>. Deadline is Thursday, August 31 at 11:59 p.m.

4. **Tell Us About Your Thoughts on School Meals** – If your child received meals during 2020 COVID-19 school closures, researchers at Duke University want to hear from you. Please visit https://duke.qualtrics.com/jfe/form/SV_8hQDOaCc0RUeVsG?Q_CHL=qr to complete a brief survey by August 31st and receive up to \$25 for your participation.
 5. **Durham Destination Master Plan Town Hall** – Discover Durham will be hosting two town hall meetings to help identify community needs and opportunities as well as set a long-term vision and roadmap for a visitor-based destination.
 - Town Hall #1 - September 7th from 4:30pm-6:30pm at the Durham Convention Center located at 301 W. Morgan Street
 - Town Hall #2 – September 8th from 10:30am – 12pm at the Hayti Heritage Center located at 804 Old Fayetteville Street
- Please visit www.discoverdurham.com for registration and additional information.
6. **Give Your Input on Regional’s Short Range Transportation Project Priorities** – Now is the time to give your input on our region’s short range project priority lists. The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization (DCHCMPO) wants to hear from people interested in bicycle, pedestrian, transit, rail, and highway transportation projects and hear how these projects impact you. Provide feedback now by taking our survey: Survey Link: <https://metroquestsurvey.com/hc7y7p>.
 7. **Take Stormwater Assessment Survey** – Our Durham County Stormwater and Erosion Division wants to know what you know about stormwater to make our outreach and education better. Complete this survey – <https://bit.ly/DCoStormwaterSurvey> – for a chance to win one of three \$50 gift cards! Then, feel free to visit our website for more information related to our program at www.dconc.gov/stormwater. We appreciate your participation!
 8. **Sign Up for Alert Durham Today** – Alert Durham provides you with critical information quickly for emergency incidents such as severe weather, hazardous materials, shelter in place, and/or evacuations of buildings or neighborhoods. You will receive time-sensitive messages delivered to the device that you specify such as your mobile phone, home phone, email, text, or other. You choose the types of messages that you want to receive. For more information: <https://alertydurham.com/>

Commissioners shared the following additional announcements.

- Durham’s new Fire & Emergency Medical Services (EMS) Station, Number 18 located at 6919 Herndon Road Grand Opening Event and Hose-Uncoupling Ceremony was held on August 26th.
- The Grand Opening of DSS Center for Workforce Development located at 727 N Mangum Street, Suite 200 was held on August 26th.
- The 60th anniversary of the March on Washington for Jobs and Freedom was celebrated on August 28th.
- Registered voters could request and receive a photo identification for the voting process from the Board of Elections for free.
- The North Carolina Medicaid expansion was delayed until October 1, 2023 due to the lack of a final budget law.

Chair Howerton asked for a moment of silence to reflect on the University of North Carolina at Chapel Hill campus shooting death and the acts of violence in Jacksonville, Florida.

Rod Jenkins, Public Health Director stated free blood lead testing would be offered at Durham County Department of Public Health starting August 31st for children ages six months to six years and pregnant women.

Commissioner Allam stated Durham was named one of the Top Ten Counties in North Carolina for Health Outcome and Factors.

Chair Howerton stated Durham County received the 2023 Civic Excellence in Innovation Award from the North Carolina Association of County Commissioners for a program administered by the Soil and Water Conservation Department.

Minutes

Vice Chair Jacobs moved, seconded by Commissioner Burns to approve the July 10, 2023 and the August 14, 2023 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

23-0639 Resolution – Honoring Phi Beta Sigma Fraternity, Incorporated

Commissioner Burns read the following resolution:

HONORING PHI BETA SIGMA FRATERNITY, INCORPORATED

- WHEREAS,** Phi Beta Sigma Fraternity, Incorporated was founded on January 9, 1914, at Howard University in Washington, D.C. by three students, A. Langston Taylor, Leonard Morse, and Charles I. Brown, who sought to organize a Black Greek-letter fraternity to exemplify the ideals of brotherhood, scholarship, and service; and
- WHEREAS,** Durham’s Delta Zeta Sigma Chapter of Phi Beta Sigma Fraternity, Incorporated was chartered on January 4, 1961, and its members have worked to exhibit the fraternity’s motto of Culture for Service and Service for Humanity by awarding scholarships, conducting cultural programming, sharing resources to community residents, holding events to support minority businesses and more; and
- WHEREAS,** Phi Beta Sigma Fraternity, Incorporated counts among its members outstanding men of significant accomplishments involved in academics, business, medicine, law, politics, athletics, and other professions; and
- WHEREAS,** during its one hundred plus years of existence, Phi Beta Sigma Fraternity, Incorporated has focused on improving the global community through innovative problem solving and visionary service; and
- WHEREAS,** on Saturday, September 9, 2023, Durham’s Delta Zeta Sigma Chapter of Phi Beta Sigma Fraternity, Incorporated will host the fraternity’s North Carolina State Conference at Durham Technical Community College; and
- WHEREAS,** led by local President Jason Rutherford, the Delta Zeta Sigma Chapter will welcome to the conference International President the Honorable Chris V. Rey, J.D., Southeastern

Regional Director the Honorable Richard Boone, North Carolina State Director Notable Kelley D. Woodley, along with officers and members from across North Carolina; and

WHEREAS, the theme of the conference will be “Empowering Premier Leadership”.

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Durham County Board of Commissioners do hereby welcome all collegiate and graduate chapter members of Phi Beta Sigma, Incorporated to Durham County.

BE IT FURTHER RESOLVED that we commend the members of Phi Beta Sigma Fraternity, Incorporated for their many contributions and achievements, and wish for all attendees an uplifting and successful meeting.

This the 28th day of August 2023.

_____ Brenda Howerton, Chair	_____ Wendy Jacobs, Vice-Chair
_____ Nida Allam, Commissioner	_____ Nimasheena Burns, Commissioner
_____ Heidi Carter, Commissioner	

Kelley D, Woodley, North Carolina State Director thanked the Board for the recognition and gave an overview of the initiatives, programs, services and accomplishments of the Phi Beta Sigma Fraternity, Incorporated.

The Board thanked Mr. Woodley and the Phi Beta Sigma Fraternity, Incorporated for all their help with taking care of the Durham community.

23-0656 Proclamation – Durham Celebrates Recovery

Commissioner Carter read the following proclamation:

DURHAM CELEBRATES RECOVERY | 2023

WHEREAS, behavioral health is now recognized as an essential part of one's overall health and well-being; and

WHEREAS, the costs of not encouraging mental health and substance use recovery is significant for individuals, families, neighborhoods and the community at large; and

WHEREAS, recovery from mental and substance use disorders occurs every day through a variety of prevention, recovery support resources and treatment programs. People in recovery strive to achieve healthy lifestyles, stable homes, meaningful daily activities, stronger neighborhoods and contribute in positive ways to the larger community; and

WHEREAS, the burden of mental illness in the United States is among the highest of all diseases, and mental disorders are among the most common causes of disability. Recent figures suggest that approximately 1 in 4 adults in the United States had a mental health disorder in the past year¹ and 1 in 17 had a serious and persistent mental illness. Mental health disorders also affect children and adolescents at an increasingly alarming rate. People, including children and adolescents, with untreated mental health disorders are at high risk for many unhealthy and unsafe behaviors, including alcohol or drug misuse, violent or self-destructive behavior, and suicide.

https://www.cdc.gov/mmwr/preview/mmwrhtml/su6003a1.htm?s_cid=su6003a1_wsorde
r.

Provisional data from the CDC shows that the reported number of drug overdose deaths occurring in the United States for the year 2022 was 105,452. The CDC also notes that fentanyl is now being combined with many other drugs and significantly increases the chance of an accidental overdose. Given these statistics, we must strive to reduce the stigma and shame associated with brain disorders and help individuals, families and the larger community learn to view them as we would any other medical condition. <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

WHEREAS, to help more people achieve and sustain long-term recovery, the Recovery Community of Durham (RCOD) invite all residents of Durham County, North Carolina to participate in National Recovery Month; and

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

“NATIONAL RECOVERY MONTH”

in Durham County, North Carolina.

This 28th day of August 2023.

Brenda Howerton, Chair
Durham Board of County Commissioners

Michelle McKinney, Peer Support Specialist thanked the Board for highlighting National Recovery Month and introduced Tia McMillian, Recovery Community of Durham Board of Directors member. Ms. McMillian invited the public to attend the Durham Celebrated Recovery Event September 22nd from 5:30p – 8:30p at Durham Central Park located at 501 Foster Street.

The Board thanked Ms. McKinney and Ms. McMillian for providing services and support for the recovery community in Durham. The Board stated International Awareness Day would be held on August 31st from 6p – 7:30p at Durham Central Park located at 501 Foster Street.

23-00502 Recognition of the Durham County Department of Public Health on being “Reaccredited with Honors” by the NC Public Health Accreditation Board

Rod Jenkins, Public Health Director thanked the Board for their continued support and stated the accreditation was challenging due to COVID-19. Rochelle Talley, Human Services Planner/Evaluator II stated the accreditation was required to be completed every four years and with extensive planning and follow through of all staff members, the Department of Public Health was able to achieve the accreditation.

The Board thanked Mr. Jenkins, Ms. Talley and Public Health staff for achieving the reaccredited with honors by the North Carolina Public Health Accreditation Board.

23-0671 Resolution – Supporting the Intersection/Road Naming in Honor of Congressman David Price

Vice Chair Jacobs read the following resolution:

**SUPPORTING THE I-40/15-501 INTERCHANGE NAMING IN HONOR OF CONGRESSMAN
DAVID PRICE**

- WHEREAS,** Congressman David Price received his Bachelor’s degree at the University of North Carolina in Chapel Hill in 1961 where he held a Morehead-Cain scholarship, and obtained his Ph. D in Political Science from Yale University in 1969; and
- WHEREAS,** Congressman David Price became a Professor of Political Science and Public Policy at Duke University, 1973-86, 1995-96; and
- WHEREAS,** Congressman David Price is among the state’s longest serving Congresspeople, representing the citizens of the 4th District of North Carolina as a member of the United States Congress from 1987-94, and 1997- 2022; and
- WHEREAS,** Congressman David Price worked to help the citizens of Durham County and Durham City as a member of Congress and forged long lasting relationships with leaders and citizens throughout the County and City in his 30-year career; and
- WHEREAS,** Congressman David Price served with distinction as a member of the Committee on Appropriations: Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (T-HUD), and was Chairman of the Subcommittee from 2019-2022. And was Ranking Democrat from 2015-18, and Member from 1991-94 and 2007-2020; and
- WHEREAS,** Congressman David Price was Chairman of the Subcommittee on Homeland Security from 2007-2010 and was the Ranking Democrat from 2011-2014 and served on the Committee from 2003 to 2022; and
- WHEREAS,** Congressman David Price, through his leadership, secured federal appropriations over a nine-year period (1990-1999) for the build-out of the EPA campus in Research Triangle Park; and
- WHEREAS,** Congressman David Price secured federal support for the construction of the new North Carolina National Guard and Emergency Management HQ, the single largest military construction project in the Obama-era recovery act; and
- WHEREAS,** Congressman David Price through his leadership on Transportation and Housing and Urban Development secured increased funding for transit and intercity rail, Choice Neighborhoods (formerly HOPE-VI) to transform struggling neighborhoods through public-private partnerships; housing for the elderly, disabled, and people with AIDS; HOME partnerships to create affordable housing for low-income individuals; and TIGER to build and repair critical local transportation networks, including Raleigh Union Station; and
- WHEREAS,** Congressman David Price secured federal support for dozens of community projects such as the renovation of Estey Hall at Shaw University; residential facilities at TROSA, a treatment center for individuals with substance abuse disorders in Durham; facility improvements at Club Nova, a non-profit serving people with serious mental illness in Carrboro-Chapel Hill; renovation of historic Parrish Street, Durham; and funding for the NC Dental Health Funds program of free dental care for low-income individuals; and
- WHEREAS,** Congressman David Price initiated the House Democracy Partnership, a bipartisan commission to strengthen representative institutions in emerging democracies throughout the world, including post-communist states in eastern Europe; countries of strategic importance like Ukraine, Kenya, Indonesia, Afghanistan, Mongolia and Colombia; and small struggling democracies like Liberia, Timor-Leste, and Kosovo; and

Congressman David Price served on the Frost-Solomon Task Force to provide post-communist countries with resources and training to stand up functioning parliaments, and on the NATO Parliamentary Assembly; and

WHEREAS, Congressman David Price has been recognized for his leadership and contributions to the state and country receiving the following awards:

- Hubert H. Humphrey Award, American Political Science Association
- National Service Hall of Fame, Voices for National Service
- Commodore Ellsworth P. Bertholf Award, United States Coast Guard
- Charles Dick Medal of Merit, NC National Guard
- William Sloan Coffin Award for Peace and Justice, Yale Divinity School
- Wilbur Cross Medal, Yale Graduate School Alumni Association
- Defender of Justice Lifetime Champion, NC Justice Center
- Faith Active in Public Life Award, NC Council of Churches
- John Tyler Caldwell Award for the Humanities, NC Humanities Council

WHEREAS, Congressman David Price has given a lifetime of service to the citizens of North Carolina, including the communities of Orange, Durham and Wake Counties.

NOW, THEREFORE, BE IT RESOLVED, that the Durham County Board of Commissioners wishes to honor **Congress** David Price and supports the nomination of Congressman David Price to have the interchange on Interstate I-40 and 15-501 in Durham County named in his honor. This interchange is owned and maintained by the North Carolina Department of Transportation.

This the 28th day of August 2023.

Brenda Howerton, Chair

Wendy Jacobs, Vice-Chair

Nida Allam, Commissioner

Nimasheena Burns, Commissioner

Heidi Carter, Commissioner

Commissioner Carter asked how the Department of Transportation chose the intersection/road section to honor Congressman David Price. Vice Chair Jacobs responded the effort was to find an intersection/road between Durham and Orange Counties.

Vice Chair Jacobs stated she would provide the Clerk with the email/ mailing details to forward the resolution.

Consent Agenda

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

Vice Chair Jacobs requested to comment on Item 23-0637.

- Item 23-0637 – Vice Chair Jacobs commented on the ground floor spaces at 300 E. Main Street, clarifying they would be available for retail and office space prioritizing usage by non-profits, small businesses and community based-organizations remains a Board and County goal.

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

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

The motion carried unanimously.

23-0567 Approval of Contract with DataWorks, NC and Durham County for our Hacking into History Restrictive Covenant Project in the amount of \$50,000.00

*23-0589 Budget Ordinance Amendment No. 24BCC00020Cooperative Extension to recognize a \$1,200 contribution from the Croasdaile Garden Club for 4-H Farm to Fork programming

23-0619 Contract approval for American Rescue Plan Act Community Grant Awarded in RFP Category 3: Improving Child and Family Social-Emotional and Mental Health Children Ages 0-12, totaling \$110,000

23-0620 Contract approval for American Rescue Plan Act Community Grant Award in RFP Category 6: Capacity Building for Culturally Affirming Maternal Health Support to the United Way of the Greater Triangle (\$299,916)

23-0628 A Request to Petition the North Carolina Department of Transportation to Remove Electra Road, Exum Road, and the lane between Redwood and Exum Roads from the Secondary Road Maintenance System

23-0637 Approval of Retail Property Management Agreement Between Durham County and LSA Management, LP, for the Management of the Retail Spaces in the 300 E. Main Street Mixed Use Development (115 N. Queen St. Deck) in the amount of \$9,000 per year

23-0647 Board Recommendation for 2023-2024 Durham County ABC Board Chair

23-0648 Animal Welfare Advisory Committee Appointment

23-0649 Juvenile Crime Prevention Council Appointment

*23-0651 Approval of Property Tax Releases and Refunds for July 2023

Consent Agenda Item #23-0589

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00020**

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 <u>Revenue</u>	\$8,803,227.00	\$1,200.00	\$8,804,427.00
Contributions and Donations	\$270,720.00	\$1,200.00	\$271,920.00

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

Approved August 14, 2023

Consent Agenda Item #23-0651

Releases and Refunds – July 2023 (2022 Tax Rate Year)

Current Year 2023 Taxes	Releases	Refunds	
Real Property	\$ -	\$ -	
Personal Property	\$ -	\$ -	
Motor Vehicle	\$ -	\$ -	
Solid Waste	\$ -	\$ -	
Stormwater Utility	\$ -	\$ -	
Public Service	\$ -	\$ -	
VTS Refunds	\$ -	\$ -	
SUB - TOTAL	\$0.00	\$0.00	\$0.00
Prior Year 2016-2021	Releases	Refunds	
Real Property	\$15,164.25	\$63,295.27	
Personal Property	\$ 2,191.80	\$ 85.76	
GAP Vehicles	\$0.00	\$0.00	
Motor Vehicle	\$0.00	\$0.00	
Solid Waste	\$0.00	\$0.00	
Stormwater Utility	\$0.00	\$0.00	
VTS Refunds	\$0.00	\$ 19,025.50	
SUB - TOTAL	\$17,356.05	\$82,406.53	\$99,762.58
GRAND TOTAL	\$17,356.05	\$82,406.53	\$99,762.58

Vice Chair Jacobs stated she sent the Board information about the Metropolitan Planning Organization (MPO) requesting local boards to send letters regarding the 2023-24 Transportation Housing and Urban Development Funding. She added the allocated funding for rail and transit in the Bipartisan Infrastructure Law needed to remain as funded and not removed or reduced. Vice Chair Jacobs stated Ellen Beckman, Transportation Director agreed to revise the letter on behalf of the Board. Commissioner Burns asked the letter to be sent to all delegations, not just local delegations.

The Clerk was asked to work with Ms. Beckmann to get the letters drafted and to all delegations as requested.

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.

Bicycle and Pedestrian Advisory Commission

Mary Fontana (Allam, Burns, Carter, Howerton, Jacobs)

City-County Appearance Commission

David Zebley (Allam, Burns, Carter, Howerton, Jacobs)

Durham Technical Community College Board of Trustees

Moved to the September 5, 2023 Work Session Meeting

Juvenile Crime Prevention Council

Laura Toptine (Allam, Burns, Carter, Jacobs)

Charles Simpson (Howerton)

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).

Commissioner Carter moved, seconded by Commissioner Allam to adjourn into the Closed Session.

The motion carried unanimously.

Reconvene to Open Session

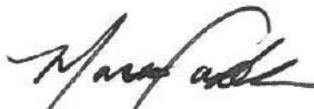
Chair Howerton announced the Board met in Closed Session and provided direction to staff.

Adjournment

Commissioner Allam moved, seconded by Commissioner Burns to adjourn the Regular Session meeting at 8:57 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Deputy Clerk to the Board