

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

Monday, March 11, 2024

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 Nida Allam, Vice-Chair Nimasheena Burns and Commissioners Heidi Carter, Brenda Howerton and Wendy Jacobs

Presider: Chair Nida Allam

Zoom Hybrid
Participants: 5

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Allam announced that there were no agenda adjustments.

Announcements

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

1. **Durham County Memorial Stadium** - For sports enthusiasts, the Durham County Memorial Stadium is hosting a college lacrosse game between Skidmore College and Sewanee Lacrosse on March 13 from 4:00 to 7:30 p.m., with doors opening at 4 p.m. Following closely, the "Crosse Out Cancer Lacrosse Event" takes place on March 16, offering a full day of activities from 8 a.m. to 8:30 p.m.
2. **Durham County Library** - The Durham County Library invites residents to explore its diverse programs and services. Highlights include the "Sing and Sign Storytime" with Jess Kelly, focusing on American Sign Language through songs, rhymes, and stories for little ones and their caregivers. Sessions are held every Wednesday in March, and registration is required. The library is also hosting a special "Art in Bloom" event in collaboration with the NC Museum of Art, featuring free flowers, a chance to win exhibit tickets, and more, on March 9, 2024, from 10 a.m. to 2 p.m.
3. **Registration for Durham 4-H Summer Camps** - Now open! June-August half-day, full day & overnight camps! Themes such as woodworking, sewing, cooking & more! Must be enrolled in 4-H online BEFORE enrolling! Scholarships available. Info: <https://durham.ces.ncsu.edu/4hsummercamp/>

4. **Get Vaccinated at DCo Public Health** - Be safe and keep your family safe by getting your updated COVID-19 vaccine and flu shot, and pick up free COVID-19 tests, at the Durham County Department of Public Health (414 E. Main Street). COVID vaccines are available by appointment only, while flu shots can be appointment or walk-in. Schedule COVID vaccine at 919- 560-7658. Schedule flu shots at 919-560-7608. More information at: <http://www.dcopublichealth.org/>.
5. **Watch “In Touch with Durham County”** - Did you know that the County’s Public Information Office produces a monthly show to update residents on services and programs? In this month’s “In Touch with Durham County” show, guests Marcus Manning, Executive Director of the Durham Sports Commission, and Durham Cooperative Extension Director Donna Rewalt join us for our March 2024 edition. On the first segment of the show, Marcus discusses the fairly new agency established to create economic and social impact by leading the community’s efforts to attract, support, and promote youth, amateur, collegiate, and professional sporting, and recreational events. In our second segment, Donna shares how her agency is going beyond its original, traditional areas of focus. We hope you enjoy the show! <https://youtu.be/8KmtH922OX>
6. **Alert Durham - Sign Up Today** - Durham County wants to keep its citizens informed and safe in case of an emergency. Sign up for Alert Durham to receive notifications about severe weather, unexpected road closures, missing persons, and evacuation of buildings or neighborhoods. To sign up for Alert Durham, visit: AlertDurham.com.

Commissioners shared the following additional announcements.

- The Elna Spaulding Leadership Award was a tribute to remarkable women who serve and lead within the community. The award is named in honor Elna Spaulding, the first woman elected to the Durham County Board of Commissioners in 1974.
- Residents were invited to attend a Ramadan Celebration Event on March 27th at 6:45 p.m. at the Zakat Foundation located at 5122 Revere Road.

Other Business

Swearing in of the Interim County Attorney – Curtis Massey

Curtis Massey, Interim County Attorney was sworn in with an oath by Chair Allam.

Mr. Massey thanked the Board for the Interim County Attorney appointment and stated he was grateful to serve Durham County.

The Board thanked Mr. Massey for accepting the appointment, protecting the County and his outstanding work on legal matters.

Ceremonial Items

24-0119 Resolution – Women’s History Month 2024

Commissioner Jacobs read the following resolution:

WOMEN’S HISTORY MONTH 2024

WHEREAS, Women’s History Month, a celebration of women and their contributions to history, culture, and society, has been observed annually in the month of March in the United States since 1987; and

WHEREAS, during Women’s History Month, the rich history of women, girls, and women-identifying individuals of all races, ethnicities, cultures, and backgrounds are celebrated; and

WHEREAS, the true history of the United States reveals generations of trailblazing women leaders whose courage, strength, and vision have built and transformed our country; and

WHEREAS, women in the United States have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and many other national and international movements; and

WHEREAS, despite the undeniable impact women have made in history, significant work remains to ensure full equality and access for women and girls everywhere; and

WHEREAS, every woman has a story to tell and gifts to share with the world; and

WHEREAS, additional attention is given to women during Women’s History Month, it is important to understand every month that countless women, girls, and women-identifying individuals have been undervalued and inadequately recognized for their contributions to our community, our nation, and our world; and

WHEREAS, women and their allies will continue to work to ensure women are never silenced and their stories of achievement can be told; and

WHEREAS, every person is called to be advocates and allies for women.

NOW THEREFORE I, Chair Nida Allam, on behalf of the Durham County Board of Commissioners do hereby proclaim March 2024

“WOMEN’S HISTORY MONTH”

in Durham County, North Carolina, and call upon all citizens to observe and celebrate the successes of women and to mark this month with appropriate observances honoring endless possibilities of women and girls everywhere.

This the 11th day of March 2024.

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

Cassandra Kiger, Equitable Well-Being Manager thanked the all women Board for honoring and celebrating Women’s History Month. Ms. Kiger stated the County was holding engagement activities and programs to celebrate Women’s History during the month of March.

The Board thanked Ms. Kiger for accepting the resolution and for planning activities and programs for the community to celebrate Women’s History Month.

24-0123 Proclamation – 50th Annual Durham CROP Hunger Walk

Commissioner Howerton read the following proclamation:

DURHAM CROP HUNGER WALK | 2024

WHEREAS, the Durham CROP Hunger Walk will be held on March 24, 2024; and

WHEREAS, it is the oldest fundraising walk in Durham County; and

WHEREAS, the Durham CROP Hunger Walk has raised more than \$5.2 million for hunger relief since the inception of the Walk including the 25% (\$1.4 million) that has gone to hunger-fighting agencies in Durham; and

WHEREAS, the 2023 Durham CROP Hunger Walk was the 2nd largest Walk of approximately 800 Walks in the nation; and

WHEREAS, we applaud the citizens of Durham County for their compassion in working together to help relieve hunger both globally and locally.

NOW, THEREFORE, I, Nida Allam, Chair and on behalf of the Durham Board of County Commissioners, do hereby proclaim March 24, 2024, as

“DURHAM CROP HUNGER WALK DAY”

in Durham County, NC

This the 11th day of March 2024.

Nida Allam, Chair
Durham Board of County Commissioners

Alice Sharpe, CROP Walk Coordinator thanked the Board for the proclamation and their continued support. She invited residents to attend the 50th Durham CROP Hunger Walk on Sunday, March 24th at 2:30 p.m. and to purchase t-shirts for a suggested donation of five dollars per shirt.

The Board thanked Ms. Sharpe and the CROP Walk Team for helping to solve food insecurity and hunger in the community. The Board stated residents could make donations to the CROP Hunger Walk online if not able to attend the in-person event.

24-0123 Proclamation – 50th Annual Durham CROP Hunger Walk

Chair Alam read the following proclamation:

RAMADAN

2024

BY THE GOVERNOR OF THE STATE OF NORTH

CAROLINA A PROCLAMATION

WHEREAS, Islam is the second largest religion in the world, with 1.9 billion devotees worldwide and about 3.5 million in the United States, as well as the fastest-growing demographic in the United States; and

WHEREAS, Muslim-Americans are one of the most racially diverse groups in the U.S., comprising African Americans, Asians, Arabs, and Caucasians; and

WHEREAS, North Carolina is home to over 130,000 Muslims and continuously growing; and

WHEREAS, Islamic traditions and values provide balance and peace to many of life’s problems and often serve as an inspiration and reflection for the millions of individuals who look to the teachings of Islam for guidance; and

WHEREAS, Ramadan, the 9th month in the Islamic calendar, is celebrated annually by millions of Muslims throughout the United States and over a billion Muslims across the world; and

WHEREAS, Ramadan is celebrated by Muslims as a month of fasting, community service, and reflection; and

WHEREAS, during the month of Ramadan, the Muslim community across North Carolina, and across our great nation, will collectively celebrate the revelation of the Quran and its teachings; and

WHEREAS, on behalf of the State of North Carolina, it is with immense pride and honor that I recognize the contributions of all Muslim Americans;

NOW, THEREFORE, I, ROY COOPER, Governor of the State of North Carolina, do hereby proclaim March 11 -April 9, 2024, as "**RAMADAN**" in North Carolina, and commend its observance to all citizens.

Roy Cooper
Governor

Consent Agenda

Chair Allam stated Item 24-0076 was requested to be pulled by citizens.

Chair Allam asked the Board if they requested to pull or comment on any items on the Consent Agenda. Hearing none, Chair Allam entertained a motion for approval.

Commissioner Carter moved, seconded by Vice Chair Burns, to approve the following items on the Consent Agenda except Item 24-0076.

The motion carried unanimously.

*24-0073 Budget Ordinance Amendment No. 24BCC00080 - Appropriation in the Debt Service Fund for the Issuance of \$50,390,687.60 of 2016 General Obligation Bonds (Series 2023) Per a June 26, 2023 Board Approved General Obligation Bond Resolution

24-0080 Approval of Interlocal Cooperation Agreement for the Division of Sales Tax Between the County of Durham and the City of Durham July 1, 2024 to June 30, 2025

24-0083 Approval of a Contract with Foursquare ITP Inc. in the Amount of \$60,355 for Website Design Services for Durham County Transit Plan Tracking Dashboard

*24-0085 Budget Ordinance Amendment No. 24BCC00083 Public Health to Recognize \$150,000 from the NC DHHS Division of Public Health Women, Infant, and Community Wellness Section to Support Women's Health Services in Durham County

*24-0086 Budget Ordinance Amendment No. 24BCC00082 Public Health to Recognize \$30,000 from Guilford County's Division of Public Health to Assist Public Health Infrastructure Foundational Capabilities to Respond to Covid-19

*24-0087 Budget Ordinance Amendment No.24BCC00081 Public Health to Recognize a Donation of \$ 1,000 from Dr. Nadine Barrett to Support Activities of the Men's Health Council

24-0088 Approval to Amend a Contract with First Flight Technologies LLC in the amount of \$52,155 for a (new total of \$92,055.00) for contracted SAP Development Support Services

*24-0089 Approval of Budget Ordinance Amendment No. 24BCC00084 Social Services to Recognize Funds in the amount of \$45,734 to Temporarily Assist Social Services in Addressing Identified Placement Needs for Children

24-0100 Approval of the contract with MSJ Construction, Inc., in the amount of \$699,750.00 for the installation of security glass at the County Detention Center and the authority to execute change orders/amendments to the contract as long as funds are available in the CIP fund

24-0106 Approval of Contract Extension with Buddi US, LLC for Electronic Monitoring Services Through the Justice Services Department for People Assigned to Durham County Pretrial Services in the Amount of \$165,000

24-0110 Authorize the County Manager and Chief Financial Officer to Execute the Letter of Intent to Fulfill the Local Government Notification Requirements for the Loan for Chin Page Lift Station in the amount of \$19,298,025

24-0111 Approve Interlocal Agreement with Orange County to provide livestock agent services in Durham County through Cooperative Extension for up to \$7,000 in FY 24 and \$17,000 in subsequent fiscal years

24-0114 Acceptance of the City-County Environmental Affairs Board 2023 Annual Report

24-0120 Approval Allowing Chair of Board of County Commissioners to Sign Requests for the NC Public School Building Capital Fund (Lottery Fund) to Consider Allocating Lottery Funds to Specific Durham Public School Capital Projects as Identified by Durham Public Schools

Consent Agenda Item #24-0073

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00080**

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>			
General Government	\$101,440,237.54	\$50,390,687.60	\$151,830,925.14
<u>Revenue</u>			
Other Financing Services	\$100,756,495.54	\$50,390,687.60	\$151,147,183.14

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

Approved March 11, 2024

Consent Agenda Item #24-0085

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00083**

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	\$129,054,887.46	\$150,000.00	\$129,204,887.46
<u>Revenue</u>			
Intergovernmental	\$80,289,630.58	\$150,000.00	\$80,439,630.58

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

Approved March 11, 2024

Consent Agenda Item #24-0086

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00082**

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	\$129,024,887.46	\$30,000.00	\$129,054,887.46
<u>Revenue</u>			
Intergovernmental	\$80,259,630.58	\$30,000.00	\$80,289,630.58

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

Approved March 11, 2024

Consent Agenda Item #24-0087

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00081**

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	\$129,023,887.46	\$1,000.00	\$129,024,887.46
<u>Revenue</u>			
Contributions and Donations	\$272,120.00	\$1,000.00	\$273,120.00

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

Approved March 11, 2024

Consent Agenda Item #24-0089

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00084**

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>
GENERAL FUND			
<u>Expenditure</u>			
Human Services	\$129,204,887.46	\$45,734.00	\$129,250,621.46
<u>Revenue</u>			
Intergovernmental	\$80,439,630.58	\$45,734.00	\$80,485,364.58

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

Approved March 11, 2024

Items Pulled from the Consent Agenda

24-0076 Authorize the County Manager to execute an Interlocal Agreement with the City of Durham for the Southeast Durham Watershed Improvement Plan including contribution of \$910,895.51 towards its development.

Pamela Andrews, Citizen

Ms. Andrews asked the Board to stop allowing developers to mass grade, clear trees and build near critical watersheds in Durham.

Tammie Sawaya, Citizen

Ms. Sawaya stated the Southeast Durham Watershed Improvement plan needed revisions and asked what the County would get out of the plan. She requested that Preserve Rural Durham and residents to receive monthly reports on the progress of the plan.

Tom Freeman, Citizen

Mr. Freeman asked the Board to stop all high-density construction until the outcome of the finding was received and reviewed.

Chair Allam requested staff to follow up with the citizen speakers.

The Board thanked the speakers for their comments and continued support of the watersheds in Durham. They stated the plan was an interlocal agreement with the City and there was a need to discuss the plan's concerns and issues with City Council. The Board stated they were looking at how the plan could be interfaced with the Unified Development rewrite and the implementation of prevention practices.

Ryan Eaves, Stormwater and Erosion Control Division Manager stated the department was planning robust outreach sessions to hear from all stakeholders and he would contact the citizen speakers to provide information.

Dr. Kimberly Sowell, County Manger stated the Interlocal Agreement would allow approval of the project and in the future, public outreach and engagement sessions would be held.

Directive: Chair Allam requested staff to follow up with the citizens speakers.

Commissioner Carter moved, seconded by Commissioner Jacobs to approve Item 24-0076 on the Consent Agenda.

The motion carried unanimously.

Closed Session

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

- The Board was requested to adjourn into Closed Session 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, in two matters, one of which is the matter of the Woods v. Edmonds, et al., which privilege is hereby acknowledged; pursuant to G. S. 143- 318.11(a)(3).

Commissioner Carter moved, seconded by Vice Chair Burns to adjourn into the Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Chair Allam stated while in closed session an additional matter transpired.

Vice Chair Burns moved, seconded by Commissioner Jacobs to amend the motion to go into closed session: 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, in the matter of the National Opioid Litigation, which privilege is hereby acknowledged; pursuant to G. S. 143- 318.11(a)(3).

The motion carried unanimously.

Chair Allam stated with the matter of the Woods v. Edmonds, er al., 1:23-cv-780, Middle District, North Carolina:

Commissioner Howerton moved, seconded by Commissioner Jacobs for the Board to authorize the Interim County Attorney to execute a contract for outside council to represent the defendants in this matter with a not to exceed amount of \$100,000.00.

The motion carried unanimously.

Adjournment

Vice Chair Burns moved, seconded by Commissioner Carter to adjourn the Regular Session meeting at 8:27 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Macio Carlton". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Macio Carlton
Deputy Clerk to the Board