

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

Monday, July 13, 2020

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 Wendy Jacobs, Vice-Chair James Hill and Commissioners Heidi Carter, Brenda Howerton and Ellen Reckhow

Presider: Chair Wendy Jacobs

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Jacobs announced that there were no agenda adjustments.

Announcements

Chair Jacobs read the following announcements:

1. **Nonprofit Mask Distribution** - Durham County Government is asking any interested nonprofit based in and serving the Durham community to complete a short form online to request reusable cloth face masks. Masks are to be used primarily for nonprofit staff and volunteers. Once mask requests are received and reviewed, County staff will contact nonprofit representatives with further instructions on scheduling a pickup appointment.

Contactless, drive-through mask distribution events will take place at the Durham Convention Center on select dates through July. Masks will be available while supplies last. Submit an interest form at <http://www.dconc.gov/nonprofitmasks>

2. **I Voted Sticker Contest** – Round 1 of voting for the 2nd “I Voted” Sticker Contest is now open for Durham County residents. Voting will end on Wednesday, July 15th at 5 p.m. To view the 27 submissions and to vote, please visit www.dconc.gov.
3. **Pledge to Complete the 2020 Census** – Now is your chance to inspire others. Please visit www.2020census.gov/ to complete your census today.

Minutes

Vice-Chair Hill moved, seconded by Commissioner Reckhow to approve the May 26, 2020 Regular Session minutes.

The motion carried unanimously.

Citizen Comments

Katie Moore

I'm a lifelong resident of Durham County and am emailing to ask the communication in its next meeting to join the city and school board in approving the Durham Community-Led Safety and Wellness Task Force and its bylaws. Police brutality exists in Durham, and it is long overdue for real, community-led solutions to that issue.

I'm also urging you to keep any law enforcement officials or members of the Sheriff office off of the task force. There are many, many instances of task forces or oversight boards that have been completely ineffective because of involvement of law enforcement, and we need to make sure that this force is able to truly, accomplish the goals.

Finally, I'm asking you to remove SROs from Durham Public Schools and redirect that funding for nurses and trauma-informed counselors. We need for our schools to be safe, but there to ample evidence that SROs do not create more safety for students, especially for Black and Brown students.

Emma Dunlop

I am writing to advocate that we removed SROs from Durham County and fund/support community wellness taskforces. Anytime I have acted out/done something against the rules, it's because a need hasn't been met. I am an adult and struggle with self-control when I am going through something hard. The children in our schools do not need punishment, they need support to encourage them to make better decisions from themselves.

I do not understand the argument to keep SROs in schools. Those are children. School should be a safe place for all children. Police officers are not needed in school.

David Sapiro-Gheiler, Michelle Metzler, Jim McQuiad, Brittany Prempin, Elizabeth Templeton, Lara Morrison, Conor McDonough, Andrew Flynn and Shah Ruchi

As a resident of Durham County, I am writing to urge the Durham County Board of County Commissioners at its upcoming meeting to join the Durham City Council and the Durham School Board in approving the Durham Community-Led Safety and Wellness Task Force and its bylaws. Those bylaws create a collaborative process between the city, county, and the school board to build better systems of public safety for all of our communities by developing alternatives to police and sheriff's departments.

I also urge you not to include the Sheriff or any Sheriff or any Sheriff's Department as County representatives on this Task Force because that would defeat the Task Force's purpose-to move beyond reactive short-term solutions using a punishment or imprisonment framework.

I also ask you to removed School Resource Officers (SROs) from the classrooms and hallways of

Durham Public Schools. There is substantial evidence that SROs do not make schools safer, and in fact cause serious harm to young people, especially Black children, School Resource Officer referrals disproportionately impact students of color. A report published by the U. S. Department of Education Office of Civil Rights found that Black students are more than twice as likely to receive discipline through law enforcement, despite composing a significantly smaller proportion of overall students. The funding for SROs should be redistributed to ensuring nurses and trauma-informed counselors are present in each school. Invest in the safety and well-being of students in Durham County.

Haley Garvin

I am a resident, teacher, and future parent in Durham. I am writing to ask, you to approve the Durham Community-Led Safety and Wellness Task Force and its bylaws. This is a deeply important step to making sure. ALL Durham citizens feel safe in our communities.

Please do not include the Sheriff or any Sheriff's Deputies as County as County representatives on this Task Force. We have to have safety that thinks beyond punishments.

I am also urging you to removed School Resource Officers (SROs) from the classrooms and hallways of Durham Public Schools. I have seen first-hand the harm that SROs physically and psychologically cause to students. As a teacher I have always felt their presence its threatening. We need to invest in the well-being of all Durham students. The money for SROs needs to be redistributed for more counselors, therapists, and nurses in schools.

Rann Bar-On

I am writing to urge you to pass the bylaws for the Community Safety and Wellness Taskforce as passes by City Council and the Board of Education. The time is long past due for residents of our Count to be given a direct say in the way mechanisms of community safety and wellness are governed and funded in Durham.

I strongly urge you to pass the bylaws without any members of law enforcement being given seats as members of the Taskforce. The police have enormous power over these issues already and have a budget that vastly outstrips the proposed funding for the Taskforce. The Taskforce will exist in order to consider, imagine, and recommend implementation of *alternatives* to policing. Therefore, it seems contrary to its fundamental purpose to have police as members. Nothing in the bylaws prevents the Taskforce from consulting with the Police and Sheriff's departments as it studies safety and wellness to our communities. Explicit seats for cops on the Taskforce are unnecessary and would merely serve to take away seats from community members to whom such powers have not been granted. It is fundamentally less democratic to include police on the Taskforce than to not do so.

Additional comment on item 20-0311 - Capital Project Amendment No. 21CPA000001 – FY 2020-21 Appropriation of Approved County Contribution (PAYGO) Funds (\$4,708,155) for Multiple Capital Projects.

Jose Romero, Citizen

During this global pandemic, Durham County Commissioners have been tasked with a difficult burden, equitable allocation of resources, but have a simple choice ahead to make that process easier: deny the request from the Durham detention Center for Window Replacement (419DC084). This unexpected

request is a the very least cold-hearted during an intense time of financial strain when Durham braces for growing evictions and more waves of illness In truth, this request reflects a multi-year and systemic violation of the constitutional rights of people held in the Detention Center who right to due process is often only heard by pounded windows. At a time when we should be improving health systems for justice-involved folks and the community at large, new windows will not cure Coronavirus and they will not answer the large problem of how to transform the criminal justice system in Durham. I want a Durham that is healthier, not one where handcuffs are made with gold. I urge the County Commissioners to use their discretionary power on this item and deny the request pending (1) further community input (2) transparency on the source of the damage, and above all (3) a medical review that constructing new windows and transferring inmates does not pose a major SARS-CoV2/health risk.

Chair Jacobs responded the window replacement at the detention center was a public health and safety issue the County was required to address.

Consent Agenda

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

The Board requested to comment on the following: 20-0308, 20-0330, 20-0331 and 20-0332.

- Item 20-0308 – Commissioner Howerton thanked staff for working on the item. Chair Jacobs inquired about the building value. Peri Manns, Deputy Director, Engineering and Environmental Services responded the building was appraised at \$1.2 million.
- Item 20-0330 – Chair Jacobs suggested including language in the contract to have County videos translated and bilingual. Deborah Craig-Ray, General Manager stated conversation were initiated to discuss having the videos, forms, publications and materials translated, to include closed captioning and to have the County website Americans with Disabilities Act (ADA) approved. She added the item would be discussed at a Work Session to develop the budget and steps for a pilot program. Chair Jacobs asked that contracts with the Latinx community be incorporated as well.
- Item 20-0331 – Chair Jacobs acknowledged Nicole Thompson, CEO, Downtown Durham Inc. and staff for their work on the item.
- Item 20-0332 – Chair Jacobs thanked Geoff Durham, President, Greater Durham Chamber of Commerce and Bryan Fox, Vice President of Public Affairs, Greater Durham Chamber of Commerce for their work in the community. Chair Jacobs asked for an explanation of the scope of work. Andrew Miracle, Economic Development Officer responded the policy set the framework for the projects with the County and the Durham Chamber was a primary author and on the core team.

Commissioner Howerton also thanked Mr. Durham for the work they continued to do. She stated the work the Chamber recently did around the Groundwater Racial Institute where the community was invited to attend – was very informative as they continued to address the framework on racial issues in our environment in Durham County.

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

Commissioner Reckhow moved, seconded by Commissioner Carter to approve the following items on the Consent Agenda except Item 20-0309.

The motion carried unanimously.

*20-0297 Capital Project Amendment No. 20CPA000004 – Appropriate \$750,000 of Collection System Rehabilitation Fund fund Balance and Transfer to the Collection System Rehabilitation Capital Project (SE051) for a Total Project Budget of \$3,841,705.67

20-0298 Execution of a Contract Amendment to the Project Management Services Management Services Contract for the Snow Hill Road Pump Station and Force Main Project.

20-0303 Tax Bill Printing Services for Durham County Tax Administration, Request for Proposal (RFP)20-022

20-0308 Lease Agreement – Durham Crisis Response Center at 101 E. Morgan Street

20-0310 Administrative II Facility – Permanent and Temporary Construction Easement Dedication(s) necessary for Light Pole Replacement with Crown Castle Wireless Communication Equipment Company and Duke Energy for 5G Implementation.

*20-0311 Capital Project Amendment No. 21CPA000001 – FY 2020-21 Appropriation of Approved County Contribution (PAYGO) Funds (\$4,708,155) for Multiple Capital Projects.

20-0312 Approval of Interlocal Agreement between Durham County and Alliance Health and Authorize the Manager to Execute the Agreement.

*20-0313 Capital Project Amendment No. 21CPA000002 Closing Multiple Completed Capital Projects Allowing Closed Projects to Become Final Assets.

*20-0326 Budget Ordinance Amendment No. 21BCC000002 – Moving \$1,010,160 of General Funds COVID Reserve to Support a \$540,000 Contract with the Carolina Duke Inn for COVID Related Shelter and \$470,160 For Associated Expenses, And Approval of Contract Amendment with Carolina Duke Inn.

20-0330 Service Contract with Velasquez Digital Media Communications, LLC.

20-0331 Approve Fiscal Year 2020-2021 Contract with Downtown Durham Inc. for Identified Downtown Economic Development and Business Support Services.

20-0332 Approve Fiscal Year 2020-2021 Contract with Greater Durham Chamber of Commerce for Services Related to Industrial Recruitment and Economic Development.

20-0335 Resolution to Approve a Tax-Exempt Loan to Refinance Bahama VFD Fire Station 1 Loan

20-0037 Board of Elections SouthData Contract Amendment.

Consent Agenda Item #20-0297

**DURHAM COUNTY, NORTH CAROLINA
2020-21 Capital Project Ordinance
Amendment Number 20CPA000004**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2020-21 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/ Decrease	Revised Budget
Collection System Rehabilitation Project (SE051)	\$3,091,705.67	\$750,000	\$3,841,705.67
Totals	\$3,091,705.67	\$750,000	\$3,841,705.67

Adopted this the 13th day of July 2020.

Consent Agenda Item #20-0311

**DURHAM COUNTY, NORTH CAROLINA
2020-21 Capital Project Ordinance
Amendment Number 21CPA000001**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY2020-21 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Project	Current Budget	Increase/ Decrease	Revised Budget
Ongoing HVAC Replacement (4190DC076)	\$2,297,990	\$387,205	\$2,685,195
County Security Improvements (4190DC081)	\$1,173,038	\$474,809	\$1,647,847
EMS Equipment Replacement (4410DC001)	\$2,700,000	\$1,650,000	\$4,350,000
Stanford L. Warren Library Upgrade (6110DC097)	\$1,392,500	\$500,000	\$1,892,500
Detention Center Windows Replacement (4190DC084)	\$0	\$1,696,141	\$1,696,141

Adopted this the 13th day of July 2020.

Consent Agenda Item #20-0313

**DURHAM COUNTY, NORTH CAROLINA
FY 2020-21 Capital Project Ordinance
Amendment Number 21CPA000002**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY 2020-21 Capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

Durham County Capital Projects	Current Budget	Increase/ Decrease	Final Budget	Project Status
W.G. Pearson/Student U Renovation (41201200DC101)	\$4,250,000.00	\$0	\$4,250,000.00	Closing
08 Telecommunication System Upgrade (42001910DC098)	\$475,000.00	\$0	\$475,000.00	Closing
Animal Control Office Building Project (47302635DC088)	\$1,415,220.54	\$0	\$1,415,220.54	Closing
DSS Building Demolition (47302635DC136)	\$0.00	\$0	\$0.00	Closing
07 Y.E. Smith Elementary (59105400SH146)	\$8,200,887.10	\$0	\$8,200,887.10	Closing
07 DPS Project Management (59105400SH151)	\$2,973,332.40	\$0	\$2,973,332.40	Closing
07 DPS Technology Upgrade (59105400SH156)	\$8,736,246.78	\$0	\$8,736,246.78	Closing
07 Go Eno Valley Elementary (59105400SH202)	\$1,576,983.30	\$0	\$1,576,983.30	Closing
07 Go Hillandale Elementary (59105400SH206)	\$1,476,689.56	\$0	\$1,476,689.56	Closing
07 Go New Elementary 'C' (59105400SH214)	\$984,929.58	\$0	\$984,929.58	Closing
07 Go Chewning Middle (59105400SH216)	\$663,494.30	\$0	\$663,494.30	Closing
07 Go W.G. Pearson Middle (59105400SH219)	\$95,520.00	\$0	\$95,520.00	Closing
07 Go Northern High (59105400SH222)	\$1,316,969.90	\$0	\$1,316,969.90	Closing
07 Go HVAC Controls (19 Schools) (59105400SH234)	\$3,895,781.24	\$0	\$3,895,781.24	Closing
07 Go HVAC Controls (15 Schools) (59105400SH235)	\$1,900,000.00	\$0	\$1,900,000.00	Closing
07 Go Middle School Gym Upgrades (59105400SH237)	\$471,814.79	\$0	\$471,814.79	Closing
07 Go Districtwide Backflow Prevention (59105400SH238)	\$176,707.91	\$0	\$176,707.91	Closing
16 Go Merrick-Moore Renovations (59105400SH242)	\$623,207.03	\$0	\$623,207.03	Closing
16 Go Middle School Gym Renovations (59105400SH244)	\$457,315.30	\$0	\$457,315.30	Closing
16 Go Rogers Herr Fire Alarm Replacement (59105400SH245)	\$174,067.45	\$0	\$174,067.45	Closing
16 Go Wg Pearson Center (59105400SH253)	\$0.00	\$0	\$0.00	Closing
16 Go Club Blvd. Roof Replacement (59105400SH254)	\$834,371.11	\$0	\$834,371.11	Closing
16 Go Forest View Roof Replacement (59105400SH255)	\$1,249,143.94	\$0	\$1,249,143.94	Closing
16 Go Harris Roof Replacement (59105400SH256)	\$789,141.87	\$0	\$789,141.87	Closing
16 Go Parkwood Roof Replacement (59105400SH259)	\$196,140.60	\$0	\$196,140.60	Closing
16 Go Spaulding Roof Replacement (59105400SH260)	\$385,208.98	\$0	\$385,208.98	Closing
16 Go Fuller Building Roof Replacement (59105400SH263)	\$244,740.98	\$0	\$244,740.98	Closing
16 Go 1817 Hamlin Roof Replacement (59105400SH264)	\$649,503.35	\$0	\$649,503.35	Closing
16 Go Holt Kitchen Renovations (59105400SH266)	\$303,274.20	\$0	\$303,274.20	Closing
16 Go Camera Upgrades (59105400SH269)	\$992,439.25	\$0	\$992,439.25	Closing
16 Go Lighting Upgrades (59105400SH270)	\$1,441,976.42	\$0	\$1,441,976.42	Closing
16 Go High School Track Repairs (59105400SH271)	\$882,899.98	\$0	\$882,899.98	Closing
18 Lf Riverside High School (59105400SH275)	\$1,138,996.34	\$0	\$1,138,996.34	Closing
DTCC-Campus Improvements (59205300CC007)	\$12,080,000.00	\$0	\$12,080,000.00	Closing

Adopted this the 13th day of July 2020.

Consent Agenda Item #20-0326

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000002**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

GENERAL FUND

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>Expenditure</u>			
General Government	\$122,695,304	(\$1,010,160)	\$121,685,144
Public Safety	\$64,575,944	\$1,010,160	\$65,586,104

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

Approved July 13, 2020

Public Hearings

20-0317 Royals Extension Zoning Map Change (Z1900013)

Jamie Sunyak, Senior Planner stated the Board was requested to hold a public hearing to consider a request to change the zoning atlas for property located at 2622 South Miami Boulevard and 2120 Brunson Road from Industrial Light (IL), Commercial Neighborhood (CN), and Residential Suburban-20 (RS-20) to Industrial Light (IL).

Ms. Sunyak shared the *Royals Extension Zoning Map Change* which highlighted the following: Case Summary, Aerial Map, Area Photos, Zoning Context, Future Land Use Map, IL Dimensional Standards, Comprehensive Plan Policies and Staff Determination.

Chair Jacobs opened the public hearing. With no one signed up to speak Chair Jacobs closed the public hearing and asked to entertain a motion.

First Motion:

Commissioner Reckhow moved, seconded by Commissioner Carter to adopt a Consistency Statement as required by NCGS 153A-341.

The motion carried unanimously.

Second Motion:

Commissioner Reckhow moved, seconded by Commissioner Carter to adopt an ordinance amending the United Development Ordinance by taking property out of the

Industrial Light (IL) Commercial Neighborhood (CN), Residential Suburban-20 (RS-20) zoning districts and establishing the same as Industrial Light (IL).

The motion carried unanimously.

20-0318 Unified Development Ordinance Text Amendment, Neighborhood Protection Overlay Revisions (TC1800010)

Michael Stock, Senior Planner stated the Board was requested to hold a public hearing on the *Unified Development Ordinance* Text Amendment, Neighborhood Protection Overlay revisions (TC1800010).

Chair Jacobs inquired about the state law which required the permission of a governing body or the property owner for rezoning; and questioned the date the law was passed. Mr. Stock replied the new legislation only applied to down rezoning and was passed during the summer of 2019. Chair Jacobs asked about the status of the Forest Hills Neighborhood Protection application. Mr. Stock replied City Council declined to initiate the process.

Chair Jacobs opened the public hearing. With no one signed up to speak Chair Jacobs closed the public hearing and asked to entertain a motion.

First Motion:

Commissioner Howerton moved, seconded by Commissioner Reckhow to adopt a Consistency Statement as required by NCGS 153A-341.

The motion carried unanimously.

Second Motion:

Commissioner Howerton moved, seconded by Commissioner Reckhow to adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to amend Article 2, Review Authority and Article 4, Zoning Districts.

The motion carried unanimously.

20-0319 Unified Development Ordinance Text Amendment, Affordable Housing Dwelling Unit Definition (TC1900005)

Michael Stock, Senior Planner stated the Board was requested to hold a public hearing on the *Unified Development Ordinance* Text Amendment, Affordable Housing Dwelling Unit Definition (TC1900005).

Chair Jacobs asked if Tom Miller, Durham Planning Commission member concerns were addressed. Mr. Stock responded the Community Development Rules and Procedures were amended to address those concerns.

Chair Jacobs opened the public hearing. With no one signed up to speak Chair Jacobs closed the public hearing and asked to entertain a motion.

First Motion:

Commissioner Reckhow moved, seconded by Commissioner Howerton to adopt a

Consistency Statement as required by NCGS 153A-341.

The motion carried unanimously.

Second Motion:

Commissioner Reckhow moved, seconded by Commissioner Howerton to adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to amend Article 17, Definitions.

The motion carried unanimously.

20-0320 Unified Development Ordinance Text Amendment, Omnibus Changes 14 (TC1900006)

Michael Stock, Senior Planner explained the Board was requested to hold a public hearing on the *Unified Development Ordinance* Text Amendment, Omnibus Changes 14 (TC1900006).

Chair Jacobs opened the public hearing. With no one signed up to speak Chair Jacobs closed the public hearing and asked to entertain a motion.

First Motion:

Commissioner Howerton moved, seconded by Commissioner Reckhow to adopt a Consistency Statement as required by NCGS 153A-341.

The motion carried unanimously.

Second Motion:

Commissioner Howerton moved, seconded by Commissioner Reckhow to adopt an ordinance amending the *Unified Development Ordinance*, incorporating revisions to Article 1, General; Article 2, Review Authority; Article 3, Applications and Permits; Article 4, Zoning Districts; Article 5, Use Regulations; Article 6, District Intensity Standards; Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; Article 10, Parking and Loading; Article 12, Infrastructure and Public Improvements; Article 14, Nonconformities; Article 15, Enforcement; Article 16, Design Districts, and Article 17, Definitions.

The motion carried unanimously.

20-0327 Revised Historic Properties Local Review Criteria

Karla Rosenberg, Senior Planner stated the Board was requested to conduct a public hearing on the updated Historic Preservation Local Review Criteria, as amended by the City Council. The Interlocal Agreement between the City of Durham and Durham County required that this document, which guided the Certificate of Appropriateness process of the Historic Preservation Commission (HPC), be approved by both governing bodies.

Chair Jacobs asked how the criteria would support solar panels. Ms. Rosenberg responded the Planning staff and the Environmental Affairs Board were working to figure out the best options to move forward with solar panel installations and decide if necessary, to have an allowance for solar gains.

Chair Jacobs opened the public hearing. With no one signed up to speak Chair Jacobs closed the public hearing and asked to entertain a motion.

Commissioner Carter moved, seconded by Commissioner Reckhow to adopt the revised Historic Properties Local Review Criteria.

The motion carried unanimously.

Other Business

20-0290 Durham County Public Health Focused Update on the COVID-19 Crisis

Rodney Jenkins, Public Health Director thanked the Board and County Management for their support.

Mr. Jenkins provided the following updates for Durham County:

- 4651 total cases
- 64 seven-day moving average
- 26.8 percent were African American; 22.5 percent were Caucasian; 50 percent were LatinX
- 27704 zip code held the highest positive cases at 20.8 percent
- 11m percent Durham infection growth rate
- The Temporary Order was into effect mandating that all labs report both positive and negative test results.
- A statewide order for COVID testing was released from the State Health Director

The Board inquired about fewer hospital cases due to hospitals not reporting numbers. Mr. Jenkins replied the County was receiving reports from Duke and the reports indicated hospitals were reporting constant cases.

20-0304 Update on County Food Security Coordinated Position

Donna Rewalt, Cooperative Extension, shared the *Durham County Food Security Coordinated Position* which highlighted the following: Background, Position Status, Learning from Others and Envisioning the Rule.

Chair Jacobs asked the Board to email questions and suggestions to Ms. Rewalt.

20-0325 Review of BOCC Directives

Drew Cummings, Chief of Staff gave the Board a summary of the Board directives from previous meetings as well as staff follow-up. Chair Jacobs asked for Mr. Cummings to email the Board a new link to the BOCC Directives.

20-0288 Stormwater Utility Outreach Update

Ryan Eaves, Stormwater and Erosion Control Division Manager, McKenzie Gentry, Stormwater Manager and Inga Kennedy, President, Planners for Environmental Quality (PEQ) shared the *Stormwater Utility Fee Outreach Update* which highlighted the following: Summary of Stormwater Utility Fee, Public Outreach Efforts, Stormwater Utility Fee Ordinance and Program Priorities.

The Board stated the schedule did not reflect credits for innovative work with farmers and soil and water. Mr. Eaves responded he was establishing a process to develop a credit system. The Board expressed concern with farmers receiving material and information that impacted them and non-residential parcels. Mr. Eaves responded staff was conducting outreach with farmers and the following provided information on parcels.

The Board made the following recommendations:

- Jane Korest, Division Manager, Open Space and Real Estate Division to provide recommendations on outreach and asked staff to look into creating a program for an estimated line of credit to benefit farmers.
- Staff to send an informational letter by mail to farmers - Mr. Eaves responded a letter would be sent with the tax bill or separately.
- Staff provide a proposal regarding a potential credit system for the farmers

First Motion:

Commissioner Reckhow moved, seconded by Commissioner Howerton to approve Consent Agenda Item 20-0309 Budget Ordinance Amendment No. 21BCC000001 – Administrative Change to Stormwater Fund Revenue Category for the New Fee.

Ayes: Commissioner Carter, Vice-Chair Hill, Commissioner Howerton and Reckhow
 Nays: Chair Jacobs

The motion carried.

Consent Agenda Item #20-0309

**Durham County, North Carolina
 2020-2021 Budget Ordinance
 Amendment Number 21BCC000001**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>ENTERPRISE FUND</u>			
Revenue			
Enterprise Charges	\$0	\$813,396	\$813,396
Licenses and Permits	\$1,418,436	(\$813,396)	\$605,040

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

Approved July 13, 2020

Second Motion:

Commissioner Reckhow moved, seconded by Commissioner Howerton to adopt the Stormwater Utility Ordinance.

Ayes: Commissioner Carter, Vice-Chair Hill, Commissioner Howerton and Reckhow
Nays: Chair Jacobs

The motion carried.

Directives:

- Jane Korest, Division Manager, Open Space and Real Estate Division to provide recommendations on outreach and asked staff to look into creating a program for an estimated line of credit to benefit farmers.
- Staff to send an informational letter by mail to farmers - Mr. Eaves responded a letter would be sent with the tax bill or separately.
- Staff provide a proposal regarding a potential credit system for the farmers

20-0298 Discussion on the Joint Durham Community Safety and Wellness Task Force

The following comment was submitted in response to the above-mentioned discussion item.

Citizen Comment:

Jose Romero

I urge the County Commissioner’s to vote with the heart of Durham and approve the Safety and Wellness Task Force and DENY the request to have law enforcement serve on the task force in any capacity. The letter from CJRC Director Gudrun Parmer acknowledges that Law Enforcement already occupy a formal position on at least 3 City and County Committees and informally on various others, meanwhile there is currently not a single committee at the city or county level tasked with justice-involved alternatives that is entirely community-led. The presence of ANY local or extra-local law enforcement agency (DPD, DSO, US Marshals, etc.) on the Safety and Wellness Taskforce would dramatically decrease the scientific validity of the recommendations and deter community members from reporting harm experienced at the hands of law enforcement. For these reasons, as well as the origins of this proposal in a specific definition of community-led, the presence of law enforcement on the taskforce is compatible with its mission of ‘examining,’ ‘educating,’ and ‘providing recommendations for additional programs to enhance public safety and wellness.’ Indeed, local, state, and federal reports have shown time and time again that when law enforcement, including Durham’s own, are asked to hold themselves accountable for racial bias, they are systematically incapable of doing so regardless of the identity of any one officer. There has never been a taskforce of this kind in history of Durham and I ask you to help us help y ’all collectively build a healthier Durham for all.

Chair Jacobs provided a brief overview of the revisions to the bylaws and asked for the Board for suggestions. Jodi Miller, General Manager stated Gudrun Parmer, Director, Criminal Justice Resource Center (CJRC) submitted a document to the Board with suggested revisions to the functions proposed in the bylaws and a compilation of feedback from other County departments and criminal justice groups.

Commissioner Reckhow suggested the appointments include a Durham Public Health Board member, CJRC member, Juvenile Crime Prevention Council (JCPC) member, Sheriff Citizen Board member and an At-Large Resource Panel member.

Commissioner Howerton asked for the item to be placed on a later meeting agenda to allow the Board to receive information on police trainings, share and receive feedback from the community and receive funding/staffing data.

Vice-Chair Hill stated residents in the community wanted to moved forward to approve the taskforce. He added some residents were disappointed that the Sheriff and Police Chief were not included on the taskforce and stated it was not reasonable for the exclusion.

Chair Jacobs recommended the Board delay voting on the item until the August 3, 2020 Work Session.

Board and Commission Appointments

Lowell Siler, 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.

Alcoholic Beverage Control Board

(i)Donald Lebkes (Carter, Hill, Jacobs, Reckhow)

Elaine Hyman (Howerton)

Board of Adjustment

Michael Tarrant (Howerton, Jacobs, Reckhow)

Richard LaBennett (Carter)

Araba Vann (Hill)

Criminal Justice Advisory Committee

Amelia Davis (Carter, Hill, Jacobs, Reckhow)

(i)Deborah Williams (Carter, Hill, Howerton, Jacobs, Reckhow)

Myca Jeter (Howerton)

Department of Social Services Board

(i)Janice Paul (Carter, Hill, Howerton, Jacobs, Reckhow)

Durham Convention Center Authority

(i)Alice Sharp (Carter, Hill, Howerton, Jacobs, Reckhow)

Durham County Women's Commission

Kirstyn Allen (Carter, Jacobs, Reckhow)

Leah Selvy (Hill)

Jamie Tindal (Howerton)

Closed Session

Commissioner Reckhow moved, seconded by Vice-Chair Hill to extend the meeting until 11:30 p.m.

Ayes: Chair Jacobs, Vice-Chair Hill, Commissioner Howerton and Reckhow
Nays: Commissioner Carter

The motion carried.

Chair Jacobs stated the board was requested to adjourn to Closed Session to consult with an attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged pursuant to G.S. 143-318.11(a)(3).

Commissioner Reckhow moved, seconded by Commissioner Howerton to adjourn into the Closed Session.

The motion carried unanimously.

Reconvene to Open Session

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

Adjournment

Commissioner Carter moved, seconded by Vice-Chair Hill to adjourn the Regular Session meeting at 11:17 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Deputy Clerk to the Board