

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

Monday, June 28, 2021

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 Toomer, Clerk to the Board read the following announcements:

1. **Public Input Needed on Region's Triangle Bikeway Study** – Participants are asked to share their ideas on where they would prefer to walk along the 17-mile biking/walking path connecting Raleigh, Cary, Morrisville, RTP, Durham and Chapel Hill.

Community members can provide feedback by visiting the study website <https://www.publicinput.com/trianglebikewaystudy> and taking an online survey. There will also be two (2) virtual public meetings on June 29th from 12pm – 5pm via Zoom. Please visit www.trianglebikeway.com or additional details.

2. **Durham Gang Reduction Strategy Steering Committee Seeks Resident Input** - The Durham Gang Reduction Strategy Steering Committee is assessing gang-related issues in Durham County. It seeks input from residents via an online survey to provide input on how gangs in Durham are impacting them & ideas to address them.

Take the survey on gang-related issues in your community here please visit www.surveymonkey.com/r/ZC7S2K5

3. **Take Your Shot at DCo Public Health** – It's easier than ever to take your shot at the Durham County Public Health Department. Simply call 919-560-HELP (4357) to schedule or visit during walk-in hours:

- Monday, Wednesday, Thursday and Friday: 9:00am – 4:00pm
- Tuesday: 9:00am – 6:00pm

For more information, please visit www.dcopublichealth.org/vaccineappointments

4. **Vets to Vets Clinic: No Cost Outdoor Veterinary Clinic for Veterans!** – The Friendly City Civitan Club located on 2510 Glendale Ave will be hosting a Low/No Income and Homeless Pet Owners Clinic on Saturday, July 10th from 9am – 12pm. Services will include pet vaccines, deworming, heartworm testing and flea/tick prevention.

The first 40 pets will be serviced on a first come, first serve basis and you must show proof of financial hardship or military service. Please contact Mary Senica at (781) 363-1162 or by email at mary@eirionthera.com

5. **July Events at the Durham County Stadium** – As we continue to dive into the summer months, be sure to check out a brief list of events taking place that the DCo Memorial Stadium, located at 750 Stadium Drive. Events include: Festival for the Eno Parking, July 4th Weekend Laser Light Show, Tobacco Road FC Soccer Team Home Finale and much more.

Please visit www.dconc.gov or call 919-560-8957 for additional information.

Minutes

Vice-Chair Jacobs moved, seconded by Commissioner Allam to approve the May 24, 2021 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

21-0431 Proclamation – Pride Month

Commissioner Burns read the following proclamation:

PRIDE MONTH | 2021

WHEREAS, the New York City police raided the Stonewall Inn, a gay club located in Greenwich Village in New York City and sparked a riot, leading to six days of protests and violent clashes with law enforcement known as the Stonewall Riots, which later served as a catalyst for the gay rights movement in the United States and around the world; and

WHEREAS, The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act broadened the definition of hate crimes to include crimes motivated by sexual orientation or gender identity; and

WHEREAS, we must acknowledge that the LGBTQ community has faced and continues to face systematic discrimination including restricted rights, social stigma, challenges accessing healthcare and other basic social services, and startling rates of violence; and

WHEREAS, the United States Supreme Court extend employment protections to LGBTQ workers by ruling on June 15, 2020 that the 1964 Civil Rights Act protects gay, lesbians; and

WHEREAS, the Durham delegation of the General Assembly sponsored in each chamber, respectively, by Rep. Morey, Rep. Alston, Senator Murdock and Sen Woodard of the Equality for All Act, H450/S396, which passed and will be law on July 1, 2021, amended several state statutes and enact others to provide uniform state-wide protection from discrimination to multiple classifications of people in multiple parts of their life, including employment, public accommodations, housing, provision of credit, and education; and

WHEREAS, on April 12th the Durham Board of County Commissioners supported the adoption of the state and federal legislation to prohibit discrimination and hate crimes by aligning with President Joseph Biden Executive Order that recognized the decision of the United States Supreme Court in *Bostock v. Clayton County*, 590 U.S. ___ (2020), holding that Title VII’s prohibition on discrimination “because of . . . sex” covers discrimination on the basis of gender identity and sexual orientation, applied to other Federal laws prohibiting discrimination on the basis of sex and ordered all Federal agencies to take necessary implementing action, and;

WHEREAS, despite the extraordinary progress, LGBTQ Americans still face discrimination simple for being who they are, and the County of Durham stands with the community in the struggle to ensure equal treatment for all, while also defend and advocating for LGBTQ Rights as Human Rights; and

WHEREAS, Durham County Government will continue to advocate for state local and statewide protections for all LGBTQ individuals to make our state a place where all people – regardless of their sexual orientation, gender identity, or gender expression – are treated with dignity and respect.

NOW, THEREFORE, BE IT RESOLVED I, Brenda Howerton, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim June 2021 as

“PRIDE MONTH”

in Durham County. We call upon the people of the Durham to recognize the achievements of the LGBTQ+ community, to celebrate the great diversity of the American people, and to wave their flags of pride high.

This 28th day of June 2021.

Brenda Howerton, Chair
Durham Board of County Commissioners

Chair Howerton thanked Commissioner Burns for presenting the proclamation to the Board. Commissioner Allam recommended adding Representative Zack Forde-Hawkins to the Durham delegation list. Vice-Chair Jacobs stated Durham had the first Pride March 35 years ago on June 28, 1986. She added a non-discriminatory ordinance was being created and would be presented to the Board.

Consent Agenda

Chair Howerton 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:

- Item 21-0411 – Vice Chair Jacobs commented she was pleased with the structure of the agreement including the 40-year affordable housing term. She added after the 40 years if there were issues, the property would revert back to the County.

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

Vice-Chair Jacobs moved, seconded by Commissioner Carter to approve the following items on the Consent Agenda.

Commissioner Burns stated she would abstain from voting on the consent agenda due to vaccine equity and the contracts pertaining to that item.

Ayes: Commissioner Allam and Carter, Vice-Chair Jacobs and Chair Howerton

Nays: Commissioner Burns

The motion carried.

21-0339 Extension of and Amendment to Contract with Southern Repair Services, Inc. for COVID Homeless Housing

21-0353 Approval of Service Contract for Replacement of Rooftop MUA and AHU Units at the Durham County Detention Center

21-0382 Amendment to the Nighthawk Security Contract for FY21-22

*21-0389 The Board is Requested to Approve Capital Project Amendment No. 21CPA000040 to support planned IST Hardware and Services in the Amount of \$7,056,360

21-0392 Approval of a Lease Agreement Between Durham County and Alliance Health for Office Space in the Health and Human Services Building at 414 E Main St

*21-0393 Property Tax Releases and Refunds for May 2021

21-0398 Mako Medical Laboratories, LLC Employee COVID -19 Testing Contract

21-0401 Quality Mortuary Contract Amendment

21-0403 Contract Amendment for Quality PrintPro

21-0405 CJRC - Contract Approval for Telehealth Services at the Durham County Detention Center

21-0406 Request to Approve Renewal of Maintenance Agreement for EnvisionWare Hardware and

Services with additions of Main Library Equipment

21-0407 Approval of FY21-22 Service Contract with Urban Ministries of Durham

21-0409 Medicaid Transformation - Public Health Contracts with Prepaid Health Plans (PHPs)/Managed Care Organizations (MCOs)

21-0410 Durham County's FY2022 Home and Community Care Block Grant (HCCBG) Funding Plan to Include a Rate Change for In Home Aide Services Provided through the Grant Funding as Allocated through the Department of Social Services

21-0411 Authorize the Interim County Manager to Execute the Master Development Agreement and the Purchase and Sale Agreement between Durham County, Laurel Street Residential and ZOM Living for the 500 E. Main St. Market-Rate Housing Development

*21-0413 Budget Ordinance Amendment No. 21BCC000118 - Appropriate \$1,000,000 of General Fund Fund Balance and Increase Transfer to the Benefits Plan Fund by the Same Amount to Ensure all Expenditures do not Exceed Budgeted Appropriations

21-0414 Service Contract with Velasquez Digital Media Communications, LLC

21-0416 Interlocal Cooperation Agreement for the Collection of Taxes between Durham County and the Town of Cary

2-0417 Contract Amendment: Extending Durham Children's Initiative's Contract for the Durham County Early Childhood Action Plan

*21-0418 Approve Budget Ordinance Amendment No. 21BCC000119 Appropriating \$100,000 Risk Management Fund Fund Balance to cover unplanned COVID-19 and Workers Compensation-related Expenses

21-0419 Public Health: Approval of Contract between Durham County and Wellpath to Provide Comprehensive Medical Services for Inmates in the Durham County Detention Center and Residents of the Durham County Youth Home

*21-0425 Approval of Budget Ordinance Amendment No. 21BCC000120 Durham County Page 20 Printed on 6/28/2021 Board of County Commissioners Meeting Agenda June 28, 2021 Allocating \$650,000 of Set Aside Hiring Freeze Funding and Approval of Interlocal Agreement between Durham County and the City of Durham for Joint Funding of the Durham Vaccine Equity Program

21-0429 Appoint Voting Delegate - National Association of Counties (NACo) Annual Conference

Consent Agenda Item #21-0389

**DURHAM COUNTY, NORTH CAROLINA
2020-21 Capital Project Ordinance
Amendment Number 21CPA000040**

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
IS&T Hardware and Services (42001910DC141)	\$0	\$7,056,360	\$7,056,360

Adopted this the 28th day of June 2021.

Consent Agenda Item #21-0393

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings and clerical errors, etc. The attached report details releases and refunds for the month of May 2021.

Releases and Refunds – May 2021

Releases & Refunds for 2021

Personal Property	\$ 0.00
Real Property	\$ <u>0.00</u>
Total	\$ 0.00

Releases and Refunds for 2020 Taxes

Real Property	\$ 22,875.46
Personal Property	\$ 3,641.30
Motor Vehicle	\$ 0.00
Solid Waste	\$ 0.00
Stormwater Utility	\$ 0.00
VTS Refunds	\$ <u>13,357.70</u>
Total	\$ 39,874.46

Releases & Refunds for Prior Years
2015 - 2019

Real Property	\$ 0.00
Personal Property	\$ 1,578.67
Solid Waste	\$ <u>0.00</u>
Total	\$ 1,578.67
 Grand Total	 \$ 41,453.13

Consent Agenda Item #21-0413

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000118**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 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	\$130,125,325	\$1,000,000	\$131,125,325
<u>Revenue</u>			
Other Financing Sources	\$42,633,507	\$1,000,000	\$43,633,507
<u>BENEFITS PLAN FUND</u>			
<u>Expenditure</u>			
General Government	\$17,895,546	\$1,000,000	\$18,895,546
<u>Revenue</u>			
Other Financing Services	\$29,667,575	\$1,000,000	\$30,667,575

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

Approved June 28, 2021

Consent Agenda Item #21-0418

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000119**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 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>RISK MANAGEMENT FUND</u>			
<u>Expenditure</u>			
General Government	\$4,773,290	\$100,000	\$4,873,290
<u>Revenue</u>			
Other Financing Sources	\$923,485	\$100,000	\$1,023,485

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

Approved June 28, 2021

**Durham County, North Carolina
2020-2021 Budget Ordinance
Amendment Number 21BCC000120**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 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	\$131,125,325	(\$650,000)	\$130,475,325
Human Services	\$114,333,375	\$650,000	\$114,983,375

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

Approved June 28, 2021

Public Hearings

21-0346 Comprehensive Plan Community Goals and Objectives Adoption

With no public comments, Chair Howerton closed the public hearing.

Commissioner Carter moved, seconded by Vice-Chair Jacobs to adopt the resolution on the Community Goals and Objectives for the Comprehensive Plan.

The motion carried unanimously.

Other Business

21-0057 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 in the COVID response.

Mr. Jenkins shared the *COVID-19/Vaccine Distribution Updates* which highlighted the following: COVID-19 Prevention Strategies, Current COVID-19 Statistics, Current Race and Ethnicity Trends, COVID-19 Percent Positive Labs, CDC Vaccine updates for Durham County Residents, NCDHHS Vaccine Updates for Durham County Residents, Vaccine Dashboard Data for Durham County Residents, Vaccine Equity and the Winner Is.

The Board asked if the grant from the United States Department of Health and Human Services of Minority Health was coming directly to Durham County and inquired about additional information on the grant. Mr. Jenkins responded the grant would come directly to Durham County and the Public Information Office was working to provide additional information about the grant. The Board inquired about the payment process for vendors who provided health care workers for the community. Claudia Hager, Interim County Manager replied unified grants had specific payment guidelines for vendors. Susan Tezai, Chief Financial Officer added internal controls were in place and the process was closely monitored by the Finance and Audit Departments.

21-0427 American Rescue Plan Act Update and Broadband Planning

Claudia Hager, Interim County Manager and Jodi Miller, General Manger shared the *American Rescue Plan Act Update* which highlighted the following: American Rescue Plan, Key Dates – Recap, There are Five Primary Ways Outside of the “Loss Allowance” That Counties May Invest ARPA (American Rescue Plan Act) Funds, GFOA American Rescue Plan Act Guiding, Grant Compliance, Draft Guiding Principles ARPA Fund Usage, ARPA Allocations to Date, Examples of ARPA Fund Use Categories Based on Budget Discussion and/or Funding Gaps Related to COVID-19, Engagement Approaches, ARPA Community Engagement, Reminders and Next Steps.

Greg Marrow, Chief Information Officer shared the *Broadband Internet Access Update* which highlighted the following: Crossing the Broadband Divide, Aspects of the Digital Divide, Broadband Availability: North Carolina, Broadband Availability: Durham County, Broadband Adoption: Durham County, 2019 Preliminary Broadband Study – North Carolina, Starlink Internet Service, Federal and State Funding, Emergency Broadband Benefit: Addressing Affordability, Closing NC Digital Divide, Durham County Digital Durham Band and Broadband Next Steps: Framework.

The Board stated communication on what and how ARPA funds could be spent was important. Ms. Miller responded the Board would be informed on the guidelines for the funding. She added the community would also be informed at engagement sessions. The Board asked for a feedback report from the June 8, 2021 community engagement session. Interim Manager Hager replied she would provide the feedback report to the Board. The Commissioners inquired about action steps, timeline and the due date for the final plan. Interim Manager Hager responded the goal was to present the Board with options and ideas; adding the final plan should be completed in December 2021 after viewing the Federal and State plans. Ms. Miller stated the funding was coming from the United States Treasury which would allow a tighter time period and fewer guidelines.

Directive: Vice-Chair Jacobs asked for a feedback report from the June 8, 2021 community engagement session. Interim County Manger Hager replied she would provide the feedback report to the Board.

Board and Commission Appointments

Willie Darby, Senior 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.

Alliance Board of Directors

Samaruddhi Thaker (Allam, Burns, Carter, Howerton, Jacobs)

Animal Welfare Advisory Board

(i)**Katrine Bremser** (Allam, Burns, Carter, Howerton, Jacobs)

Bicycle and Pedestrian Advisory Commission

(i)**Susanne Schmal** (Allam, Burns, Carter, Howerton, Jacobs)

Citizen Advisory Committee

(i)**Michelle Ketchum** (Allam, Burns, Carter, Howerton, Jacobs)

Leah Selvy (Allam, Burns, Carter, Howerton, Jacobs)

City-County Appearance Commission

Maysieo Tanks (Allam, Burns, Carter, Howerton, Jacobs)

Durham County Women's Commission

(i)**Kirstyn Allen** (Allam, Burns, Carter, Howerton, Jacobs)

(i)**Ruebe Holmes** (Allam, Burns, Carter, Howerton, Jacobs)

Cheryle Johnson (Allam, Burns, Carter, Howerton, Jacobs)

(i)**Tamika McRae** (Allam, Burns, Carter, Howerton, Jacobs)

(i)**Laura Meyers** (Allam, Burns, Carter, Howerton, Jacobs)

Durham Planning Commission

(i)**Nathaniel Baker** (Allam, Burns, Carter, Howerton, Jacobs)

(i)**David Morgan** (Allam, Burns, Carter, Howerton, Jacobs)

Zuri Williams (Allam, Burns, Carter, Howerton, Jacobs)

Katie Rose Levin (Burns, Carter, Jacobs)

Grace Zec (Allam)

Marion Dillahunt-Andrews (Howerton)

Durham Sports Commission

(i)**Bill Kalkhof** (Allam, Burns, Carter, Howerton, Jacobs)

Durham Technical Community College Board of Trustees

(i)**Jenna Bryant** (Allam, Carter, Howerton, Jacobs)

Shanika Baughman (Burns)

Durham Workforce Development Board

(i)**Ashley McKenna** (Allam, Burns, Carter, Howerton, Jacobs)

Environmental Affairs Board

William Busa (Burns, Carter, Jacobs)

Sherry Taylor (Allam, Burns, Carter, Howerton, Jacobs)

(i)**Wilson Salls** (Allam, Burns, Carter, Howerton, Jacobs)

Bradley Battista (Howerton)

Jury Commission

(i)**Tonette Amos** (Allam, Burns, Carter, Jacobs)

Shajuana McMillian (Howerton)

Juvenile Crime Prevention Council

Pearson Cost (Allam, Burns, Carter, Howerton, Jacobs)

(i)**Kevin Mciver** (Allam, Burns, Carter, Howerton, Jacobs)

(i)**DeWarren K. Langley** (Allam, Carter, Howerton, Jacobs)

(i)**Leah Selvy** (Allam, Burns, Carter, Howerton, Jacobs)

(i)**Nisha Williams** (Allam, Burns, Carter, Howerton, Jacobs)

Library Board of Trustees

(i)**Hank Kinsley** (Allam, Burns, Carter, Howerton, Jacobs)

Closed Session

Chair Howerton stated the board was requested to adjourn to Closed Session for the following:

- To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract of proposed contract for the acquisition of real property by purchases, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract pursuant to G.S.143-3318.11(a)(5).
- The Board is requested to adjourn into Closed Session 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).
- To allow the public body to prevent the disclosure of information that is privilege or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes. Public records as define in G.S. 132-1 do not include plans to prevent or respond to terrorist activity, to the extent such records set fort vulnerability and risk assessments, potential targets, specific tactics or specific security or emergency procedures, the disclosure of which would Agenda Text: Durham County Page 25 Printed on 6/28/2021 Board of County Commissioners Meeting Agenda June 28, 2021 jeopardize the safety of governmental personnel or the general public or the security of any governmental facility, building, structure, or information storage system, pursuant to G.S.143-318.11 (a) and G.S. 132-1.7 (b)

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

The motion carried unanimously.

Reconvene to Open Session

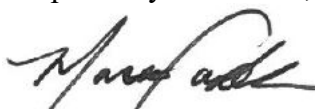
Chair Howerton announced the Board met in Closed Session and provided direction to staff.

Adjournment

Commissioner Allam moved, seconded by Commissioner Burns to adjourn the Regular Session meeting at 10:20 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Deputy Clerk to the Board