THE BOARD OF COUNTY COMMISSIONERS DURHAM, NORTH CAROLINA

Monday, October 25, 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

Macio Carlton, Deputy Clerk to the Board read the following announcements:

1. **Department of Social Services to Administer a New Property Tax Program** – The DSS department in partnership with the Tax Administration have developed the Low-Income Homeowners Relief Program. This program will serve exclusively Durham homeowners who have owned their homes 10 years or more, and who are currently not receiving any state tax subsidies for their property. Eligible homeowners must have incomes less than or equal to 30% of the average median income.

More information will be available throughout the month of October by visiting www.dconc.gov/dss.

2. **Early Voting for the Municipal Election** – The Durham County Board of Elections wants to help all voters avoid long lines and vote early for the 2021 Municipal Election! Early voting continues until Saturday, October 30th.

To find full details on early voting, visit our website at <u>www.dcovotes.com</u>, email elections@dconc.gov or call 919-560-0700.

3. **2021 Tax Bill Payments** – Durham County Tax allows citizens the option of making partial payments on real property taxes through January 5, 2022. Payment options include check, bank draft, money order or cash and taxes must be paid by January 5, 2022 to avoid interest and additional costs.

For more information, visit our website at www.dconc.gov/tax or call 919-560-0300.

- 4. **Durham County Public Health COVID-19 Vaccination Clinic Hours** The COVID-19 vaccination clinic at the Durham County Department of Public Health located at 414 E. Main St., has the following hours to get your free vaccination:
 - Monday, Wednesday & Thursday: 9 a.m. to 4 p.m.
 - Tuesday: 9 a.m. to 6 p.m.
 - Friday: Closed for select events

Appointments and walk-ins welcome; however, please note that the clinics are closed between 11:30 a.m.-1 p.m. daily.

Visit www.dcopublichealth.org/COVIDVaccines or call 919-560-9217 for more information.

5. **Get Your Flu Shot from Public Health's Immunization Clinic** – Flu Shots are available by appointment at the Durham County Department of Public Health (DCoDPH) Immunization Clinic. To schedule an appointment, call 919-560-7608. You can get the flu shot and COVID-19 vaccine in the same visit!

Visit <u>www.dcopublichealth.org/fluseason</u> for more information.

6. **Veterans Services Can Help** – Veterans, you served us, now let us serve you and your families. If you served in the military, or if you are a surviving spouse or dependent child of a veteran, Durham County Veteran Services Office is available to assist you in filing claims for VA benefits and services.

Call 919-560-8387 for more information and all services are free.

7. **Durham Comprehensive Plan Update from EngageDurham** – Help shape Durham's future through the new Comprehensive Plan. Now that the Community Goals and Objectives for this plan have been adopted, staff is developing the next phase of fall engagement focusing on describing and mapping places we want to see in the future of Durham.

Visit www.engagedurham.com/comprehensive-plan for more information.

8. **The Durham Emergency Communications Center (DECC) Want You** – Are you looking for a meaningful and rewarding career in a fast paced, high energy environment? The DECC is hiring now.

Visit http://bit.ly/911jobs for more information and to apply.

9. **Community Health Improvement Plans Kick-Off Meeting** – Join the partnerships for a Healthy Durham to begin the 2022-24 Community Health Improvement Plans process. On Wednesday, October 27 from 5:30-7 p.m. there will be a virtual kick-off meeting held via Zoom. Registration is required.

Visit www.healthydurham.org for more information and to register.

10. Walk and Ride to COVID Awareness – Community Vaccination Day on November 6th at Durham County Memorial Stadium – Duke Health Preparedness Coalition, Duke Health, Durham County Department of Public Health and other community partners will be holding a COVID-19 Awareness and Vaccination event on Nov. 6th from 10 a.m. to 2 p.m. at DCo Stadium. There will be entertainment, giveaways, vendors, music, free food and free COVID-19 vaccinations. There will be a brief COVID Awareness Walk and a Motorcycle Covid Awareness Ride as well.

Call 919-613-2439 for information.

Minutes

Vice-Chair Jacobs moved, seconded by Commissioner Burns to approve the September 27, 2021 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

21-0654 Proclamation – Domestic Violence Awareness Month

Commissioner Burns read the following proclamation:

DOMESTIC VIOLENCE AWARNESS MONTH | 2020

- **WHEREAS,** the safety, security, physical and emotional wellbeing of our neighbors affects the lives of everyone in our community; we recognize that domestic violence takes a variety of forms and believe all individuals have the right to live their best and fullest lives free of violence and fear; and
- WHEREAS, we recognize that 1 in 3 women and 1 in 4 men report experiencing severe violence by an intimate partner in their lifetimes, according to the National Coalition Against Domestic Violence, violence is a serious, preventable public health concern involving the manipulation of power and control, including willful intimidation, physical and sexual assault, emotional and financial abuse, and other abusive behaviors; and
- **WHEREAS,** anyone can be a victim of intimate partner violence, regardless of gender, age, race, socioeconomic status, ability, or relationship choice. We believe that everyone deserves a life free of violence, regardless of gender identification, ethnicity, ability, age, religion, or social status; and
- **WHEREAS,** we recognize that the crime of domestic violence impacts victims, families, and society, and can lead to long-term health problems, missed days of work and loss of employment, psychological distress, family instability and homelessness, and increased risk for future violence; and
- **WHEREAS,** ending domestic violence starts with awareness and education, changing social norms about gender and violence, and mobilizing our communities, including men, boys, our faith institutions, the public, and private sectors.

NOW, THEREFORE, I, Brenda Howerton, Chair of the Durham Board of County Commissioners and on behalf of the **Durham** Board of County Commissioners, do hereby proclaim October 2021 as

"DOMESTIC VIOLENCE AWARENESS MONTH"

in Durham County. We urge all who engage with youth to teach and model respect, consent, and healthy relationships. We encourage government, health professionals, law enforcement, faith communities, and civic organizations to ensure an inclusive environment that supports survivors of domestic violence and sustains their efforts to rebuild their lives without violence in Durham. We are strongly committed to working with all partners so that every individual can access appropriate and affirming resources to address and end violence in our communities.

This the 25th day of October 2021.

Brenda Howerton, Chair
Durham Board of County Commissioners

Vice Chair Jacobs stated the Board read the proclamation yearly due to domestic violence being a common statistic with local 9-1-1 calls and hoped to receive an update on domestic violence in Durham. Commissioner Burns encouraged the community to speak up about domestic violence and stated the holidays season would cause a spike in domestic violence. Chair Howerton shared a brief overview of domestic violence and the importance of educating the community on awareness.

21-0628 Tax Administration Earns the IAAO Certificate of Excellence in Assessment Administration

Dwane Brinson, Tax Administrator thanked the Board, Claudia Hager, Interim County Manager and the Tax Administration staff for their support and assistance in earning the Certificate of Excellence in Assessment Administration. Department staff shared their experience and overall excitement for the achievement – highlighting Mr. Brinson for motivating everyone.

The Board thanked Mr. Brinson and the Tax Administration staff member for becoming the fifth jurisdiction in North Carolina to earn the certification.

21-0629 Tax Administration Staff Earns Thirteen (13) New International Designations

Dwane Brinson, Tax Administrator stated Durham County Tax Administration as a single jurisdiction, earned more new designations than any other jurisdiction last year and assisted North Carolina in earning the coveted Virginia Cup. Mr. Brinson recognized the ten (10) Tax Administration staff members who earned the combined total of thirteen (13) new international professional designations. Corey Moore, Staff Development Supervisor stated staff had strived to become efficient and skilled tax professionals.

The Board thanked Mr. Brinson and the Tax Administration staff members for the achievement of international designations during the pandemic.

21-0657 Recognition of Mr. Tyler Fitts in the Office of Emergency Services (OES) Fire Marshal Division for Receiving the Durham County Firefighter of the Year Award

Jim Groves, OES Director stated Tyler Fitts, Assistant Fire Marshal was nominated by the Durham County Volunteer Fire Chiefs and Jason Shepherd, OES Chief Fire Marshal for his dedicated service to the Durham County community.

Mr. Fitts thanked the Board and Mr. Groves for the recognition of the award. He stated he was grateful to be an employee of the OES Division and thanked his co-workers for their support.

The Board thanked Mr. Fitts for is dedication to Durham County and keeping the community safe.

21-0669 Proclamation – National Disability Employment Awareness Month

NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH | 2021

- **WHEREAS,** October 2021 marks the 76th anniversary of National Disability Employment Awareness Month; and
- WHEREAS, National Disability Employment Awareness Month was first declared in October 1988 by Congress to increase awareness of the employment needs and contributions of individuals with all types of disabilities; and
- **WHEREAS,** this year's theme is America's Recovery: Powered by Inclusion" which notes that people with disabilities must be fully included in our recovery from the COVID pandemic; and
- WHEREAS, the goal of this observance is also to educate citizens about disability employment issues, work to eliminate barriers to employment and celebrate the many and varied contributions of America's workers with disabilities; and
- **WHEREAS,** workplaces such as Durham County that welcome the talents of all people, including people with disabilities, are a critical part of our efforts to build an inclusive community and strong economy.

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

"NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH"

in Durham County. We urge all residents to encourage and celebrate workers with disabilities who seek full employment and self-sufficiency each day despite significant challenges.

,
Brenda Howerton, Chair
Durham Board of County Commissioners

This the 25th day of October 2021.

<u>21-0671 Resolution – Supporting Federal Legislation that Protects Workers' Right to Form or Join A Union</u>

Commissioner Carter read the following proclamation:

"SUPPORTING FEDERAL LEGISLATION THAT PROTECTS WORKERS' RIGHTS TO FORM OR JOIN A UNION"

WHEREAS, H. R. 842 "Protecting the Right to Organize Act" passed in the U.S. House in early March 2021; and

WHEREAS, the bill attempts to dismantle barriers to union membership by giving employers and unions the freedom to establish contracts, allowing unions to collect fair-share fees to cover costs of collective bargaining and contract enforcement for the benefit of workers, and allow for impactful penalties against companies that violate rights of workers; and

WHEREAS, statistically speaking, union workers earn approximately 11.2% more in wages than their non-unionized peers and North Carolina has one of the lowest rates of union membership in the nation; and

WHEREAS, the legislation makes it an unfair labor practice to require or coerce employees to attend employer meetings designed to discourage union membership and prohibits employers from entering into agreements with employees under which employees waive the right to pursue or a join collective or class-action litigation; and

WHEREAS, H. R. 842 also allows collective bargaining agreements requiring all employees represented by the bargaining unit to contribute fees to the labor organization for the cost of such representation.

NOW, THEREFORE, BE IT RESOLVED, that we the Durham County Commission do hereby support the right of all workers to unionize, especially during this time of unprecedented challenges for workers.

BE IT ALSO RESOLVED that we wholeheartedly endorse the principles of H.R. 842, and in addition call on members of the U.S. Senate, including North Carolina Senators Richard Burr and Thom Tillis support this important bill when it comes before them.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Senators Richard Burr and Thom Tillis.

This the 25 th day of October 2021.	
Brenda A. Howerton, Chair	Wendy Jacobs, Vice-Chair
Nida Allam, Commissioner	Nimasheena Burns, Commissioner
Heidi Carte	er, Commissioner

Consent Agenda

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

Chair Howerton requested to pull Items 21-0619 and 21-0620 and Vice-Chair Jacobs requested to pull Item 21-0658.

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

Commissioner Carter moved, seconded by Commissioner Allam to approve the following items on the Consent Agenda except Items 21-0619, 21-0620 and 21-0658.

The motion carried unanimously.

- *21-0509 Budget Ordinance Amendment No. 22BCC00011 to Recognize \$ 903,807 from the U.S. Department of Health and Human Services Office of Minority Health (OMH) and to Create Three Full Time Equivalent (FTE) Provisional Grant Funded Positions for Public Health
- *21-0525 Budget Ordinance Amendment No. 22BCC00039 Library to Recognize \$134,757 in Revenue from Durham Library Foundation for Library Support Funds for Projects in FY 2021-22
- 21-0645 Public Health to Increase an Existing .60 Full Time Equivalent (FTE) to 1 FTE in Public Health
- *21-0648 Capital Project Amendment No. 20CPA000010 Moving 2016 General Obligation Bond Funds Between Multiple Durham Public School Capital Projects and Closing Two 2016 GO Bond Funded Capital Projects
- 21-0650 Request for refund of excise tax to Mann, McGibney & Jordan
- *21-0651 Property Tax Releases and Refunds for September 2021
- *21-0655 Budget Ordinance Amendment No. 22BCC00042 Cooperative Extension to Appropriate \$423,432 of General Fund fund balance and Approval of the Contract Extension with Beyu Caffe to Continue Home Delivered Meals for Covid-19 Related Food Assistance to Seniors and Vulnerable populations
- 21-0666 Removal of Citizen Board Member Due to Poor Attendance

Consent Agenda Item #21-0509

Durham County, North Carolina 2021-2022 Budget Ordinance Amendment Number 22BCC00011

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 budget ordinance is hereby amended to reflect budget adjustments.

<u>Current Budget</u>	Increase/Decrease	Revised Budget
-		-
\$95,842,495.00	\$903,807.00	\$96,746,302.00
\$61,763,202.00	\$903,807.00	\$62,667,009.00
	\$95,842,495.00	\$95,842,495.00 \$903,807.00

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

Approved October 25, 2021

Consent Agenda Item #21-0525

Durham County, North Carolina 2021-2022 Budget Ordinance Amendment Number 22BCC00039

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 budget ordinance is hereby amended to reflect budget adjustments.

Fund Name	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
<u>Expenditure</u>			
Cultural and Recreation	\$14,442,299.17	\$134,757.00	\$14,577,056.17
Revenue			
Intergovernmental	\$68,747,732.28	\$134,757.00	\$68,882,489.28
-			
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All ordinances and portions of ordinances in conflict herewith are hereby repealed.

Approved October 25, 2021

Consent Agenda Item #21-0648

Durham County, North Carolina FY 2021-2022 Capital Project Amendment Number 20CPA000010

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 budget ordinance is hereby amended to reflect budget adjustments.

Project #	Project Name	Current	Increase /	Updated
		Budget	Decrease	Budget
59105400SH241	16 Go Eno Valley Renovation	\$8,420,307.82	(\$37,687.78)	\$8,382,620.04
59105400SH268	16 Go Security Vestibules	\$3,110,826.00	\$501,497.31	\$3,612,323.31
59105400SH282	Elementary School C	\$39,611,923.00	(\$6,500,000.00)	\$33,111,923
59105400SH285	16 Go – Structural Analysis - Various	\$461,158.00	\$648,779.00	\$1,109,937
59105400SH288	16 Go – Easley Boiler Replacement	\$289,159.00	\$(112,588.53)	\$176,570.47
59105400SH311	16 GO Bond – Districtwide Asphalt	\$0.00	\$3,500,000.00	\$3,500,000
	Repairs			
59105400SH312	16 Go Bond – Districtwide Classroom	\$0.00	\$500,000.00	\$500,000.00
	Furniture Replacement			
59105400SH313	16 GO Bond – Districtwide	\$0.00	\$1,500,000.00	\$1,500,000
	Playground Replacement			

Approved October 25, 2021

Consent Agenda Item #21-0651

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 September 2021.

Releases and Refunds – September 2021

Releases & Refunds for 2022

Personal Property	\$	0.00
Real Property	\$	0.00
Total	\$	0.00
Releases and Refunds for 2021 Taxes		
Real Property	\$	243,996.00
Personal Property	\$	51,845.58
Motor Vehicle	\$	0.00
Solid Waste	\$	492 .00
Stormwater Utility	\$	48.00
VTS Refunds	\$_	17,303.58
Total	\$	313,685.16
Releases & Refunds for Prior Years 2016 - 2020		
Real Property	\$	2,397.72
Personal Property	\$	142.75
Solid Waste	\$ \$ \$	0.00
Stormwater Utility	\$	0.00
VTS Refund	\$_	0.00
Total	\$	2,540.47
Grand Total	\$	316,225.63

Consent Agenda Item #21-0655

Durham County, North Carolina 2021-2022 Budget Ordinance Amendment Number 22BCC00042

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 budget ordinance is hereby amended to reflect budget adjustments.

Fund Name	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
<u>Expenditure</u>			
Economic and Physical Development	\$8,736,329.00	\$423,432.00	\$9,159,761.40

<u>Revenue</u> Other Financing Services

\$41,733,431.67

\$423,432.00

\$42,156,863.67

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

Approved October 25, 2021

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.

Community Child Protection/Child Fatality Prevention Team Nicholas Tiso (Allam, Carter, Howerton, Jacobs) Britney Pierce (Burns)

Criminal Justice Advisory Committee

Darrin Corbin (Allam, Burns, Carter, Howerton, Jacobs)

Items Pulled from the Consent Agenda

*21-0619 Budget Amendment Ordinance No. 22BCC00040 Social Services to recognize \$9,116,036.60 in Additional ERAP funding through NCPRO (NC Pandemic Recovery Office) from both the Consolidated Appropriations Act (CAA) and the American Rescue Plan Act (ARPA) from the state's allocation for Durham County to provide emergency rental assistance payments for eligible families.

Janeen Gordon, Department of Social Services (DSS) Assistant Director shared the *Durham Emergency Rental Assistance Program (ERAP)* which highlighted the following: Unites States Department of Treasury, Eligibility Requirements for ERAP, Treasury Regulations, Program Guidelines, Help to Assist Tenants Completing an Application, Durham ERAP, City/County Direct Funding Awards and Transition to State ERA Funds.

The Board asked if the application process changed. Ben Rose, DSS Director responded the City was creating a new application and residents with pending applications would not need to reapply. The Board recommended creating a data sharing application program to ensure all applications were valid and not duplicated. Mr. Rose responded the County tracked and verified all applications. The Board asked how many temporary staff were hired to assist with the program and if the ERAP information was being shared with the community. Mr. Rose replied 15 temporary staff were hired and Ms. Gordon stated DSS worked with the Public Information Office and the Community Development Department to provide the community with weekly updates.

*21-0620 Budget Ordinance Amendment No. 22BCC00041 for the Department of Social Services to recognize funds in the amount of \$984,919.90 as part of the American Rescue Plan Act (ARPA) to administer the Emergency Rental Assistance Program (ERAP 2.0) for Durham County to provide emergency rental assistance payments on behalf of the Department of Treasury.

The following public comment was shared:

Public Comment Ajax Woolley

Dear County Commissioners,

On behalf of the Durham CAN Housing team co-chairs, please accept the following comments on the County's portion of newly awarded federal funds for Emergency Rental Assistance, named ERA 2:

- Our Eviction issue campaign involves research to support community input on issues regarding Emergency Rental Assistance.
- These research actions include ongoing Court watching at Eviction court, community-wide engagement with tenants, and Listening Sessions with landlords, among other initiatives.
- ERA 1 (including the additional funding dubbed "ERA 1.1") is still an active area of concern for us and multiple other community organizations.
- Although the City portion of funds distributed by DSS through the February 2021 ILA is exhausted, pending applications from ERA 1, distribution of "ERA 1.1", and the lessons learned are of vital interest to the public, and developing future solutions will require radical transparency of data and due process.
- ERA 2 is a resource that requires careful administration and community input in order to successfully align with the County's Strategic Plan (specifically Goals 2 and 3).
- Durham CAN and other community organizations have a vested interest in ongoing participation with County and City leaders regarding the plans for short term distribution, as well as long-term structural changes that these ERA funds will support.

Thank you in advance for your efforts to include Durham CAN and other community organizations in the ongoing outreach and engagement regarding the urgent need for a transformative approach to County and City administration of federal funds.

*21-0658 Budget Ordinance Amendment No. 22BCC000038 - Transferring \$6,341,514 of General Fund Fund Balance to the Capital Financing Fund in Recognition of Final Sales Tax Collection from the Prior Year in Adherence to Board Policy.

The Board asked why sales tax collections were increased from previous years. Keith Lane, Budget and Management Director responded the Commissioners would have to contact the State for clarification on the increase in sales taxes. He added Durham residents could have spent more money locally due to the pandemic. David Ades, Budget and Management Assistant Director stated sales tax collections were higher than expected and occupancy tax collections were lower than expected.

Commissioner Allam moved, seconded by Commissioner Burns to approve Consent Agenda Items 21-0619, 21-0620 and 21-0658.

The motion carried unanimously.

Consent Agenda Item #21-0619

Durham County, North Carolina

2021-2022 Budget Ordinance Amendment Number 22BCC00040

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 budget ordinance is hereby amended to reflect budget adjustments.

Fund Name	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND			
<u>Expenditure</u>			
Human Services	\$105,528,933.65	\$9,116,036.60	\$114,644,970.25
Revenue			
Intergovernmental	\$68,882,489.28	\$9,116,036.60	\$77,998,525.88

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

Approved October 25, 2021

Consent Agenda Item #21-0620

Durham County, North Carolina 2021-2022 Budget Ordinance Amendment Number 22BCC00041

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 budget ordinance is hereby amended to reflect budget adjustments.

Budget
9,890.15
3,445.78

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

Approved October 25, 2021

Consent Agenda Item #21-0658

Durham County, North Carolina 2021-2022 Budget Ordinance Amendment Number 22BCC00038

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2021-2022 budget ordinance is hereby amended to reflect budget adjustments.

Fund Name	Current Budget	Increase/Decrease	Revised Budget
GENERAL FUND	-		-
Expenditure			
General Government	\$134,964,056.24	\$6,341,514.00	\$141,305,570.24

Revenue			
Other Financing Sources	\$35,391,917.67	\$6,341,514.00	\$41,733,431.67
CAPITAL FINANCING FUND			
<u>Expenditure</u>			
General Government	\$82,613,213.00	\$6,341,514.00	\$88,954,727.00
Revenue			
Other Financing Sources	\$42,540,881.00	\$6,341,514.00	\$48,882,395.00

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

Approved October 25, 2021

Adjournment

Vice Chair Jacobs moved, seconded by Commissioner Burns to adjourn the Regular Session meeting at 9:04 p.m.

The motion carried unanimously.

Respectfully Submitted,

Macio Carlton

Deputy Clerk to the Board