

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

Monday, April 25, 2022

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 Wallace, Clerk to the Board read the following announcements:

1. **DCo Public Health COVID-19 Vaccination Clinic Hours** – The COVID19 vaccination clinic at the Durham County Department of Public Health, 414 E. Main St., has the following hours to get your free vaccination: Monday, Wednesday, Thursday & Friday: 9 a.m. to 4 p.m., and Tuesday: 9 a.m. to 5:30 p.m.

Appointments and walk-ins welcome. All doses available. Please note, clinics are closed between 11:30 a.m.-1 p.m. daily. For more information, please visit [www.dcopublichealth.org/COVIDVaccines](http://www.dcopublichealth.org/COVIDVaccines) or call 919-560-9217.

2. **Briggs Spring Fling Plant Sale** – Find your favorite summer veggie and herb plants at the Briggs Spring Fling Plant Sale on Saturday, April 30 from 9 a.m. to 2 p.m. at 1314 South Briggs Ave. Free vegetable and herb seed giveaways!

For more information, please contact Cheralyn Berry at [cberry@dconc.gov](mailto:cberry@dconc.gov), by phone at 919-406-4606 or by visiting the [www.durham.ces.ncsu.edu/](http://www.durham.ces.ncsu.edu/)

3. **DCHC MPO seeks public comment on Triangle Bikeway Study** – If you are interested in traveling to more destinations in the Triangle region by bike, now is the time to give

your input on the Triangle Bikeway Study as the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization is seeking comment on the current draft.

The public comment period is open now until May 14, 2022. Comments can be emailed to [dale.mckeel@durhamnc.gov](mailto:dale.mckeel@durhamnc.gov), or mailed to DCHC MPO, Attn: Dale McKeel c/o Durham Transportation Department, 101 City Hall Plaza, Durham, NC 27701. If you have questions, you may also contact Dale McKeel at 919-560-4366, extension 36421.

4. **Wings of a Migrant Butterfly Display** – The Durham County Library is pleased to announce the display of artist Cornelio Campos’ mural “Wings of a Migrant Butterfly” in the North Carolina Collection. Students in the Two-Way Bridges: Connecting Duke, Durham and the Americas’ also assisted with painting the mural.

The North Carolina Collection is located on the 3<sup>rd</sup> Floor of the Main Library, 300 N. Roxboro St.

5. **Watch the 2022 State of the County Address** – Did you miss Board Chair Brenda Howerton’s 2022 State of the County Address? Fear not, as the full video of the presentation can be found at <https://youtu.be/GSIx9FMrg1E>
6. **Durham PreK for 2022-2023 Application is Now Open** – The Durham PreK Application for the 2022-2023 school year is open! Visit [www.durhamprek.org](http://www.durhamprek.org) to receive more information and to apply.

All children who will be 4-years old by August 31, 2022 are eligible! If you have any questions, call 1-833-773-5338, or email [prek@childcareservices.org](mailto:prek@childcareservices.org) for assistance. Spanish applications are also available.

7. **Subscribe to the official Durham County YouTube channel** – Be sure not to miss any important community video information from the Durham County Public Information Office – including Public Health COVID-19 updates, DCo Insider and In Touch with Durham County episodes and much more – by subscribing to the Durham County YouTube channel by visiting

Commissioners shared the following additional announcements:

- The Durham County Board of Elections was named a 2021 Clearinghouse Award winner by the United States Election Assistance Commission in the category of Creative and Original “I Voted” Stickers.
- The North Carolina Department of Revenue planned to launch the application for Phase II of the Business Recovery Grant program on Monday, May 2<sup>nd</sup>, with changes to the program’s eligibility criteria allowing many additional businesses to qualify for grants. The application deadline was June 1, 2022.

## Minutes

Commissioner Burns moved, seconded by Commissioner Allam to approve the April 4, 2022 Work Session and April 11, 2022 Regular Session Minutes.

The motion carried unanimously.

## Ceremonial Items

### 22-0244 Retirement Resolution to Honor County Attorney Lowell L. Siler

Chair Howerton ready the following resolution:

#### LOWELL LESESNE SILER

- WHEREAS,** Lowell L. Siler a native of Goldsboro, NC attended North Carolina Central University, where he obtained both his undergraduate degree and law degree; and
- WHEREAS,** following a period of legal work in state government and the private sector, he began his tenure with Durham County Government in October 1987, when he was hired as an Assistant County Attorney; and
- WHEREAS,** Siler quickly rose through the ranks of the County Attorney's office, being promoted to Deputy County Attorney in December 1990, and in 2009, he became Durham County Government's first African American County Attorney; and
- WHEREAS,** he has unselfishly shared his talents with others, developing an extensive list of professional affiliations which includes:
- Past President, Durham County Bar Association/14th Judicial District Bar Association
  - North Carolina Academy of Trial Lawyers, North Carolina Bar Association
  - Past President, George H. White Bar Association
  - Durham County Bar-Director, American Bar Association
  - Durham County Young Lawyers-Directors, Pennsylvania Bar Association
  - Member, Zoning, Planning and Land Use Council-North Carolina Bar Association; and
- WHEREAS,** throughout his years of service, Siler has continuously maintained a respectful, collegial relationship with his peers in county government and, in so doing, was elected to serve as President of the North Carolina County Attorneys Association from 2011-12; and
- WHEREAS,** Siler is also a proud member of Sigma Pi Phi Fraternity, Alpha Tau Boule' and Omega Psi Phi Fraternity; and
- WHEREAS,** in addition, Siler has devoted considerable time to various community and civic organizations and held board memberships with Legal Services, the Duke-Durham Partnership for Youth, and Durham Mentors for Youth; and

**WHEREAS,** Lowell's personal and professional impact has been invaluable to the entire Durham County community, and he will be greatly missed by both employees and residents alike.

**NOW, THEREFORE, BE IT RESOLVED,** that we, the members of the Durham County Board of Commissioners, do hereby resolve to honor

**LOWELL LESESNE SILER**

For his dedicated, insightful, and stellar service to Durham County Government. We call upon all citizens of Durham County to recognize this innovative, gifted, and dedicated County Attorney who made a difference for the people of Durham County.

**BE IT FURTHER RESOLVED** that we wish him much joy and happiness as he retires and commences a new journey in his life.

This the 24<sup>th</sup> day of April 2022.

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Brenda Howerton, Chair

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Wendy Jacobs, Vice-Chair

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Nida Allam, Commissioner

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Nimasheena Burns, Commissioner

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Heidi Carter, Commissioner

Lowell Siler, County Attorney thanked the Board, Legal staff, and Durham County for their support and the opportunity to serve the community. Willie Darby, Acting County Attorney read and presented Mr. Siler with a retirement plaque from the Legal Department staff.

The Board thanked Mr. Siler for aiding and improving the Boards communication, strong leadership and hiring a resourceful team, creating programs to assist residents, providing yearly Thanksgiving Dinner for the Board and staff, his mentorship and giving his all to Durham County.

Dr. Kimberly Sowell, County Manger thanked Mr. Siler for leaving his legacy at Durham County.

**Consent Agenda**

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

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

The motion carried unanimously.

22-0209 Replace the Detention Center Secondary Domestic Hot Water Boiler Using Existing CIP Funds

\*22-0228 Budget Amendment Ordinance No. 22BCC00086 Cooperative Extension to recognize \$25,090 in additional Smart Start Welcome Baby Funding to Support the Program through the Remainder of the Fiscal Year

\*22-0233 Capital Project Amendment No.22CPA00025 Appropriating \$507,035.51 of PAYGO Funding to the DTCC Newton Building Renovation Capital Project (5920CC012)

\*22-0235 Property Tax Releases and Refunds for March 2022

Consent Agenda Item #22-0228

**Durham County, North Carolina  
2021-2022 Budget Ordinance  
Amendment Number 22BCC00086**

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

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised</u>
<u>Budget</u>			
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Economic and Physical Development	\$9,768,613.93	\$25,090.00	\$9,793,703.93
<u>Revenue</u>			
Intergovernmental	\$88,615,715.11	\$25,090.00	\$88,640,805.11

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

Approved April 25, 2022

Consent Agenda Item #22-0233

**DURHAM COUNTY, NORTH CAROLINA  
2021-22 Capital Project Ordinance  
Amendment Number 22CPA00025**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2021-22 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

<b>Project #</b>	<b>Project Name</b>	<b>Current Budget</b>	<b>Increase</b>	<b>Updated Budget</b>
59205300CC012	DTCC – Newton Building Renovation	\$ 19,680,339.08	\$507,035.51	\$20,187,374.59

All capital projects in conflict herewith are hereby repealed.

Approved April 25, 2022.

Consent Agenda Item #22-0235

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 March 2022.

Releases and Refunds – March 2022

Releases & Refunds for 2022

Personal Property	\$ 1,619.95
Real Property	\$ <u>0.00</u>
Total	\$ 1,619.95

Releases and Refunds for 2021 Taxes

Real Property	\$ 22,171.34
Personal Property	\$ 12,925.98
Motor Vehicle	\$ 0.00
Solid Waste	\$ 0.00
Stormwater Utility	\$ 2,328.00
VTS Refunds	\$ <u>15,937.03</u>
Total	\$ 53,362.35

Releases & Refunds for Prior Years

2016 - 2020

Real Property	\$ 10,296.13
Personal Property	\$ 1,499.53
Solid Waste	\$ 0.00
Stormwater Utility	\$ 0.00
VTS Refund	\$ <u>0.00</u>
Total	\$ 11,795.66

Grand Total	\$ 66,777.96
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**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.

Bicycle and Pedestrian Advisory Commission

**Scott Carter** (Allam, Carter, Howerton, Jacobs)

Scott MacIver (Burns)

Board of Adjustment

**Robert “Chase” Pickett** (Allam, Burns, Carter, Howerton, Jacobs)

Boxing and Wrestling Commission

**Brendan Madigan** (Allam, Burns, Carter, Howerton, Jacobs)

City-County Appearance Commissions

**(i) Kai Kelley Jr.** (Allam, Burns, Carter, Howerton, Jacobs)

**(i) Katina Rogers** (Allam, Burns, Carter, Howerton, Jacobs)

Durham County Women’s Commission

**Brittani Clark** (Allam, Burns, Carter, Howerton, Jacobs)

**Closed Session**

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

- The Board is requested to adjourn into Closed Session 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 or proposed contract for the acquisition of real property by purchase, 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. 143-318.11(a)(5).

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 Carter moved, seconded by Vice Chair Jacobs to adjourn the Regular Session meeting at 8:35 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Macio Carlton', written in a cursive style.

Macio Carlton  
Deputy Clerk to the Board