

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

Monday, September 28, 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 walk-in COVID-19 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's: 9 a.m. to 5:30 p.m. All doses available. Please note, clinics are closed between 11:30 a.m.-1 p.m. daily.

Visit [www.dcopublichealth.org/COVIDVaccines](http://www.dcopublichealth.org/COVIDVaccines) or call 919-560-9217 for more information.

- 2. Welcome Baby's Giving Closet** – The Giving Closet is where Durham County residents can receive free infant, toddler, children and maternity clothing, as well as accessories and baby equipment on Fridays between 9 a.m. and 1 p.m. Appointment is required for pickup at the Cooperative Extension office, 721 Foster St. Call 919-560-7150 for more information or visit [www.welcomebaby.org/giving-closet](http://www.welcomebaby.org/giving-closet)
- 3. Get Your Free Solarize Durham Assessment** – Solarize the Triangle, a community-based group-purchasing program for solar energy, battery storage, and other clean-energy technologies has launched! That means that Durham County residents can be a part of group solar purchasing and installation that will save you money while helping reduce your carbon footprint. The more who install, the less it costs for all! Our exclusive solar provider is Yes Solar NC located in Cary. Find out more and apply today for your free assessment at <https://info.solarcrowdsource.com/solarize-durham>

- 4. Register to Vote** – If you are registering for the first time in Durham County, or if you are changing your party affiliation, you may do so by submitting a voter registration form.

You may submit your voter registration form by mail (P.O. Box 868, Durham, NC 27702), by hand (201 N. Roxboro St.) or online via the North Carolina DMV Website – <https://ncdot.gov>. Registration deadline for the November 8, 2022 Election is Friday, October 14 at 5 p.m.! For more information on registering to vote, visit [www.dcovotes.com](http://www.dcovotes.com) or call 919-560-0700.

- 5. 2022 Bond Referendum Website** – Durham voters will be asked to vote yes or no on a 3-part General Obligation Bond Referendum during the upcoming General Election period. Bonds for Durham Public Schools, Durham Technical Community College, and Museum of Life and Science of \$550.2 million will be seen on the upcoming ballot. Durham County Government has created a website providing key information about the 2022 Bond Referendum at <http://durhamcounty2022bondsreferendum.org/>
- 6. Durham Low-Income Homeowners Relief Program (LIHR)**– The new and improved Low-Income Homeowners Relief Program (LIHR) provides property tax help on current taxes for eligible homeowners. Tax assistance based upon a 3-tiered income model and other improvements. Apply between Aug. 1, 2022 and Jan. 31, 2023 at [www.DCONC.GOV/DSS](http://www.DCONC.GOV/DSS) or call 919-560-8000 for an appointment.

Ms. Wallace announced citizens could join “Coffee with a Cop” with Durham County Sheriff Clarence Birkhead on Wednesday, October 5, 2022 from 8 a.m. – 10 a.m. at Beyu Caffee located at 341 W. Main Street.

Commissioners shared the following additional announcements.

- Janet Yellen, United States Treasury Secretary visited with Durham County Commissioners on Tuesday, September 27, 2022.
- Mary Oxendine, Food Security Coordinator was at the White House meeting with President Joe Biden to discuss hunger, nutrition and health.
- Recognized September as Suicide Prevention Month and the need for the community to discuss the issue.
- Recognized September 15<sup>th</sup> – October 15<sup>th</sup> as Hispanic Heritage Month to pay tribute to Hispanic Americans.
- The North Carolina Central Eagles and the Durham Bulls were honored for their success in the world of sports.
- The Board attended the opening celebration for Lyon Farms Elementary School.

## Minutes

Vice Chair Jacobs moved, seconded by Commissioner Allam to approve the September 8, 2022 Work Session and September 12, 2022 Regular Session Minutes.

The motion carried unanimously.

## Ceremonial Items

Dr. Kimberly Sowell, County Manager stated Drew Cummings, Chief of Staff was appointed to serve as

Granville County Manager. She added Mr. Cummings served Durham County for 14 years as a valuable leader in the organization. The Board congratulated and thanked Mr. Cummings for assisting the Commissioners, working on special projects and serving on multiple Boards and Commissions.

**22-0488 Proclamation – October 2022 as National Cybersecurity Awareness Month**

Vice Chair Jacobs read the following proclamation:

**NATIONAL CYBERSECURITY AWARENESS MONTH | 2022**

- WHEREAS,** the Information Service and Technology recognizes that it has a vital role in identifying, protecting its citizens from, and responding to cybersecurity threats that may have significant impact to our individual and collective safety and privacy; and
- WHEREAS,** critical infrastructure is increasingly reliant on information systems and technology to support financial services, energy, telecommunications, transportation, utilities, health care, and emergency response systems; and
- WHEREAS,** cybersecurity education and awareness are crucial for everyone, including large corporations, small businesses, financial institutions, schools, government agencies, the home user, and anyone who connects to the internet; and
- WHEREAS,** monitoring your accounts, being conscientious of what you share online, keeping computer software up to date, creating unique passwords and changing them regularly, installing anti-virus programs and firewalls, and using mobile devices safely are ways you can protect yourself from phishing, viruses, malware, financial loss, and loss of sensitive data; and
- WHEREAS,** Gregory Marrow, CIO and his staff are dedicated to providing every individual and public and private organization in Durham County the resources necessary to ensure the understanding, implementation, and success of National Cybersecurity Awareness Month to help the citizens of Durham County stay safe online and connect with confidence; and
- WHEREAS,** the STOP. THINK. CONNECT.™ Campaign serves as the national cybersecurity public awareness campaign, implemented through a coalition of private companies, nonprofit, government organizations, and academic institutions working together to increase the public’s understanding of cyber threats and empowering Americans to be safer and more secure online; and
- WHEREAS,** the National Institute of Standards and Technology (NIST) Cybersecurity Workforce Framework is a free resource to help organizations (both large and small, public, and private) improve their cybersecurity practices through a practical approach to addressing the ever-evolving cybersecurity threats and challenges; and
- WHEREAS,** maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role to play, and awareness of computer security essentials will improve the security of Information Service and Technology’s information, infrastructure, and economy; and
- WHEREAS,** the Information Security Program was established in July 2017 to enhance and protect the Information Service and Technology’s cybersecurity ecosystem; and
- WHEREAS,** the Federal Government of the United States of America, the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency ([www.cisa.gov](http://www.cisa.gov)), the Multi-State Information Sharing and Analysis Center (<https://www.cisecurity.org/ms-isac>), the National Association of State Chief Information Officers ([www.nascio.org](http://www.nascio.org)), and the National Cyber Security Alliance ([www.staysafeonline.org](http://www.staysafeonline.org)) all recognize October as National Cybersecurity Awareness Month; and all citizens are encouraged to

visit these websites, and the STOP. THINK. CONNECT.™ Campaign website ([www.cisa.gov/stopthinkconnect](http://www.cisa.gov/stopthinkconnect) or [www.stopthinkconnect.org](http://www.stopthinkconnect.org)) to learn about cybersecurity to put that knowledge into practice in their homes, schools, workplaces, and businesses.

**NOW THEREFORE**, I, Brenda A. Howerton on behalf of the Durham Board of County Commissioners do hereby proclaim the month of October 2022 as

**“NATIONAL CYBERSECURITY AWARENESS MONTH”**

in Durham County. We urge all residents to celebrate the vital role that technology plays in our community and how critically important it is to maintain cutting edge systems and infrastructure to protect against cyber threats at all levels.

This the 28<sup>th</sup> day of September 2022

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Brenda Howerton, Chair  
Durham Board of County Commissioners

The Board thanked Greg Marrow, Chief Information Officer and the Information Services and Technology staff for prioritizing safety to help protect and secure Durham County.

**22-0564 Proclamation – Minority Enterprise Development Week October 3-7, 2022**

Commissioner Burns read the following proclamation:

**MINORITY ENTERPRISE DEVELOPMENT WEEK | 2022**

**WHEREAS**, it is the policy of the County of Durham that purchasing by the County and contracts with the County be open to all people and be free of discrimination on the basis of race and gender; and

**WHEREAS**, diverse entrepreneurship encourages progress toward innovative solutions to the problem of economic growth, and supports the promise of thriving communities that embrace inclusion and a better life for all families; and

**WHEREAS**, the Durham County Minority and Women Enterprise Ordinance Section 8-132 provides minorities and women equal opportunity to participate in all aspects of the County’s contracting program, including, but not limited to, employment, construction projects, and/or materials and service contracts, consistent with law; and

**WHEREAS**, G.S. 143-128, provides for Good Faith Efforts to be made in an effort to ensure fair participation of minority and women business owners in all County projects; and

**WHEREAS** according to the Stanford Institute for Economic Policy Research, the impacts of the Covid 19 have contributed to a staggering 41 percent drop in African American business owners, 32 percent decline in Latinx business owners, 26 percent in Asian business owners and a 25 percent reduction in women owned businesses nationwide, and

**WHEREAS**, it is further the policy of the County to conduct its contracting programs so as to prevent such discrimination, correct present discrimination and to resolve claims of such discrimination; and

**WHEREAS**, the County of Durham is a sponsor of the Minority Enterprise Development Week; and

**WHEREAS,** During Minority Enterprise Development Week, we recognize that our County and our economy are stronger because of the hardworking men and women who comprise America’s minority business community. They consistently demonstrate the courage it takes to overcome adversity, seize opportunity, and contribute to our shared prosperity.

**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 October 3 – 7, 2022 as

**“MINORITY ENTERPRISE DEVELOPMENT WEEK”**

in Durham County.

This 28<sup>th</sup> day of September 2022.

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Brenda Howerton, Chair  
Durham Board of County Commissioners

Keisha Davis, Minority and Women-Owned Business Enterprise (MWBE) thanked the Board for the proclamation and stated Durham’s Minority Enterprise Development Week started with a free event collaborated with the City of Durham tailored for small and minority-owned businesses on Monday, October 3<sup>rd</sup> from 9 a.m. to Noon at Durham City Hall.

The Board thanked Ms. Davis for her continued support for the Durham County MWBE Program. The Board inquired about Ms. Davis winning an award in 2021. Ms. Davis responded she won the 2021 Diversity Advocate of the Year Award. The Board asked how residents could find more information about the events during the Minority Enterprise Development Week. Ms. Davis replied, the City and County website and social media outlets.

**22-0579 Introduction of New City-County and Refugee Affairs Coordinator**

Donna Rewalt, County Extension Director introduced Kakou Nayo, City-County Immigrant and Refugee Affairs Coordinator and shared Mr. Nayo joined Durham County in August 2022. She added his previous work experience and knowledge on refugee and immigrant issues in Durham would help him facilitate successful integration of immigrants and refugees into the community.

Mr. Nayo stated he was excited about the new experience and thanked the Board for the opportunity to join Durham County to connect resources to immigrants and refugees in Durham.

The Board thanked Mr. Nayo for serving both the City of Durham and Durham County in an important role and looked forward to working with Mr. Nayo on addressing initiatives and practices to assist immigrants and refugees in Durham.

**Consent Agenda**

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

Vice Chair Jacobs requested for Donna Rewalt, County Extension Director to comment on Item 22-0546.

- Item 22-0546 – Ms. Rewalt stated Cooperative Extension applied for funding from the United States Department of Agriculture Natural Resources Conservation Services grant to conduct a feasibility study of “Durham County Farm Campus.” She added the grant would fund a study to determine how the Farm Campus could best meet community needs and goals, optimal location in the County and support racial equity in farming. Ms. Rewalt stated Cooperative Extension would work with a vendor and the Durham community to complete the study.

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

Commissioner Burns moved, seconded by Commissioner Allam to approve the following items on the Consent Agenda.

The motion carried unanimously.

22-0486 Request for Approval of Easement Agreement/Dedication Plat with Duke Energy Carolinas, LLC., (DEC) for (2) Electrical Power Easements Necessary for the New Northern High School

\*22-0546 Budget Ordinance Amendment No. 23BCC00029 Cooperative Extension to Recognize \$167,015 in Grant Funding from the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) to conduct a feasibility study of “Durham County Farm Campus”

\*22-0553 Approve Budget Ordinance Amendment No. 23BCC00037 Appropriating \$376,800 of ARPA Funding Fund Balance for Additional Funding of the Mako Medical Laboratories, LLC Employee COVID -19 Testing Contract, And Approval of a Contract Amendment with Mako Medical Laboratories, LLC to Increase the Contract to a “Not to Exceed” Amount of \$376,800

\*22-0557 Budget Ordinance Amendment No. 23BCC00028 to Recognize \$600 in Grant Funding from Addiction Professionals of North Carolina to the Criminal Justice Resource Center

22-0558 Detention Center Ballistic Glass Replacement Project

22-0591 Board Acceptance/Endorsement of Certain Perpetual Use and Access Easements at HUB Park Center

Consent Agenda Item #22-0546

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00029**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2022-2023 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Economic and Physical Development	\$9,903,871.00	\$167,015.00	\$10,070,886.00
<u>Revenue</u>			

Intergovernmental \$79,408,398.00 \$167,015.00 \$73,575,413.00

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

Approved September 28, 2022

Consent Agenda Item #22-0553

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00037**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2022-2023 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>ARPA FUND</u>			
<u>Expenditure</u>			
General Government	\$0.00	\$376,800.00	\$376,800.00
<u>Revenue</u>			
Other Financing Source	\$0.00	\$376,800.00	\$376,800.00

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

Approved September 28, 2022

Consent Agenda Item #22-0557

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00028**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2022-2023 budget ordinance is hereby amended to reflect budget adjustments.

<u>Fund Name</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Public Safety	\$75,720,036.00	\$600.00	\$75,720,636.00
<u>Revenue</u>			
Intergovernmental	\$73,440,798.00	\$600.00	\$73,441,398.00

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

Approved September 28, 2022

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**Additional Announcement**

Gudrun Parmer, Interim General Manger stated Governor Roy Cooper declared a State of Emergency in advance of Hurricane Ian’s remnants moving through the state and introduced Nathan Sanders, Senior

Emergency Management Coordinator. Mr. Sanders shared an update on Hurricane Ian and the predicated forecast. He added the State of Emergency would waive transportation rules to help transport fuel and critical supplies, help first responders and the agricultural industry as well as protect consumers from price gouging.

The Board asked if Durham County made any request for the State of Emergency. Mr. Sanders replied, a white flag request for citizens without housing was made.

## **Public Hearings**

### **22-0542 Second Public Hearing and Resolution Regarding Durham County's Application for CDBG Neighborhood Revitalization Funds**

Drew Cummings, Chief of Staff introduced Anna Blanchard, Senior Planner for Triangle J Council of Governments. Ms. Blanchard stated the purpose of the public hearing was to communicate and receive feedback on a proposed plan of work if Durham County received the grant.

Chair Howerton opened the public hearing.

Ms. Blanchard shared the *NC Neighborhood Revitalization Program (CDBG) Durham County Application* which highlighted the following: Overview, NC Neighborhood Revitalization Program, Eligible Activities, Additional Requirements, Determination of Needs, Application Overview, Partnership, Project Administration, Public Input Opportunities and Next Steps.

No citizens were signed up to speak.

Chair Howerton closed the public hearing

The Board inquired about loan forgiveness. Ms. Blanchard replied, the loans would have zero percent interest rates and could be forgivable at five to ten thousand dollars per year. She added the program was setup to prevent homeowners from getting homes rehabbed and sold for a profit. The Board asked about loan defaults. Ms. Blanchard responded no loan default occurred with the program.

The Board thanked Ms. Blanchard and Mr. Cummings for providing the home rehabilitation program for Durham residents.

## **Other Business**

### **22-0563 Railroad Crossing Elimination Grant Application for Plum Street, Driver Street, and Ellis Road**

Ellen Beckmann, Durham County Transportation Manager shared the *Railroad Crossing Elimination Grant Application* which highlighted the following: Durham Rail-Crossing Engagement, Planning, and Innovative Revitalization (Durham REPAIR) Project, Project Goals, Safety, Connectivity, Reliable Access for East Durham and Position Project for State and Federal Construction Funding.

The Board asked if the study would forecast how the project would impact surrounding communities and businesses. Ms. Beckmann responded the City-County Planning and Environmental Services would research how the project would impact surrounding communities and businesses. The Board asked if the County should wait for the City to approve the project first. Ms. Beckmann replied two of the three roads were in the City and the Memorandum of Understanding could be setup with the City.



The Board asked how the study would coincide with future transportation projects and if additional support would be needed if a large federal transportation grant was secured. Ms. Beckmann responded the project would allow more flexibility and choices for future transportation projects; adding she was comfortable managing the grant and would partner with the NC Department of Transportation Railroad for engineering assistance.

Commissioner Allam moved, seconded by Commissioner Carter to authorize the Chair to sign a letter of support for the grant application.

The motion carried unanimously.

**22-0543 Impact and Recovery of Durham’s Hospitality Sector and Durham Sports Commission Annual Update**

Susan Amey, Discovery Durham President and Chief Executive Officer shared the *Tourism Impact and Recovery* which highlighted the following: Who We Are, Rediscover Durham, Viral Social Videos (FY’21-22), Direct Visitor Spending \$778 Million, Visitor Spending by Sector, Direct Tourism Employment: 5700 Jobs, No Sector has Matched the Leisure and Hospitality Wage Increases, State and Local Impact, Total Lodging Revenue Forecast, ‘Rediscover Durham’ Campaign Fall 2021, ‘Hightail it to Durham’ Campaign Spring 2022, National and Regional Public Relation Hits, Expanding Content Channels, Representation in Marketing and Durham Convention and Arts Complex.

Marcus Manning, Executive Director, Durham Sports Commission shared the *Durham Sports Commission* which highlighted the following: Durham Sports Commission (DSC) Pillars, DSC Three-Year Event Data FY20-FY22, FY’22 Overview, Funding Sources FY20 Versus FY22, World University Games 2027, Champion Durham Classic, One Team, One Durham Fund Launch, Durham Sports Complex, Parents’ Desired Outcomes for Their Child Playing Sports and A Bull City Transformation.

The Board suggested community partners be involved with the sports complex, research the external cost included with the use of a sports complex, a major sponsor for the sports complex and the environmental impacts of a sports complex. The Board inquired about the location of the sports complex with land becoming scarce in Durham. Mr. Manning replied the DSC was scouting for land and working with partners to find potential land for the sports complex.

The Board thanked Ms. Amey and Mr. Manning for their presentations and dedicated work to Discovery Durham and Durham Sports Commission.

**22-0512 Durham County Public Health Focused Update on the COVID-19 Crisis**

Rodney Jenkins, Public Health Director shared the *COVID-19/Monkeypox Updates* which highlighted the following: Current COVID-19 Statistics, Current Race and Ethnicity Trends, COVID-19 Percent Positive Labs, Usage and Capacity Hospitalization Data, COVID-19 Community Level, Free COVID-19 Testing, Free COVID-19 At-Home Tests, COVID Vaccine Updates, Vaccine Recommendations, Monkeypox Background and Monkeypox vaccinations, Flu Vaccine Recommendations and Final Thoughts.

The Board asked if the 90,000 cases included residents testing positive for COVID multiple times. Mr. Jenkins responded yes, adding each time a resident tested positive it was considered a new case. The Board inquired about the monkeypox vaccination and questioned recommendations for travel and large conference events. Mr. Jenkins replied the monkeypox vaccination was two doses with the second dose

taken one month after the first dose. With regards to traveling or attending large conferences, Mr. Jenkins recommended being precautionary and to always wear a mask.

## **Board and Commission Appointments**

Willie Darby, Acting 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.

### Audit Oversight Committee

**(i)Arnold Gordon** (Allam, Burns, Carter, Howerton, Jacobs)

### Durham County Women's Commission

**Margaret Cox** (Allam, Burns, Carter, Howerton, Jacobs)

**Ashley Marshall** (Allam, Burns, Carter, Howerton, Jacobs)

### Durham Planning Commission

**Sarah Chagaris** (Allam, Burns, Carter, Howerton, Jacobs)

Vice Chair Jacobs stated Linda Salguero, Project Manager and Public Art Coordinator, Engineering and Environmental Services was retiring, and the Board wanted to recognize and thank her for assisting in the founding of the Durham County Art Program.

## **Closed Session**

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

- To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations; pursuant to G.S. 143-318.11(a)(4).

Commissioner Carter 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 Commissioner Allam to adjourn the Regular Session meeting at 10:39 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton  
Deputy Clerk to the Board