

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

Monday, March 13, 2023

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. **DCoDPH COVID-19 Vaccine Clinic Hours** – The COVID-19 Vaccination Clinic at the Durham County Department of Public Health is now open for your walk-in vaccination doses on Mondays, Wednesdays and Fridays from 9 a.m. to 4 p.m. (Closed 12-1 p.m.) The clinic is closed on Tuesdays, Thursdays and weekends. Visit [www.dcopublichealth.org/COVIDVaccines](http://www.dcopublichealth.org/COVIDVaccines) for more information.
2. **Creek Week Cleanup at New Hope Bottomlands Trail** – Join the Durham County Open Space Program from 10:00 a.m. – 12:00 p.m. on Saturday, March 25, for a volunteer workday at the New Hope Bottomlands Trail to celebrate Creek Week and help beautify our community! We'll meet at Old Chapel Hill Road Park (3791 Southwest Durham Dr.) and pick up trash along the trail and New Hope Creek. Trash bags and gloves will be provided. Please RSVP at: <https://keepdurhambeautiful.org/creek-week-events/2023/newhopecreekbottomlandstrail>. For more information, please contact David Bradley, Open Space Specialist, at 919-560-0093 or [dabradley@dconc.gov](mailto:dabradley@dconc.gov). We hope to see you there!
3. **DCHCMPO Seeks Feedback** – The Durham-Chapel Hill-Carrboro Metropolitan Planning Organization, along with GoTriangle, Durham County Government, and Orange County Government is seeking public comment on the Fiscal Year 2024 Transit Work Program for both Durham and Orange counties. Members of the public can take an online survey at

<https://forms.office.com/r/N4kcEk1uyD> or by send an email to [publicinformation@dchcmpo.org](mailto:publicinformation@dchcmpo.org). Public comment will be open through March 28. For more information, visit <https://www.dchcmpo.org/what-we-do/programs-plans/transit-plans/staff-working-group>.

4. **Durham PreK Accepting Applications** – The 2023-2024 application for Durham PreK is open and accepting applications for all children who will be 4 as of August 31, 2023. Apply at [www.durhamprek.org](http://www.durhamprek.org) or call 1-833-PREK-EDU to speak with a bilingual application specialist. Residents may also attend the Saturday, March 18 Roll Up & Enroll Event to sign up at Leathers Meacham Head Start, 908 Liberty St., from 9:30 a.m. to 1 p.m.
5. **NOS Public Input Session on March 20** – Durham County staff will host a Public Input and Information Session on the National Opioid Settlement on Monday, March 20 from 5:30 to 7 p.m. The event will be held inside Commissioners Chambers and the foyer on the 2nd Floor of the Administration I Building. Everyone is invited to come and learn about the \$11.6 million in NOS funds which Durham County will receive over the next 18 years. Feedback on community priorities on how the Board of County Commissioners will use this funding to address the opioid epidemic, support treatment, recovery, harm reduction, and other life-saving programs and services. More info here: <https://www.dconc.gov/county-departments/departments-a-e/county-manager/north-carolina-opioid-settlement>.
6. **Emily K Center College Expo** – The Emily K Center’s Game Plan: College program will be hosting its annual College Expo on Saturday, March 25 at the Center from 12 to 3 p.m. The event will feature a college fair with more than 40 colleges and universities represented, workshops led by college access experts, and more! The event is free and open to all! Registration is highly encouraged and workshop seat availability is limited. Visit [www.emilyk.org/2023-college-expo](http://www.emilyk.org/2023-college-expo).
7. **Free Tax Preparation from Tax-Aide at Main Library** – Need help with your tax preparations? AARP Foundation Tax-Aide is offering free tax preparation for taxpayers of all ages, with a special emphasis on seniors. Tax-Aide staff will be on hand at Durham County Main Library, 300 N. Roxboro St., Mondays and Thursdays from 11 a.m. to 4 p.m. through April 13, 2023. Walk-ins welcome. E-mail to [dudrhamtaxaide@gmail.com](mailto:dudrhamtaxaide@gmail.com) for more information. Please DO NOT call the library for an appointment!
8. **Dollars & Sense: Finding your Financial Fit for College** – Durham Public Schools seniors and their families can get help reviewing their financial aid award letters and attend breakout sessions to learn more about financing and preparing for college. The event will be held on Saturday, March 18, 2023, from 10 a.m. to 1 p.m., at the W.G. Pearson Center, located at 600 E. Umstead Street. For more information, please visit <https://www.eventbrite.com/e/dollars-and-sense-finding-your-financial-fit-for-college-tickets-535977672647>.

Commissioners shared the following additional announcements.

- A Dementia Community Event to promote the creation of an inclusive community and uplift advocacy would be held at the Durham County Human Services Building, 414 E. Main Street, on April 29, 2023, from 10 a.m. to 2 p.m. The event is for residents living with dementia, caregivers and individuals interested in learning more about dementia.

- Durham Technical Community College Information Sessions would be held at the Durham County Main Library, March 13<sup>th</sup> – 17<sup>th</sup> and registration was required.
- Encouraged residents to follow House Bill 187, called “Equality in Education,” which was to be voted on by the House K-12 Education Committee on March 14<sup>th</sup>.
- Ramadan, the holy month for people of the Muslim faith, began on March 22<sup>nd</sup> and asked the community to be courteous to those who recognize Ramadan, which included fasting throughout the religious period.

## Minutes

Commissioner Carter moved, seconded by Vice Chair Jacobs to approve the February 27, 2023 Regular Session Minutes.

The motion carried unanimously.

## Ceremonial Items

### **23-0183 Proclamation – 2023 as Year of the Trail in North Carolina**

Vice Chair Jacobs read the following resolution:

#### **YEAR OF THE TRAIL | 2023**

- WHEREAS,** Durham County’s natural beauty and access to recreation are critical to its residents’ quality of life, health, and economic wellbeing; and
- WHEREAS,** Durham County’s natural assets and resources are integral to disaster recovery and resiliency to climate change for future generations; and
- WHEREAS,** Durham County’s nature preserves and partnership parks are welcoming to all and provide a common ground for people of all ages, abilities and backgrounds to access our rich and diverse natural, cultural, and historic resources; and
- WHEREAS,** trails offer quality-of-life benefits to all as expressions of local community character and pride, as outdoor workshops for science education, as tools for economic revitalization, as free resources for healthy recreation, as accessible alternative transportation, and as sites for social and cultural events; and
- WHEREAS,** Durham County provides foot and mountain-biking trails within our nature preserves that are an integral part of our County’s outdoor recreational opportunities and promote an appreciation of Durham’s natural resources by residents and visitors; including 20 miles of natural surface trails and biking trails at Hollow Rock Park, Little River Regional Park, and New Hope Preserve, and
- WHEREAS,** Durham County supports several significant regional trails including the East Coast Greenway that stretches 3,000 miles from Maine to Florida, connecting Durham to 450 cities and towns and 15 states; and the Mountains-to-Sea Trail that stretches across North Carolina for more than 1,000 miles from the mountains to the coast; and
- WHEREAS,** North Carolina is known as the “Great Trails State;” and

**WHEREAS,** the North Carolina General Assembly designated 2023 as the Year of the Trail in North Carolina to promote and celebrate the state’s extensive network of trails that showcase our state’s beauty, vibrancy and culture; and

**WHEREAS,** Durham County will host or participate with our partners in several events during 2023 that will highlight and celebrate Trails in Durham County

**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 2023 as

**“THE YEAR OF THE TRAIL”**

in Durham County, North Carolina.

This 13<sup>th</sup> day of March 2023.

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Brenda Howerton, Chair  
Durham Board of County Commissioners

Brendan Moore, Open Space Land Manager thanked the Board for the proclamation and their continued support. He added throughout 2023, trail events would be held across the state to celebrate and encouraged residents to attend the events.

The Board asked how Durham County trails would be highlighted and advertised for residents to use and explore. Mr. Moore replied signs placed in parks and information posted on social media. The Board reminded residents about the Durham County Open Space Matching Grants Program.

**23-0189 Resolution – Honoring the Retirement of the Honorable US Congressman David E. Price**

Chair Howerton read the following resolution:

**HONORABLE U.S. REPRESENTATIVE DAVID EUGENE PRICE**

**WHEREAS,** this Tennessee native, received his formal education, first at Mars Hill University then transferred to the University of North Carolina at Chapel Hill where he earned a B.A degree in history and mathematics, and then to Yale University where he earned a Bachelor of Divinity degree and a Ph.D. in political science; and

**WHEREAS,** David Price was first elected to the U. S. House of Representatives in 1986 to serve the North Carolina’s 4th Congressional District; and

**WHEREAS,** Price worked for the North Carolina Democratic Party, serving as its executive director and eventually the state chair prior to his election to Congress; and

**WHEREAS,** he represented North Carolina for a total of 34 years during two separate terms of service from 1986-1994 and again from 1996 until his retirement in 2022; and

**WHEREAS,** during his congressional service he was highly regarded for his leadership including his work as Chairman of the Transportation and Housing Appropriations Subcommittee,

along with service on the House Budget Committee, and the Appropriations Subcommittee for Homeland Security and more; and

**WHEREAS,** throughout his tenure he courageously fought to enact legislation and policies centered around helping the least among us, and worked to level the playing field for those without an effective voice; and

**WHEREAS,** one only needs to drive through the Research Triangle Park region to witness the impact of his public service which brought substantial federal funding for infrastructure projects, job training, airport upgrades, economic development expansions and more; and

**WHEREAS,** in his final term of office, Representative Price ensured that the 4th District received \$35.9 million in community project funding, and that Durham County residents received \$700,000 for Hayti Reborn to bring a coordinated effort to reduce community violence through methods such as educational programming, reentry services, and mentorship opportunities, along with \$750,000 for Ross Road Apartments to redevelop distressed housing into quality multi-bedroom apartments to serve low and very low-income households, including supportive housing for formerly unhoused individuals and families; and

**WHEREAS,** Representative Price will long be celebrated for demonstrating diversified skills and abilities, critical thinking, tough negotiation, and strategic planning efforts, that helped him effectively maneuver the many complexities of successfully operating in Congress for many years.

**NOW, THEREFORE, BE IT RESOLVED,** that we, the members of the Durham County Board of Commissioners, do hereby resolve to express our most sincere and deepest appreciation to

**U.S. REPRESENTATIVE DAVID EUGENE PRICE**

For his passion, advocacy and productivity representing the residents of the 4th District for 34 years with distinction.

**BE IT ALSO RESOLVED** that we call upon all citizens of Durham County to salute, commend and applaud him on his retirement from a productive, dedicated career of public service; and

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

This the 13<sup>th</sup> day of March 2023.

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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

David E. Price, U.S. House of Representative for North Carolina's 4<sup>th</sup> Congressional District stated he represented Durham County for 34 years and was honored to work with the Board over the years. He

added Durham was an inclusive community with an active involvement of residents. He thanked Tracy Lovett, Director of Outreach/Senior Advisor for her dedication and assistance. Ms. Lovett stated she was honored to work with Congressman Price and thanked him for representing the community.

The Board thanked Congressman Price for his years of service and for answering the call to serve our community.

### **Women's History Month Proclamation**

The Board read the following resolution:

#### **WOMEN'S HISTORY MONTH | 2023**

**WHEREAS,** Women's History Month, we celebrate the countless women who have fought tirelessly and courageously for equality, justice, and opportunity in our Nation. We also reaffirm our commitment to advancing rights and opportunities for women and girls in the United States and around the world. We are mindful that we are building on the legacy of both recognized trailblazers and unsung heroines who have guided the course of American history and continue to shape its future; and

**WHEREAS,** the full participation of women is a foundational tenet of democracy. Women —often women of color — have been on the frontlines, fighting for and securing equal rights and opportunity throughout our **country's** history as abolitionists, civil rights leaders, suffragists, and labor activists. Women continue to lead as advocates for reproductive rights, champions of racial justice, and LGBTQI+ equality; and

**WHEREAS,** but despite significant progress, women and girls continue to face systemic barriers to full and equal participation in our economy and society. Last year, the Supreme Court overturned *Roe v. Wade*, stripping away a constitutional right from the American people and the ability of millions of women to make decisions about their own bodies, putting their health and lives at risk. Disparities persist in economic security, health care, and caregiving responsibilities, especially for women and girls of color. Those who perform critical work, including those who care for our children and our families, are too often overlooked, underpaid, and undervalued; and

**WHEREAS,** this month, as we continue our work to advance gender equity and equality, let us celebrate the contributions of women throughout our history and honor the stories that have too often gone untold. Let us recognize that fundamental freedoms are interconnected: when opportunities for women are withheld, we all suffer; and when women's lives are improved, we all gain.

**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 March 2023 as

#### **“WOMEN'S HISTORY MONTH”**

in Durham County, North Carolina. Throughout history, women have opened the doors of opportunity for subsequent generations of dreamers and doers. As community leaders, educators, doctors, scientists, childcare providers, and more, women power our economy and lead our Nation and County. I call upon residents of Durham to observe this month and to celebrate women this day and all days.

This 13<sup>th</sup> day of March 2023.

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Brenda Howerton, Chair  
Durham Board of County Commissioners

## 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.

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

The motion carried unanimously.

Vice Chair Jacobs asked Dr. Kimberly Sowell, County Manager to comment on Item 23-0188. County Manager Sowell stated the software purchase would allow the County to utilize fleet vehicles efficiently. Motiryo Keambiroiro, General Services Director added a kiosk would be located at the Roxboro parking deck to provide County staff access to fleet vehicles.

\*23-0044 Budget Ordinance Amendment No. 23BCC00059 Public Health to Recognize \$44,125 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch to Create an Additional Grant Funded Disease Intervention Specialist Position

\*23-0045 Budget Ordinance Amendment No. 23BCC00060 Public Health to Recognize \$3,567 from the NC DHHS Division of Public Health Women, Infant, and Community Wellness/ Reproductive Health Branch to Purchase Family Planning Methods

\*23-0046 Budget Ordinance Amendment No. 23BCC00061 Public Health to Recognize \$500 from the Center of Black Health and Equity for the Men's Health Council

\*23-0048 Budget Ordinance Amendment No. 23BCC00062 Public Health to Recognize \$83,913.13 from the Duke University Health System for the Partnership for a Health Durham Program

23-0052 Contract Approval of Matthews Specialty Vehicles Contract Supplement for New Public Health Mobile Medical Unit Totaling \$16,460

23-0067 Update to the Environmental Affairs Board City-County Interlocal Agreement (ILA)

\*23-0098 Budget Ordinance Amendment No. 23BCC00068 Appropriating \$250,000 of General Fund Fund Balance for the Durham Youth Home to Offset Higher Than Expected Use of Out-of-County Facilities

23-0099 Durham County Sheriff's Office Contract Approval with TEK 84, Inc., in the amount of \$141,462 to Purchase a Body Scanner for the Durham County Detention Facility

23-0108 Transit Plan Governance Interlocal Agreement

\*23-0109 Capital Project Amendment No.23CPA00017 Reducing the Roofing Replacement Capital Project (4190DC073) by \$300,000 and Increasing the Parking Lot Resurfacing Capital Project (4190DC074) by \$300K to Cover Unanticipated Cost Increases

23-0111 2022 Annual Report - Durham Bicycle and Pedestrian Advisory Commission

23-0113 Approve an Amendment of \$15,744.96 to the Westaff Staffing Contract to continue the Contracted Services for County-Wide IT-related Training Assistance, increasing the total contract amount to \$53,880.96

23-0114 Authorize the County Manager to enter into a \$83,500 Contract with Info-Tech Group

23-0115 Authorize the County Manager to enter into a three-year Contract with Carahsoft, a Technology Reseller, in the amount of \$271,578.95

23-0116 Durham County Sheriff's Office Grant Adjustment Modification (GAM) with the Bureau of Justice Assistance (BJA) for the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG)

23-0123 Board of Elections Equipment Purchase Request

\*23-0126 Budget Ordinance Amendment No. 23BCC00066 to Recognize \$5,107.10 in Grant Funding from the North Carolina Department of Public Instruction's Child Nutrition Program for the Youth Home

23-0136 Contract approval with SHI International Corp. in the amount of \$259,824.51 for Licenses and Services for the Enterprise Agreement with Microsoft for the Office of the Sheriff

\*23-0142 Budget Ordinance Amendment No. 23BCC00073 Public Health to appropriate \$293,776.39 in General Fund Fund Balance to Provide Additional Funding for Grants Awarded in FY 2021-22

\*23-0144 Budget Ordinance Amendment No. 23BCC00072 Public Health to Recognize \$4,820 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch for Active TB Disease Screening and Treatment

\*23-0148 Budget Ordinance Amendment No. 23BCC00070 to Recognize \$53,664 of a Grant Award to the Criminal Justice Resource Center's Local Reentry Council and to Authorize the County Manager to Sign and Execute the Subaward Agreement between the City of Durham and the Criminal Justice Resource Center

\*23-0151 Budget Ordinance Amendment No. 23BCC00069 to Recognize \$25,000 in Additional Funding from the North Carolina Department of Adult Correction (NCDAC), Formerly Part of the North Carolina Department of Public Safety (NCDPS), for the Durham Local Reentry Council

\*23-0156 Approve Capital Project Amendment No.23CPA00019 and Budget Amendment No.23BCC00071 Decreasing the Open Space & Farmland Preservation Capital Project (4730DC083) by \$142,500 and Transferring \$142,500 to the General Fund to Support the Purchase of the Second Phase of the Alston Glenn Farm Conservation Easement; as well as Approve the Final Budget for the Alston Glenn Phase II Farm Conservation Easement



23-0157 Approval of the Contract to Purchase the Interise, Inc. Streetwise MBA Program in the Amount of \$57,000

23-0172 Utilities Contract Amendment with Sanford Electrical Contractors, Inc. to Increase the Contract by \$30,500 to a Total Contract Amount of \$60,000

\*23-0180 Approve Budget Ordinance Amendment No. 23BCC0000075 Appropriating \$85,000 of General Fund Fund Balance and Approve a Contract Amendment Increasing Funds for Express Employment Services, Inc for the County Attorney’s Office

23-0186 Durham County Sheriff’s Office Revenue Contract Amendment with ViaPath Technologies and Increasing Authorized Strength for the Sheriff’s Office by One FTE

\*23-0187 Property Tax Releases and Refunds for February 2023

23-0188 Purchase of Durham County Fleet Motor Pool Hardware Software, Fleet Commander System

Consent Agenda Item #23-0044

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00059**

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>			
Human Services	\$120,712,228.21	\$44,125.00	\$120,756,353.21
<u>Revenue</u>			
Intergovernmental	\$84,863,571.97	\$44,125.00	\$84,907,696.97

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

Approved March 13, 2023

Consent Agenda Item #23-0045

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00060**

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>			
Human Services	\$120,756,353.21	\$3,567.00	\$120,759,920.21
<u>Revenue</u>			
Intergovernmental	\$84,907,696.97	\$3,567.00	\$84,911,263.97

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

Approved March 13, 2023

Consent Agenda Item #23-0046

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00061**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Human Services	\$120,759,920.21	\$500.00	\$120,760,420.21
<u>Revenue</u>			
Intergovernmental	\$84,911,263.97	\$500.00	\$84,911,763.97

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

Approved March 13, 2023

Consent Agenda Item #23-0048

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00062**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Human Services	\$120,760,420.21	\$83,913.13	\$120,844,333.34
<u>Revenue</u>			
Intergovernmental	\$84,911,763.97	\$83,913.13	\$84,995,677.10

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

Approved March 13, 2023

Consent Agenda Item #23-0098

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00068**

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	\$78,092,750.69	\$250,000.00	\$78,342,750.69
<u>Revenue</u>			
Other Financing Sources	\$71,538,200.59	\$250,000.00	\$71,788,200.59

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

Approved March 13, 2023

Consent Agenda Item #23-0109

**Durham County, North Carolina  
FY 2022-2023 Capital Project  
Amendment Number 23CPA-17**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY 2022-23 budget ordinance is hereby amended to reflect budget adjustments.

<b>Project #</b>	<b>Project Name</b>	<b>Current Budget</b>	<b>Increase / Decrease</b>	<b>Updated Budget</b>
41904200DC073	Ongoing Roof Replacement Project	\$3,759,418.00	(\$300,000.00)	\$3,459,418.00
41904200DC074	Ongoing Parking Resurfacing Project	\$2,345,052.00	\$300,000.00	\$2,645,052.00

All capital projects in conflict herewith are hereby repealed.

Approved March 13, 2023

Consent Agenda Item #23-0126

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00066**

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	\$78,087,643.59	\$5,107.10	\$78,092,750.69
<u>Revenue</u>			
Intergovernmental	\$84,995,677.10	\$5,107.10	\$85,000,784.20

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

Approved March 13, 2023

Consent Agenda Item #23-0142

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00073**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Human Services	\$120,849,153.34	\$293,776.39	\$121,142,929.73
<u>Revenue</u>			
Other Financing Sources	\$71,930,700.59	\$293,776.39	\$72,224,476.98

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

Approved March 13, 2023

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Consent Agenda Item #23-0144

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00072**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Human Services	\$120,844,333.34	\$4,820.00	\$120,849,153.34
<u>Revenue</u>			
Intergovernmental	\$85,079,448.20	\$4,820.00	\$85,084,268.20

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

Approved March 13, 2023

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Consent Agenda Item #23-0148

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00070**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Public Safety	\$78,367,750.69	\$53,664.00	\$78,421,414.69
<u>Revenue</u>			
Intergovernmental	\$85,025,784.20	\$53,664.00	\$85,079,448.20

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

Approved March 13, 2023

Consent Agenda Item #23-0151

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00069**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Public Safety	\$78,342,750.69	\$25,000.00	\$78,367,750.69
<u>Revenue</u>			
Intergovernmental	\$85,000,784.20	\$25,000.00	\$85,025,784.20

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

Approved March 13, 2023

Consent Agenda Item #23-0156

**Durham County, North Carolina  
FY 2022-2023 Capital Project  
Amendment Number 23CPA-19**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:  
That the FY 2022-23 budget ordinance is hereby amended to reflect budget adjustments.

<b>Project #</b>	<b>Project Name</b>	<b>Current Budget</b>	<b>Increase / Decrease</b>	<b>Updated Budget</b>
47302635DC083	Open Space and Farmland Preser	\$13,957,019.70	(\$142,500.00)	\$13,814,519.70

All capital projects in conflict herewith are hereby repealed.

Approved March 13, 2023

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**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00071**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
Environmental Protection	\$5,798,838.55	\$142,500.00	\$5,941,338.55
<u>Revenue</u>			
Other Financing Sources	\$71,788,200.59	\$142,500.00	\$71,930,700.59

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

Approved March 13, 2023

Consent Agenda Item #23-0180

**Durham County, North Carolina  
2022-2023 Budget Ordinance  
Amendment Number 23BCC00075**

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>
<b>GENERAL FUND</b>			
<u>Expenditure</u>			
General Government	\$180,290,077.45	\$85,000.00	\$180,375,077.45
<u>Revenue</u>			
Other Financing Sources	\$72,224,476.98	\$85,000.00	\$72,309,476.98

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

Approved March 13, 2023

Consent Agenda Item #23-0187

Releases and Refunds – February 2023 (2022 Tax Rate Year)

	<u>Releases</u>	<u>Refunds</u>	
Real Property	\$ 30,475.29	\$ 302.24	
Personal Property	\$ 1,989.84	\$ 0.00	
Motor Vehicle	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 72.00	\$ 0.00	
<b>SUB - TOTAL</b>	<b>\$ 32,537.13</b>	<b>\$ 302.24</b>	<b>\$ 32,839.37</b>
<u>Current Year 2022 Taxes</u>			
Real Property	\$ 4,464.50	\$ 79,603.70	
Personal Property	\$ 30,577.55	\$ 13,835.93	
Motor Vehicle	\$ 0.00	\$ 0.00	
Solid Waste	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 0.00	\$ 0.00	
Public Service	\$ 0.00	\$ 0.00	
VTS Refunds	\$ 20,195.05	\$ 0.00	
<b>SUB - TOTAL</b>	<b>\$ 55,237.10</b>	<b>\$ 93,439.63</b>	<b>\$ 148,676.73</b>
<u>Prior Year 2016-2021</u>			
Real Property	\$ 235.19	\$ 1,726.60	
Personal Property	\$ 0.00	\$ 0.00	
GAP Vehicles	\$ 0.00	\$ 0.00	
Motor Vehicle	\$ 0.00	\$ 0.00	
Solid Waste	\$ 0.00	\$ 0.00	
Stormwater Utility	\$ 0.00	\$ 0.00	

VTS Refunds	\$	0.00	\$	0.00	
<b>SUB - TOTAL</b>	\$	<b>235.19</b>	\$	<b>1,726.60</b>	<b>\$ 1,961.79</b>
<b>GRAND TOTAL</b>	\$	<b>88,009.42</b>	\$	<b>95,468.47</b>	<b>\$ 183,477.89</b>

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**Public Hearings**

**23-0181 Public Hearing – Zoning Map Change, Kempski Milstead Home (Z2200026)**

Alexander Cahill, Senior Planning Manager stated the Board was requested to conduct a public hearing and receive public comments on the Zoning Map Change, Kempski Milstead Home (Z2200026) which proposed to change the zoning designation of one parcel of land, totaling 22.584 acres located at 220 and 214 Riley Drive. He added the current zoning was Residential Rural with a Development Plan (RR(D) with a proposed change to Residential Rural to facilitate the construction of a single-family home. Mr. Cahill stated the proposal was a general rezoning with no text or graphic development plan.

Chair Howerton opened the public hearing.

Sam Milstead, Caitlin Kempski’s Husband

Mr. Milstead stated his wife submitted the application to construct a house on the property and to remove the provision of a disc golf course.

The Board confirmed the property was zoned for a disc golf course that was never developed and the rezoning was similar to adjacent properties.

Chair Howerton close the public hearing.

First Motion:

Commissioner Allam moved, seconded by Commissioner Burns to adopt an ordinance amending the Unified Development Ordinance by taking property out of Residential Rural with a Development Plan (RR(D)), Falls/Jordan District-B (F/J-B) and establishing the same as Residential Rural (RR), Falls/Jordan District-B (F/J-B).

The motion carried unanimously.

Second Motion:

Vice-Chair Jacobs moved, seconded by Commissioner Allam to adopt the appropriate Statement of Consistency pursuant to NCGS §160D-605.

The motion carried unanimously.

**23-0182 Public Hearing – Zoning Map Change, Blanchard Property (Z2200046)**

Alexander Cahill, Senior Planning Manger stated the Board was requested to conduct a public hearing and receive public comments on Zoning Map Change, Blanchard Property (Z2200046) which proposed to change the zoning designation of one parcel of land totaling 3.073 acres located at 2935 US 70 Highway East. He added the current zoning was Residential Rural (RR) and Commercial General (CG) and proposed the designation to be entirely Commercial General (CG) to facilitate future commercial

development. Mr. Cahill stated the proposal was a general rezoning with no textual or graphic development plan.

The Board asked about rezoning the property for commercial use without access to public services. Mr. Cahill responded the property would need to be annexed into the City to receive public services. The Board asked if the applicant was encouraged to make bicycle and pedestrian improvements. Mr. Cahill replied the rezoning was text only and did not require a development plan. The Board inquired about the next steps if the rezoning was approved. Mr. Cahill responded the rezoning would go before the Planning Commission and then go before City Council.

The Board requested that the County supplement be included in the education impact cost to reflect the true total cost and asked if Emergency Medical Services (EMS) and Fire Services cost were included with the rezoning. Mr. Cahill replied due to EMS staffing shortages, EMS was unable to provide an administrative reviewer and Fire Services were not include in the rezoning changes. The Board requested EMS and Fire Services cost to be included with the rezoning cost model.

The Board asked if Commercial General zoning allowed residential and the proximity of health care locations. Mr. Cahill responded high-density residential and primary care was available in the area, although specialists were not. The Board inquired about available commercial uses due to not knowing what would be built on the property. Mr. Cahill responded self-storage, retail and pawn shops were examples of possible uses. The Board expressed process concerns and storm water impacts if the property was developed. Mr. Cahill replied if the rezoning was approved, the process concerns would be addressed at the site plan stage.

Chair Howerton opened the public hearing.

Randy Herman, Attorney at BA Folk

Mr. Herman stated he was representing the applicant who inherited the property from parents and was not a developer. He added the goal was to change the zoning to match surrounding parcels and to sell the property. Mr. Herman stated the property was submitted to the City for annexing and rezoning and the City would not approve.

The Board asked why the City denied annexing and rezoning. Mr. Cahill replied annexing required knowing what would be built on the property and a cost model would need to be provided.

Chair Howerton closed the public hearing.

Vice-Chair Jacobs stated she would approve the rezoning, although she was concerned with the unknown of what would be built on the property and with the wide range of available commercial uses.

First Motion:

Commissioner Burns moved, seconded by Commissioner Allam to adopt an ordinance amending the Unified Development Ordinance by taking property out of Residential Rural (RR) and Commercial General (CG), Falls/Jordan District-B (F/J-B) and establishing the same as Commercial General (CG), Falls/Jordan District-B (F/J-B).



The motion carried unanimously.

Second Motion:

Commissioner Burns moved, seconded by Vice Chair Jacobs to adopt the appropriate Statement of Consistency pursuant to NCGS §160D-605.

The motion carried unanimously

**Directives:**

- **Vice Chair Jacobs asked Planning staff to include the County supplement in the education impact cost.**
- **Vice Chair Jacobs asked Planning staff to include EMS and Fire Services cost with the rezoning cost model.**

**23-0198 Public Hearing to Adopt the Resolution related to Not to Exceed \$235,000,000 Limited Obligation Bonds, Series 2023A and 2023B**

Susan Tezai, Chief Financial Officer stated the Board was requested to hold a public hearing on the negotiation of an amendment to an installment financing contract in connection with the execution and delivery of not to exceed \$235,000,000 Limited Obligation Bonds (LOBs) and the related projects to be financed and refinanced thereby.

The Board asked for a purpose overview for the resolution. Ms. Tezai responded the resolution would approve the execution and delivery of an amendment to an installment financing agreement to provide long-term financing for a port of the projects originally financed by the County's 2021 A and B Limited Obligation Bonds, finance additional County projects, and refund for saving of the County's outstanding 2012 and 2013 Limited Obligation Bonds. The Board asked if the LOBs would provide debt service for County purchases. Ms. Tezai responded yes, adding would finance \$86 million in projects including the Shoppes at Hope Valley, Snow Hill Pump Station and the New Youth Home.

Monica Wallace, Clerk to the Board reported to the Board that a notice of a public hearing relating to financing the projects described in pursuant to an amendment to an installment financing contract in a principal amount not to exceed \$235 million dollars on March 23, 2023 stating the Board would hold the public hearing on March 13, 2023.

Vice-Chair Jacobs moved, seconded by Commissioner Carter to open the public hearing.

The motion carried unanimously.

No citizens were signed up to speak.

Commissioner Allam moved, seconded by Commissioner Burns to close the public hearing.

The motion carried unanimously.

Vice-Chair Jacobs moved, seconded by Commissioner Allam to adopt the resolution

(the “Resolution”) which authorized the negotiation of an amendment to an installment financing contract in connection with the execution and delivery of not to exceed \$235,000,000 Limited Obligation Bonds. The resolution approved the execution and delivery of an amendment to an installment financing agreement in order to provide long-term financing for a portion of the projects originally financed by the County’s 2021A and B Limited Obligation Bonds, finance additional County projects, and refund for savings of the County’s outstanding 2012 and 2013 Limited Obligation Bonds. In addition, the resolution authorizes County staff to execute and deliver the amendment and documents related thereto.

The motion carried unanimously.

## **Other Business**

### **23-0143 Department of Social Services Updated Child Welfare Placement Protocol and Guidelines**

The Board was requested to hear from DSS on the updated protocols for placement of children with medically complex needs.

Jovetta Whitfield, Assistant Director Child and Welfare Services stated Durham County prioritized placing children in their custody in a non-institutional setting where the children could live in a family-like, community-based setting. She added prior to children being placed in a facility, multi-level staffing occurred and included the involvement of a Program Manager. Ms. Whitfield stated the County strived to identify and maintain a single, stable, community-based placement for children in their custody who have medically complex needs and were at risk of institutionalization due to their medical needs. She stated the following guidelines and protocols were added to describe how the County recruits, identifies, and secures community-based placement for those children: Prioritization of Non-Institutional Settings, Prioritization of Family Placements, Recruitment of Resource Parents who can Care for Medically Complex Children, Informing Resource Parents and Agencies about how Durham County will Help them Care for Medically Complex Children.

### **Elizabeth Simpson, Citizen and Emancipate North Carolina Strategic Director & Attorney**

Ms. Simpson stated she submitted a public record request with the Department of Social Services (DSS) and was not provided with the requested information. She added only after filing a lawsuit against DSS was the information received. Ms. Simpson stated the updated Child Welfare Placement Protocol changes were due to the lawsuit and DSS withholding information from the public.

The Board asked if resource parents were required to work and if the requirement was by law. Ms. Whitfield responded resources parents were required to be able to support their household without a stipend from the State and the requirement was not a law. The Board asked if the protocols were the same in a hospital and other institutions. Ms. Whitfield replied not all, but some of the protocols were the same.

The Board thanked Ms. Whitfield for the update.

## **Adjournment**

Vice Chair Jacobs moved, seconded by Commissioner Burns to adjourn the Regular

Session meeting at 8:59 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Macio Carlton". The signature is fluid and cursive, with a large initial "M" and a long, sweeping underline.

Macio Carlton  
Deputy Clerk to the Board