

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

Monday, July 10, 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

Closed Session – 5:45 PM

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

- To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee; pursuant to G.S.143-318.11(a)(6).

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

The motion carried unanimously.

Reconvene to Open Session

Chair Howerton stated the Board met in closed session and provided direction to staff.

Commissioner Burns moved, seconded by Commissioner Allam to reconvene to Open Session.

The motion carried unanimously.

Regular Session – 7:00 PM

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. **Summer Open Space Program Volunteers Needed** – Can you imagine a more enjoyable way to spend your summer weekends than hiking in the heat or doing tough manual labor? The Durham County Open Space Program encourages you to sign up for one of our upcoming summer volunteer workdays. Volunteers help care for Durham’s public lands and tackle some of the toughest issues in local conservation. Questions? Contact David Bradley at dabradley@dconc.gov or 919-943-3997. Sign up here: <https://volunteer.activategood.org/organizations/org-VOce7NIj81>
2. **Watch “In Touch with Durham County”** – Did you know that the County’s Public Information Office produces a monthly show to update residents on services and programs? In this month’s “In Touch with Durham County” show, we welcome Library Director Tammy Baggett-Best to discuss the awesome services and programming at all our DCo libraries. We also have Public Health Education Specialist and Firearm Injury Prevention Partnership member Donna Rosser on to talk about gun safety efforts in Durham County. Watch at <https://youtu.be/daSS63qpQjg>.
3. **Russell Blunt East Coast Invitational Track and Field** – The 21st Edition of the Russell E. Blunt East Coast Invitational track and field meet will be held from July 21-23 at Durham County Memorial Stadium (750 Stadium Drive). The annual event welcomes the best track and field athletes in age groups from 8 and under to 17-18 from the region for a highly competitive meet. For more information, email dsya@durhamstriders.com or visit www.durhamstriders.com/blunteci/
4. **Durham Area Food & Resources Map** – Check out the Durham Area Food and Resource map. It’s a one-stop resource to find food pantries, places to get a hot meal, farmers’ markets that take SNAP and WIC benefits and grocery stores that take SNAP and WIC benefits. Visit: www.tinyurl.com/DurhamFoodResourceMap
5. **2023-24 DCo Agricultural Economic Development Grants** – The Durham County Agricultural Economic Development Grant Program is accepting applications. This program offers cost-share grants to assist farmers and nonprofits in their agricultural endeavors and to promote Ag Development and Outdoor Environmental Learning Centers in schools. Virtual and in-person training sessions will be held on July 11, 8-9 p.m.; July 13, 6-7 p.m.; and July 18, 6-7 p.m. Registration required. Get the application information and training session registration links at www.dconc.gov/SWCD.
6. **Star Talk Podcast from DCo Sheriff** – The Durham County Sheriff’s Office has a podcast! Called “Star Talk,” the DCSO is excited to use this technology to reach out to the Durham County Community. The second episode features Ryan Smith, the City of Durham’s Director of Community Safety and Sheriff Clarence Birkhead talking about H.E.A.R.T. – Holistic Empathetic Assistance Response Teams. Check it out here: <https://bit.ly/DCSOSTarTalk>

7. **All Together Now – Let’s Plant Swap!** – For the second plant swap of 2023 you can take a plant and chat with a Master Gardener from the Cooperative Extension! Drop by and exchange or share houseplants, vegetable starts, annuals, perennials, or seeds! Please make sure items brought are pest-free and labeled! This event is Saturday, July 15 from 2-3:30 p.m. at Southwest Regional Library. More information at <https://durhamcountylibrary.libcal.com/event/10643916> or calling 919-560-7192.
8. **Lobby Naming Ceremony in Honor of Former County Attorney Lowell L. Siler** – Lowell L. Siler would be celebrated for his commitment to service at 10 a.m. on Friday, July 14th at the County Administration Building II located at 201 E. Main Street, Durham NC 27701.

Commissioners shared the following additional announcements.

- The community was in agony after a 5-year-old passed away from gun violence and a 15-year-old was in the hospital with life-threatening injuries.

Citizen Comments

The Durham County Commissioners did not have a Work Session meeting during the month of July. For that reason, citizens were given three minutes to share comments publicly to the Commissioner and the community.

Jacqueline Wagstaff

Ms. Wagstaff inquired about the Boards and Commission application process and deadlines. She stated she submitted her application for the Alcoholic Beverage Control (ABC) Board although she was not on the voting ballot and asked for the Board to include her application for the open position.

Chair Howerton asked Al Andrews, County Attorney, how the Board should proceed with the ABC Board open position. Mr. Andrews recommended that the Board investigate or proceed with voting. The Clerk was asked to investigate the application process for the ABC Board and bring the findings back to the August Work Session so a vote could be considered.

DeWarren Langley

Mr. Langley thanked the Board for increasing the Juvenile Crime Prevention Council (JCPC) annual funding by \$105,300.00 confirming the Board’s commitment to youth and the community.

Minutes

Vice Chair Jacobs moved, seconded by Commissioner Allam to approve the May 22, 2023 Regular Session Minutes.

The motion carried unanimously.

Ceremonial Items

23-0504 Proclamation – North Carolina Senior Tar Heel 30th Anniversary Celebration

Chair Howerton read the following proclamation:

NORTH CAROLINA SENIOR TAR HEEL 30TH ANNIVERSARY | 2023

WHEREAS, the North Carolina Senior Tar Heel Legislature (NCSTHL) is unique – serving as a bipartisan, unicameral body by the North Carolina General Assembly in the Senate with passage of Bill 479 in 1993, tasked to identify the most pressing issues facing older adults across the state and proposing legislation that will improve their quality of life; and

WHEREAS, each of North Carolina’s 100 counties may appoint delegates and alternates to provide information and education to older adults on the legislative process and matters being considered by the NC General Assembly; promote citizen involvement and advocacy concerning aging issues before the General Assembly; and assess the legislative needs for older adults by convening a forum modeled after the General Assembly; and

WHEREAS, since its inception, the NCSTHL has supported the passage of 11 Bills into law and has consistently promoted increased funding for programs supporting the growing population of older adults and their caregivers policies to protect them; and

WHEREAS, Durham County is committed to support the NCSTHL in engaging and supporting older adults, their families, and caregivers and to protecting and safeguarding the rights of older individuals; and

WHEREAS, it is appropriate for Durham County to recognize the NCSTHL and to celebrate its 30 years of positive impact on behalf of older adults in North Carolina.

NOW THEREFORE, I, Brenda A. Howerton on behalf of the Durham Board of County Commissioners do hereby recognize

“NORTH CAROLINA SENIOR TAR HEEL 30TH ANNIVERSARY”

in Durham County.

This the 10th day of July 2023

Brenda Howerton, Chair
Durham Board of County Commissioners

Kenneth Johnson, Member of NCSTHL thanked the Board for the proclamation and the recognition. Mr. Johnson stated he was proud to be a representative who provided positive impacts to improve the lives of seniors.

The Board thanked Mr. Johnson for advocating for seniors across the state. The Board stated senior funding was provided through federal funds and not state funding – they asked how much money was available for senior centers in the state. Mr. Johnson responded \$1,265,000 was available for 100 counties in North Carolina.

23-0470 Durham County Government Earns Seven (7) 2023 NACo Achievement Awards

Dr. Kimberly Sowell, County Manager acknowledged and thanked the departments that received NACo Achievement Awards: Boards of Elections, Human Resources, Information and Services Technology, Economic Development, Register of Deeds and the Library.

The Board thanked the departments for providing and improving services for residents.

Consent Agenda

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

Commissioner Burns requested to comment on Item 23-0482 and Chair Howerton requested to pull Item 23-0472.

Item 23-0482

Commissioner Burns thanked the staff for the consulting agreement to support County priorities and projects.

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 Item 23-0472.

Ayes: Chair Howerton, Vice Chair Jacobs, Commissioner Allam and Carter
Nays: Commissioner Burns

The motion carried.

*23-0346 Budget Ordinance Amendment No. 24BCC00005 to recognize \$250,000 in Grant Funding for the 2022 Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program 2 (BJA)

*23-0379 Budget Ordinance Amendment No. 24BCC00004 to Recognize \$226,600 for Year One of a Three-Year NC Department of Public Safety Grant to the Durham County Sheriff's Office for Medication-Assisted Treatment (MAT) at the Detention County Detention Center

*23-0418 Budget Ordinance Amendment No. 23BCC00007 Social Services to Recognize Funding in the Amount of \$925,515 for Durham County's FY2023-24 Home and Community Care Block Grant (HCCBG) Funding Plan and the Department of Social Services, which includes the required Durham County DSS Local Match of \$85,600 to be Appropriated via General Fund fund balance

*23-0468 Approve Budget Ordinance Amendment No. 24BCC000006 Appropriating \$450,000 of General Fund Fund Balance to Provide Full Funding for Durham Pre-K in FY 2023-24

23-0471 Amend Contract with Republic Services for General Services' Solid Waste Hauling Services at Durham County Convenience Site

*23-0474 Capital Project Amendment No. 24CPA00002 - FY 2023-24 Appropriation of Approved County Contribution (PAYGO) Funds (\$9,709,600) for Multiple Capital Projects

*23-0475 Capital Project Amendment No.24CPA00003 - Closing Multiple Completed Capital Projects

*23-0476 Budget Ordinance Amendment No. 24BCC00008 Cooperative Extension to Recognize \$61,590 in Grant Funding from the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS)

23-0477 Execution of the Contract for the Pre-Construction Services for the Board of Elections Renovation Project No.: DC155

23-0479 Approval of Memorandum of agreement with Triangle J Council of Governments (TJCOG) to provide planning and technical assistance for the Triangle Region Solid Waste Consortium

23-0482 Execution of a Consulting Service Agreement with Kirsty Fontaine LLC to Support County Priorities and Projects

23-0492 On-Call Consulting Program Management Services

23-0494 Approve Contract with GFL Environmental for General Services' Solid Waste and Recycling Collection Services to Durham County Government Facilities

23-0496 Amend Contract with GFL Environmental for Curbside Recycling Services to Households in Unincorporated Durham County

Consent Agenda Item #23-0346

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00005**

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	\$106,644,638.00	\$250,000.00	\$106,894,638.00
<u>Revenue</u>			
Intergovernmental	\$67,631,605.00	\$250,000.00	\$67,881,605.00

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

Approved July 10, 2023

Consent Agenda Item #23-0379

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00004**

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	\$84,016,143.00	\$226,600.00	\$84,242,743.00
<u>Revenue</u>			
Intergovernmental	\$67,405,005.00	\$226,600.00	\$67,631,605.00

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

Approved July 10, 2023

Consent Agenda Item #23-0418

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00007**

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	\$106,894,638.00	\$925,515.00	\$107,820,153.00
<u>Revenue</u>			
Intergovernmental	\$67,881,605.00	\$839,915.00	\$68,721,520.00
Other Financing Sources	\$36,330,621.00	\$85,600.00	\$36,416,221.00

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

Approved July 10, 2023

Consent Agenda Item #23-0468

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00006**

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>			
Education	\$208,253,197.00	\$450,000.00	\$208,703,197.00
<u>Revenue</u>			
Other Financing Services	\$35,880,621.00	\$450,000.00	\$36,330,621.00

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

Approved July 10, 2023

Consent Agenda Item #23-0474

**Durham County, North Carolina
FY 2023-2024 Capital Project
Amendment Number 24CPA-02**

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

Project #	Project Name	Current Budget	Increase / Decrease	Updated Budget
41904200DC074	Ongoing Parking Resurfacing Project	\$2,645,052.00	\$116,202.00	\$2,761,254.00
41904200DC073	Ongoing Roof Replacement Project	\$3,459,418.00	\$180,748.00	\$3,640,166.00
44103100DC137	EMS Station #19 Co-Location Project	\$0.00	\$200,734.00	\$200,734.00
44103100DC138	EMS Far East County Bay	\$0.00	\$321,014.00	\$321,014.00
42001910DC142	IT Security Program Support	\$876,360.00	\$350,000.00	\$1,226,360.00
41904200DC078	Country Building Envelope Upgrade	\$3,512,712.00	\$369,450.00	\$3,882,162.00
41904200DC081	Country Security Improvements	\$2,188,728.00	\$445,221.00	\$2,633,949.00
47302635DC083	Open Space and Farmland Preser	\$13,814,519.70	\$500,000.00	\$14,314,519.70
43103600DC092	Body-Worn Camera Project-43103600DC092	\$1,209,344.00	\$505,620.00	\$1,714,964.00
42001910DC143	IT Enterprise Asset Management System.	\$0.00	\$594,000.00	\$594,000.00
43103600DC094	Detention Center Food Doors	\$0.00	\$668,281.00	\$668,281.00
59205300CC017	DTCC HVAC Systems Retrofit	\$1,100,000.00	\$770,000.00	\$1,870,000.00
41904200DC083	Durham County Stadium Cap. Improvements	\$3,314,938.00	\$866,700.00	\$4,181,638.00
41904200DC076	Ongoing HVAC Replacement Project	\$4,029,715.00	\$1,321,630.00	\$5,351,345.00
44103100DC139	Multi-Department Radio and Tower	\$0.00	\$2,500,000.00	\$2,500,000.00

All capital projects in conflict herewith are hereby repealed.

Approved July 10, 2023

Consent Agenda Item #23-0475

**Durham County, North Carolina
FY 2023-2024 Capital Project
Amendment Number 24CPA-03**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

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

Project #	Project Name	Final Budget	Closing Project
42001910DC120	20 IT Hardware Upgrade	\$2,129,699.00	Closing
42801000DC086	HCM Sap Software Upgrade Project	\$389,895.81	Closing
43103300DC088	Detention Center Security Modifications	\$234,455.35	Closing
47302635DC143	Stormwater Retrofit	\$0.00	Closing
71006011SE059	TWWTP Water Line Extension Project	\$232,536.00	Closing

All capital projects in conflict herewith are hereby repealed.

Approved July 10, 2023

Consent Agenda Item #23-0476

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00008**

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	\$8,735,637.00	\$61,590.00	\$8,797,227.00
<u>Revenue</u>			
Intergovernmental	\$68,721,520.00	\$61,590.00	\$68,783,110.00

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

Approved July 10, 2023

Board and Commission Appointments

Al Andrews, County Attorney stated the Board could process by policy, move forward and vote or investigate the application process for the Alcoholic Beverage Control Board. Chair Howerton stated the Board decided not to re-advertise the position, investigate the application process and bring back findings at the August 7th Work Session.

Mr. Andrews 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

Andres Otero (Burns, Carter, Jacobs)

Max Bright (Allam, Howerton)

Department of Social Services Board

(i)Charles Mitchell (Burns, Carter Jacobs)

Kristy Hampton (Allam, Howerton)

Durham Convention Center

Laronte Bryant (Allam, Burns, Jacobs)

Shaw Holland (Carter, Howerton)

Durham Workforce Development Board

Andrew Miracle (Allam, Burns, Carter, Jacobs)

Benjamin Pattison (Howerton)

Juvenile Crime Prevention Council

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

(i)John Morris (Allam, Burns, Carter, Howerton, Jacobs)

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

(i)LiBria Stephens (Allam, Burns, Carter, Howerton, Jacobs)

Jonathan Wilson (Burns, Carter, Howerton, Jacobs)

Renee Hill (Allam, Burns, Carter, Howerton, Jacobs)

Lisa Jones (Burns, Carter, Howerton).

DeWarren Langley (Jacobs)

Library Board of Trustees

Aquaris Anderson (Allam, Burns, Carter, Howerton, Jacobs)

Tal Matalon (Allam, Burns, Carter, Howerton, Jacobs)

Jen McConnel (Burns, Carter, Howerton, Jacobs)

(i)Carl Newman (Allam, Burns, Carter, Howerton, Jacobs)

Miranda Straubel (Allam, Burns, Carter, Howerton, Jacobs)

Raleigh-Durham Airport Authority

(i)David Morgan (Allam, Carter, Jacobs)

Larry Hall (Burns, Howerton)

Items Pulled from the Consent Agenda

23-0472 Contract Approval for Lobbying Services with McGuire Woods Consulting

The Board stated the McGuire Woods consultants would provide lobbying services for the General Assembly session, weekly reports and help maintain communications with the Commissioners, staff, and the Durham Delegation. The Board thanked Deborah Craig-Ray, Chief Information Officer, and staff for advocating for Durham County. The Board inquired about including environmental education to the list. Ms. Craig-Ray responded she would contact the consulting staff to make the addition as requested.

Vice Chair Jacobs moved, seconded by Commissioner Allam to approve Consent Agenda Item 23-0472.

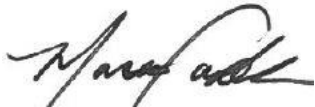
The motion carried unanimously.

Adjournment

Commissioner Allam moved, seconded by Commissioner Burns to adjourn the Regular Session meeting at 8:00 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