

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

Monday, September 11, 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 – 6:00 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 Burns moved, seconded by Commissioner Carter to adjourn into Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Chair Howerton announced the Board met in Closed Session and provided direction to staff.

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

The motion carried unanimously.

Opening of Regular Session - Pledge of Allegiance

Chair Howerton read the following statement:

“The National September 11 Memorial and Museum leads the nation, and the world, in making the anniversary of the day that changed our lives forever. The 22nd anniversary commemoration ceremony will take place on the Memorial Plaza and focus on an in-person reading of the names by family

members. Throughout the ceremony, six moments of silence would be observed to acknowledge when each of the World Trade Center towers was struck and fell and the time of the attack on the Pentagon and the crash of Flight 93.”

Agenda Adjustments

Chair Howerton announced that there were no agenda adjustments.

Announcements

Monica Wallace, Clerk to the Board read the following announcements:

1. **DCoDPH offering blood lead testing** – The Durham County Department of Public Health is offering free blood lead testing for Durham County residents 6 months to 6 years old, as well as those who are pregnant. No insurance is required, but all children and pregnant women must be Durham residents. Testing will be available until further notice on Tuesdays, Wednesdays, and Thursdays from 9-11 a.m. and 1-4 p.m. at 414 E. Main Street. Walk-in only; no appointments are required or accepted. More info at www.dcopublichealth.org/Lead.
2. **DCo Public Health COVID-19 Vaccination Clinic Hours** – The COVID-19 vaccination clinic at the Durham County Department of Public Health, 414 E. Main St., is open the following hours to get your walk-in vaccination: Monday, Wednesday & Friday: 9 a.m. to 4 p.m. (Closed 12-1 p.m.) All recommended doses available. Please note, clinics are now closed Tuesdays, Thursdays and weekends. Visit www.dcopublichealth.org/COVIDVaccines or call 919-560-9217 for more information.
3. **Voter Photo ID Sessions with DCo Board of Elections** – The Durham County Board of Elections will be holding four Voter Photo ID Outreach events at Durham County Library locations in September. These sessions will allow residents to hear about the latest Photo ID requirements from the North Carolina General Assembly, as well as have a Photo ID issued. Dates include: Thursday, September 14 at North Regional Library at 3 p.m., Friday, September 15 at South Regional Library at 10 a.m., Saturday, September 16 at East Regional Library at 10 a.m., and Saturday, September 16 at Main Library at 3 p.m. Visit www.dcovotes.com for more information.
4. **Queries and Questions** – We are a group of LGBTQIA teens that come together to discuss the LGBTQIA experience at North Regional Library on the last Wednesday of the month. This is a peer-led discussion group that respects the lived experiences of others, wants a safe space to discuss our experiences, eat snacks, do crafts, and help each other. Registration is required. Next meeting is Wednesday, September 20 from 6-7:30 p.m. Register at <https://durhamcountylibrary.libcal.com/event/11152788>.
5. **DCo partners with MWBEvolution** – Durham County Government is continuing its commitment to inclusion and the advancement of minority-owned small businesses and professionals in the county through the launch of a new initiative, the MWBEvolution in Durham, powered by Interise. The program is designed for minority, women, small business owners who want to take their business to the next level. The application portal will open on September 21. More information here: www.dconc.gov/Home/Components/News/News/9749.
6. **National Night Out** – The Durham Police Department and the Durham County Sheriff’s Office are encouraging residents, businesses, neighborhood groups, and homeowners’ associations to

show their support for law enforcement-community crime prevention partnerships by participating in Durham's National Night Out (NNO) on Tuesday, October 3. Go to www.durhamnc.gov/3715/National-Night-Out for information.

7. **Durham MED Week** – Minority Enterprise Development (MED) Week, a week-long celebration of the achievements and contributions of the minority business enterprise, takes place each October. Durham County and partner agencies will join together to uplift minority entrepreneurs, as well as individuals and organizations dedicated to advancing minority and/or women-owned business enterprises, October 5-6. Get more information and register for this free event here: <https://web.cvent.com/event/83f7bbfc-f9ef-444e-a5bf-25f56d6d73e2/summary>. All sessions will be held at the Durham County Human Services Building, 414 E. Main St.

Commissioners shared the following additional announcements.

- The Duke Energy Foundation awarded \$20,000 in grants to local nonprofits to support the immediate food insecurity needs of individuals and families in Durham who were affected by recent storms.
- September was National Suicide Prevention Month and World Suicide Prevention Day was September 10th.
- The Veterans Resource Fair and Stand Down would be held on September 16th from 8:30 a.m. - 2 p.m. at the Family Life Center at Greystone Church.
- The Durham Local Reentry Council was hosting a Resource Fair at the Criminal Justice Resource Center from 1 p.m. – 4 p.m. on September 13th.
- The Board thanked Dr. Kimberly Sowell for the County Manager's All Staff Meeting. County Manager Dr. Sowell and Kathy Everett-Perry, Chief Employment Counsel gave an overview of the meeting highlights and updates.
- The Triangle Business Journal would honor Joanne Pierce, Assistant County Manager with the 2023 Leader in Diversity Award on October 12th.
- The 2023 CenterFest Arts Festival would take place September 16th and 17th in downtown Durham.

Commissioner Allam read the following statement:

"Good evening, everyone. Thank you for the time.

As every parent knows, life with a baby is unpredictable. On any given day, you don't know if you're going to wake up to sunshine, giggles, and happiness or Oscar winning shrieks. Last week I had one of those days where even I felt like shrieking. My childcare fell through, and I ended up having to bring Aaliyah with me to the chambers.

To be honest, I was nervous. As proud as I am to be her mom and to be a working parent, in general it's always hard to juggle parenting and service and the last thing I wanted to do was disrupt our proceedings. This was my first-time bringing Aaliyah to a commission meeting. I didn't know what to expect. That's why I want to express my gratitude tonight for the patience, kindness, and understanding that was shown last week on a tough day.

In particular, I so appreciate the support and love Aaliyah and I received from Acting County Manager Claudia Hager, our Clerk Monica Wallace, her team Macio Carlton and Shaunecie Wardrick, Deputy County Manager Maurice Jones, Attorney Al Andrews, Public Health Director Rod Jenkins, Commissioner Jacobs, Commissioner Carter and Commissioner Burns. I could not be prouder to work

with a body of Commissioners, staff, and constituents who show support for working parents and give grace to their colleagues when life happens.

As a Board of all women, we have the opportunity to model the reality of being an elected parent and breakdown barriers that keep more parents of small kids from serving. And that's important not just for me, but for every parent in Durham County. Even beyond these halls, I truly believe that if led by example, we can set a new standard for workplaces across our County. Because working parents shouldn't have to leave our lives at the door when we clock into work. And we shouldn't have to worry that every childcare emergency will throw our jobs into jeopardy, either.

We should be celebrated as parents, as leaders, as members of our community. Thank you all for upholding that standard. I can't tell you how much it means to me and my family."

Minutes

Commissioner Carter moved, seconded by Commissioner Burns to approve the August 7, 2023 Work Session and the August 28, 2023 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

23-0691 Proclamation – Durham Recovery Month

Commissioner Carter read the following proclamation:

DURHAM RECOVERY MONTH | 2023

- WHEREAS,** behavioral health is now recognized as an essential part of one's overall health and well-being; and
- WHEREAS,** the costs of not encouraging mental health and substance use recovery is significant for individuals, families, neighborhoods and the community at large; and
- WHEREAS,** recovery from mental and substance use disorders occurs every day through a variety of prevention, recovery support resources and treatment programs; and
- WHEREAS,** people in recovery strive to achieve healthy lifestyles, stable homes, meaningful daily activities, stronger neighborhoods and contribute in positive ways to the larger community; and
- WHEREAS,** the burden of mental illness in the United States is among the highest of all diseases, and mental disorders are among the most common causes of disability; and
- WHEREAS,** recent figures suggest that approximately 1 in 4 adults in the United States had a mental health disorder in the past year¹ and 1 in 17 had a serious mental illness; and
- WHEREAS,** mental health disorders also affect children and adolescents at an increasingly alarming rate. People, including children and adolescents, with untreated mental health disorders are at high risk for many unhealthy and unsafe behaviors, including alcohol or drug misuse, violent or self-destructive behavior, and suicide; and

WHEREAS, the National Institute of Mental Health (NIMH) reports that in 2021 57.8 million adults experienced mental illness while only about 47 percent received mental health treatment; and

WHEREAS, the Substance Abuse and Mental Health Services Administration (SAMHSA) reported that in 2021, 46.3 million Americans aged 12 and older met diagnostic criteria for having a substance use disorder while only an estimated 6 percent received any treatment for their substance use; and

WHEREAS, in an effort to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), Recovery Community of Durham (RCOD) and the Justice Services Department (JSD) invite all residents of Durham County, North Carolina to participate in National Recovery Month.

NOW THEREFORE, I, Brenda A. Howerton on behalf of the Durham Board of County Commissioners do hereby proclaim the month of September 2023 as

“RECOVERY MONTH”

in Durham County, and hereby call upon the people of Durham County to observe this month with appropriate programs, activities, and ceremonies to celebrate people in recovery and those who support them. Everyone’s journey is different, but we are all in this together.

This the 11th day of September 2023

Brenda A. Howerton, Chair
Durham Board of County Commissioners

Roshanna Parker, Justice Services Interim Director thanked the Board for the recognition and shared an overview of the events planned to celebrate Recovery Month.

The Board thanked Ms. Parker and the Justices Service staff for observing Recovery Month with programs, activities and ceremonies. Commissioner Burns asked Ms. Parker to present to the Board at a future meeting about ways to celebrate families and the programs and services available at Justice Services.

Directive: Commissioner Burns asked Ms. Parker to present to the Board at a future meeting about the ways to celebrate families and the programs and services available at Justices Services.

23-0692 Resolution Honoring Chukwuemeka A. Manning, Sr.

Commissioner Burns read the following resolution:

CHUKWUEMEKA AJIRI MANNING SR.

WHEREAS, the Durham community lost a valued member and leader on Saturday, June 17, 2023, with the passing of Chukwuemeka Manning Sr. or “Chuk” as he passionately known to all; and

WHEREAS, Chuk was heavily involved in the Durham community which led him to work with Bull City United. His duties included community outreach, violence prevention, and serving as a liaison and advocate for justice involved individuals; and

WHEREAS, Chuk worked with the City of Durham Innovation Team (I-Team) where he helped develop numerous projects/programs designed to assist inmates returning to Durham after incarceration; and

WHEREAS, Chuk took the lead in the development of the “Welcome Home Program,” a program designed to help justice involved individuals coming home from prison by providing peer support and care packages; and

WHEREAS, Chuk provided unwavering peer support to returning citizens helping them navigate through the reentry process and the systems within Durham. Chuk worked with and received referrals from various community agencies including (Religious Coalition for a Non-Violent Durham, Restorative Transitions, FIT and Justice Services Department) and was always willing to meet with people to determine ways to provide peer support (He never seemed to be more than 10-15 minutes away); and

WHEREAS, Chuk was involved with Brian Hamilton’s Inmates to Entrepreneurs/Brian Hamilton Foundation, NC Second Chance Alliance, Transitional Jobs Program, DEAR, NC Hope, NC Step Up, The City of Durham OEWD, NC NABCJ and the list goes on; and

WHEREAS, Chuk was appointed to the Durham Criminal Justice Advisory Committee in 2023; and

WHEREAS, Chuk was a part of the Durham Local Reentry Council since its inception in 2018; where he advocated and worked tirelessly to develop strategies to address the challenges faced by justice involved individuals in Durham, NC; and

WHEREAS, Chuk’s care and compassion for people was also seen through his role as a proud father to Chukwuemeka Manning Jr., Luvvey Manning, Precious Manning, and Skylar Manning.

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

CHUKWUEMEKA AJIRI MANNING SR.

for his lifelong work as a passionate, generous, and highly respected advocate, community leader and visionary.

This the 11th day of September 2023.

Brenda Howerton, Chair

Wendy Jacobs, Vice-Chair

Nida Allam, Commissioner

Nimasheena Burns, Commissioner

Heidi Carter, Commissioner

Ben Haas, Religious Coalition for a Non-Violent Durham stated Mr. Manning was a gift to the Durham community and would be remembered for his dedication to residents in Durham. He added Mr. Manning and his team worked hard to meet residents in the streets and assisted with reentry into the community.

The Board thanked Mr. Manning for being a caring and compassionate leader, providing a team to assist the community and for advocating for justice involved individuals.

23-0716 Proclamation - World Alzheimer’s Awareness Day

Vice Chair Jacobs read the following proclamation:

WORLD ALZHEIMER’S AWARENESS DAY | 2023

WHEREAS, September 21st is World Alzheimer’s Awareness Day; and

WHEREAS, Dementia is a syndrome in which there is deterioration in memory, thinking, behavior, and the ability to perform everyday activities. Alzheimer’s is the most common cause of dementia; and

WHEREAS, Dementia is the 7th leading cause of death worldwide, and 6th leading cause for North Carolina; and

WHEREAS, there is no known treatment currently available to cure dementia or to alter its progressive course but early diagnosis, care and support can enhance the quality of life and well-being of persons with dementia; and

WHEREAS, Durham County supports the vision of a dementia-inclusive community where all persons with dementia are valued and fully supported in their pursuit of quality of life and well-being; and

WHEREAS, Durham County invites you to join in partnerships, collaborations, and advocacy efforts to promote well-being, inclusion, and health equity for persons with dementia.

NOW, THEREFORE, BE IT RESOLVED I, Brenda Howerton, Chair and on behalf of the Durham Board of County Commissioners, do hereby proclaim September 21, 2023 as

“WORLD ALZHEIMER’S AWARENESS DAY”

in Durham County, North Carolina. We commend this observance and urge everyone to join with Dementia Inclusive, Inc. to support persons with dementia and their caregivers, on September 21st and throughout the year.

This 11th day of September 2023.

Brenda Howerton, Chair
Durham Board of County Commissioners

The Board stated on September 21st Dementia Inclusive Incorporated would be hosting a free education event titled “*Understanding Dementia Symposium*” at the Durham Convention Center. The Board added residents could monitor the “Durham This Week Online” newsletter for information about Public Health

and the Durham Center for Senior Life offerings for virtual educational meetings on Dementia and Alzheimer's.

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 to comment on Item 23-0679 and Commissioner Burns requested to comment on the Public Health items,

- Item 23-0679 – Vice Chair Jacobs requested that Urban Ministries of Durham present to the Board at a future meeting.

Directive: Vice Chair Jacobs requested that Urban Ministries of Durham present to the Board at a future meeting.

Commissioner Burns thanked Rod Jenkins, Public Health Director and his staff for receiving over \$1 million dollars in grants from the North Carolina Department of Health and Human Services Division of Public Health.

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.

The motion carried unanimously.

23-0530 FY2023 Farmland Protection Advisory Board (FPAB) Annual Report

23-0581 Approval of the MMCAP Infuse cooperative agreement to purchase pharmaceutical supplies and medications from Cardinal Health in an amount not to exceed \$325,000.00

23-0601 Authorization for the County Manager to execute the contract amendment with EMS Technology Solutions, LLC Operative IQ not to exceed \$46,020.00

*23-0602 Budget Ordinance Amendment No. 24BCC00019 Transferring \$1,008,044 Within the General Fund from the Public Safety Functional Area to the General Government Functional Area for Ongoing Durham County Detention Center Maintenance Needs

23-0603 Approval of a \$480,395.72 Contract (RFP 23-039) with Farmer Foodshare to be Fiscal Sponsor for Durham County Double Bucks Program

23-0605 Approval of the Resolution titled North Carolina State Department of Transportation Request for Addition to State Maintained Secondary Road System

23-0615 Request to Enter into Contract with Comfort Mechanical Contractors in the amount of \$421,900.00 for the Replacement of Sanyo HVAC Split system at Durham County Health and Human Services Facility

*23-0621 Budget Ordinance Amendment No. 24BCC00025 Public Health to Recognize \$420,614 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch to Build Upon existing Epidemiology and Laboratory Capacity Infrastructure

*23-0622 Budget Ordinance Amendment No. 24BCC00024 Public Health to Recognize \$461,250 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch to Expand Communicable Disease Surveillance, Detection, Control, and Prevention Activities

*23-0623 Budget Ordinance Amendment No. 24BCC00023 Public Health to Recognize \$98,702 from the NC DHHS Division of Public Health Epidemiology Section /Communicable Disease Branch to Approve Creation of 2 Full-Time Communicable Disease Control Specialist I Positions (2 FTE's)

*23-0625 Budget Ordinance Amendment No. 24BCC00021 Public Health to Recognize \$1,857 from the NC DHHS Division of Public Health Epidemiology Section/Communicable Disease Branch to Provide Funding to Counties to Enhance Latent Tuberculosis (TB) infection and Active TB Disease Screening and Treatment

*23-0626 Budget Ordinance Amendment No. 24BCC00021 Public Health to Recognize \$14,220 from the NC DHHS Division of Public Health Epidemiology/ Communicable Disease Branch for STD Service Needs

23-0629 Approval of contract for Sole Source Renewal of OCLC for Cataloging and Interlibrary Loan Platform in the amount of \$62,000

23-0641 Requesting the Board to authorize the County Manager to sign and execute the Board of Elections FY23-24 service contract with Coastal Carrier in the amount of \$60,000

*23-0645 Approve Budget Amendment No.24BCC00026 and Capital Project Amendment No.24CPA00004 appropriating \$1,263,635 of Fund Balance from the Sewer Utility Fund to Create the New TWWTP Rehabilitation and Upgrade Capital Project (SE063); as well as Approve the County Manager to Execute a Contract with Hazen and Sawyer for the Professional Engineering Services for the TWWTP Rehabilitation and Upgrade Project in the amount of \$1,053,026 and Execute Any Related Contract Amendments Not to Exceed a Total Project Budget of \$1,263,635

23-0646 Approve the County Manager to sign the Local Assistance for Stormwater Infrastructure Investments (ARPA) Acceptance Resolution to receive \$400,000 from the State of North Carolina Division of Water Infrastructure for the Whispering Pines Stream Restoration project

23-0659 Approval of a Letter of Support for the Durham to Roxboro Rail Trail Planning Study Grant Application

23-0661 Request for Consent of Access to the North Carolina Department of Environmental Quality to allow its Division of Waste Management and Contractors Access to the 721 Foster Street Site

23-0665 Approval of Easement Agreement, Legal Description, and Dedication Plat with City of Durham for a Required Sidewalk Easement Necessary for the 300 E. Main St. Mixed-Use Development Project

23-0670 BOCC Review of 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Application

23-0675 Approval of Thirumala Restaurant Lease Amendment

23-0679 Approval of FY2023-24 Annual Service Contract with Urban Ministries of Durham in the amount of \$500,000

23-0682 Approval of Federal Aviation Administration Grant for Raleigh-Durham International Airport

23-0686 Approval of the Durham Open Space and Trails Interlocal Agreement.

23-0688 Contract approval for American Rescue Plan Act Community Grant Awards in RFP Category 6: Capacity Building for Culturally Affirming Maternal Health Support (\$840,000)

23-0693 Approval of DCo Thrives, Counties for Guaranteed Income Program, in the amount \$1,690,000 as an American Rescue Plan Act Project

23-0694 Approval of Budget Ordinance Amendment No.24BCC00028 Appropriating \$17,500 in General Fund Balance to the Museum of Durham History for Technology and Exhibit Upgrades and Salary Increases

23-0704 Purchase of Real Property - Parcel Identification #236238 Located at 4421 S Miami Blvd. for \$280,000

Consent Agenda Item #23-0602

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00019**

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>			
General Government	\$ 170,311,062.00	\$1,008,044.00	\$171,319,106.00
Public Safety	\$84,242,743.00	(\$1,008,044.00)	\$83,234,699.00

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

Approved September 11, 2023

Consent Agenda Item #23-0621

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00025**

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	\$114,502,035.00	\$420,614.00	\$114,922,649.00
<u>Revenue</u>			
Intergovernmental	\$72,718,424.00	\$420,614.00	\$73,139,038.00

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

Approved September 11, 2023

Consent Agenda Item #23-0622

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00024**

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	\$114,040,785.00	\$461,250.00	\$114,502,035.00
<u>Revenue</u>			
Intergovernmental	\$72,257,174.00	\$461,250.00	\$72,718,424.00

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

Approved September 11, 2023

Consent Agenda Item #23-0623

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00023**

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	\$113,942,083.00	\$98,702.00	\$114,040,785.00
<u>Revenue</u>			
Intergovernmental	\$72,158,472.00	\$98,702.00	\$72,257,174.00

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

Approved September 11, 2023

Consent Agenda Item #23-0625

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00022**

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	\$113,940,226.00	\$1,857.00	\$113,942,083.00
<u>Revenue</u>			
Intergovernmental	\$72,156,615.00	\$1,857.00	\$72,158,472.00

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

Approved September 11, 2023

Consent Agenda Item #23-0626

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00021**

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	\$113,926,006.00	\$14,220.00	\$113,940,226.00
<u>Revenue</u>			
Intergovernmental	\$72,142,395.00	\$14,220.00	\$72,156,615.00

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

Approved September 11, 2023

Consent Agenda Item #23-0645

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00026**

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>
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GENERAL FUND

Expenditure

General Government \$750,000.00 \$1,263,635.00 \$2,013,635.00

Revenue

Other Financing Sources \$0.00 \$1,263,635.00 \$1,263,635.00

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

Approved September 11, 2023

**Durham County, North Carolina
FY 2023-2024 Capital Project
Amendment Number 24CPA-04**

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
71006011SE063	TWWTP Rehabilitation and Upgrade Project	\$0.00	\$1,263,635.00	\$1,263,635.00

All capital projects in conflict herewith are hereby repealed.

Approved September 11, 2023

Consent Agenda Item #23-0694

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00028**

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	\$8,804,427.00	\$17,500.00	\$8,821,927.00
<u>Revenue</u>			
Other Financing Services	\$39,361,550.00	\$17,500.00	\$39,379,050.00

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

Approved September 11, 2023

Public Hearings

23-0687 Public Hearing for Unified Development Ordinance Text Amendment Regarding Phased Development and Tree Preservation (TC2200004)

Robin Schultze, Senior Planner/Arborist stated the Board was requested to conduct a public hearing and receive public comments on the Unified Development Ordinance Text Amendment, Phased Development and Tree Preservation (TC2200004). He added the text amendment proposed revisions to the Design Standards (new Section 7.9, Grading Setbacks), Tree Protection and Tree Coverage standards (Section 8.3), Project Boundary Buffer standards (Section 9.4), and Requirements for Subdivisions (new Section 13.9, Phased Development) within the Unified Development Ordinance (UDO) in order to: Address ongoing concerns regarding soil erosion during the development of large residential sites; Incentivize better management and encourage more deliberate design regarding grading and topography during land development; Amend tree coverage and preservation standards in order to prioritize preservation of existing tree coverage instead of tree replacement, where possible.

The Board stated they received questions from residents regarding the options for variances. Mr. Schultz replied the utilities were in the right-of-way and not in the buffer unless the developer could show hardship and there was no other way to provide services without going through the buffer. Mr. Schultz added state law required options for variances. The Board questioned the decision making for the size of the mass grading for phases. Mr. Schultz responded that the decision was based on existing ordinance and from research on other municipalities ordinances. The Board asked if the policy was written to allow changes and improvement as needed. Mr. Schultz replied yes; adding, the policy would be reviewed and improved if needed with the Universal Development Ordinance rewrite.

The Board inquired about incentives for affordable housing. Sarah Young, Planning Director responded adding incentives to an ordinance at one level would cause a penalty at another level. The Board asked who determined if the development met requirements. Mr. Shultz stated the Planning staff made that determination. The Board inquired about setbacks and buffers. Mr. Schulz responded buffers required plantings and setbacks was land set aside with limitations on grading. The Board asked if the text amendment would limit grading to help prevent drop-offs. Ryan Eaves, Durham County Stormwater and Erosion Control Manager responded the hope was for the text amendment to encourage developers to design to the topography of the existing land and not have drop-offs near the property lines.

Chair Howerton opened the public hearing.

Pamela Williams, Citizen

Ms. Williams stated boundaries, setback and buffers standards and requirements were a concern with the ordinance text amendment.

Donna Stainback, Citizen

Ms. Stainback stated the text amendment concept raised concern about implementation issues.

Rebecca Freeman, Citizen

Ms. Freeman stated the ordinance text amendment did not fully address issues with tree preservation and reducing runoff.

Wanda Rally, Citizen

Ms. Rally stated the text amendment would not preserve any additional trees than the current set standards.

Pam Andrews, Citizen

Ms. Andrews stated the ordinance text amendment did not address variances for buffers, wetlands,

streams and increased tree protection.

Thomas Freeman, Citizen

Mr. Freeman stated the variances defeated the purpose of the text policy.

Robin Barefoot, Citizen

Ms. Barefoot asked the Board to say no to mass grading and write ordinances to protect residents and the environment.

Chair Howerton closed the public hearing.

The Board inquired about site inspections and violations. Mr. Eaves stated the sites in Eastern Durham under development received frequent inspections compared to other sites and non-compliance and violations were issued as needed. He added his department requested a new position to help with site inspections.

Vice Chair Jacobs asked County Manager Dr. Sowell to contact the City to receive information about the policy around tree canopies, data on how many trees were being preserved and planted versus how many trees were being removed and how the goal would be met.

Directive: Vice Chair Jacobs asked County Manger Dr. Sowell to contact the City to receive information about the policy around tree canopies, data on how many trees were being preserved and planted versus how many trees were being removed and how the goal would be met.

First Motion:

Vice Chair Jacobs moved, seconded by Commissioner Carter to adopt an ordinance amending the Durham Unified Development Ordinance, incorporating revisions to Article 7, Design Standards; Article 8, Environmental Protection; Article 9, Landscaping and Buffering; and Article 13, Additional Requirements for Subdivisions, effective October 1, 2023

Ayes: Commissioner Allam, Commissioner Carter and Vice Chair Jacobs

Nays: Commissioner Burns and Chair Howerton

The motion carried.

Second Motion:

Commissioner Carter moved, seconded by Commissioner Allam to adopt the appropriate consistency statement as required per NCGS § 160D-605.

Ayes: Commissioner Allam, Commissioner Carter and Vice Chair Jacobs

Nays: Commissioner Burns and Chair Howerton

The motion carried.

23-0699 Public Hearing to Consider the Naming Request for Carl D. Hodges

Shannon Trapp, Chief of Staff stated the Board was requested to hold a public hearing to consider

naming Conference Rooms 129 A and B of the County Agricultural Building after Carl D. Hodges, the first African American Extension Director in Durham County, the State of North Carolina and the United States. She added the Board received a presentation from the Naming Committee at the September 5, 2023 Work Session which outlined the application process and recommendations. Ms. Trapp stated Mr. Hodges was honored in May 2023 by the Durham County Cooperative Extension and no unveiling was planned upon approval.

Ms. Trapp shared the *2021 Carl D. Hodges Conference Room Naming Request* which highlighted the following: Durham County Naming/Renaming Policy Highlights, Durham County Naming Committee, Naming Request, Committee Recommendation and Next Steps.

The Board asked if signage and information would be displayed outside of the conference room. Ms. Trapp responded Carl D. Hodges Conference Room' would be posted in silver metallic letters above the entry to the conference room doors and Donna Rewalt, Cooperative Extension Director and staff were displaying the biography and accomplishments of Mr. Hodges outside of the conference room.

Chair Howerton opened the public hearing.

Donna Rewalt, Cooperative Extension Director

Ms. Rewalt stated the naming of the conference room allowed the County to recognize Mr. Hodges for his achievements and tribute to history.

Cheryl Carroll, Citizen

Ms. Carroll stated she supported the naming request for the Carl D. Hodges Conference Room.

Anita Scott Neville, Citizen

Ms. Neville stated she supported the naming request for the Carl D. Hodges Conference Room.

Dr. Bernadette G. Watts, Citizen

Dr. Watts stated she was the first extension agent hired by Mr. Hodges and she supported the naming request.

Delphine Sellars, Former Cooperative Extension Director

Ms. Sellars stated she was honored to be mentored by Mr. Hodges and thanked him for paving the way for her to serve as a former Cooperative Extension Director.

Carl Hodges, Son of Carl D. Hodges

Mr. Hodges stated the family created the Carl D. Hodges, Sr. Memorial Endowment Scholarship to provide financial assistance to students in Durham, Cumberland and Northampton counties and thanked the County for the naming request.

Terry Hodges, Son of Carl D. Hodges

Mr. Hodges was in support of the naming request and stated his mother (Christine Hose) was the base of his father's accomplishments.

Chair Howerton closed the public hearing.

Vice Chair Jacobs asked the County to plan an additional ceremony event for the Carl D. Hodges Conference Room in the future.

Commissioner Allam moved, seconded by Commissioner Burns to approve the naming request of Conference Rooms 129 A and B of the County Agricultural Building after Carl D. Hodges.

The motion carried unanimously.

Directive: Vice Chair Jacobs asked the County to plan an additional ceremony event for the Carl D. Hodges Conference Room in the future.

Closed Session

Chair Howerton stated the board was requested to adjourn to Closed Session for the following:

- 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 Allam moved, seconded by Commissioner Burns to adjourn the Regular Session meeting at 10:24 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Deputy Clerk to the Board