

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

Monday, September 25, 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. **Early Voting for 2023 Municipal Primary Election** – Durham County voters can cast their ballots during the 2023 Municipal Primary Election’s Early Voting Period from September 21 until October 7. You can cast your ballot early at any of the five Early Voting locations – North Regional Library, East Regional Library, Durham County Main Library, South Regional Library, and the North Carolina Central University Turner Law Building. Get the Early Voting schedule and locations on the Durham County Board of Elections flyer here – <https://www.dcovotes.com/home/showpublisheddocument/39098/638233928770830000>. Election Day for the 2023 Municipal Primary Election is Tuesday, October 10.
2. **2023 Fall Planning Academy** – The deadline is Thursday, Sept. 28 to apply to be a part of the 2023 Durham City-County Planning Academy from the City-County Planning Department. Gain tools and know-how to fully participate in local development and planning and earn a Planning Academy Certificate upon completion. Five weekly sessions from Oct. 19 to Nov. 11. Apply here – <https://forms.office.com/g/fKXCXd84pf>.
3. **Durham MED Week 2023** – Join Durham County, the City of Durham, and other partners for Durham Minority Enterprise Development (MED) Week 2023 on Thursday, Oct. 5 and Friday, Oct. 6. With the theme of “Empowering Change and Breaking Barriers,” Durham’s MED Week is a series of educational, outreach and recognition events that commemorates the achievements of minority entrepreneurs and affirms government, business, and community organizations' commitment to the principle of equal opportunity. The MED Week Business Fair will be from 4-7 p.m. on Oct. 5 and MED Week Sessions and Luncheon on Oct. 6 from 8 a.m. 2 p.m. More

information and registration info here – <https://cvent.me/EMX38D>. Sponsorship opportunities are available!

4. **Durham LRC Holding Resource Fair** – The Durham Local Reentry Council (LRC) is hosting a resource fair on Wednesday, September 27, from 1:30-4:30 p.m. at the Justice Services Department building (326 E. Main Street Durham, NC 27701). This free event is open to everyone. Several local agencies will be on hand to give information and answer questions about their services and programs available to those in need. It is also a great way for residents to build connections with these organizations. Learn more about the Durham LRC here – <https://www.dconc.gov/county-departments/departments-f-z/justice-services/durham-local-reentry-council>.
5. **Durham Big Sweep 2023** – Every September and October, groups from across Durham volunteer to pick up litter in their local neighborhoods, parks, and streams for Durham's largest litter cleanup event of the year. Big Sweep is coordinated by Keep Durham Beautiful, the City of Durham Stormwater & GIS Services Division, and the Durham County Soil and Water Conservation District, with help from other City and County departments and so many partners! Register for an already created event or sign up to hold one of your own here – <https://keepdurhambeautiful.org/big-sweep>.
6. **Duke Forest Deer Management Program** – The Duke Forest is holding its 16th hunting season through the NC Wildlife Resources Commission Deer Management Assistance Program from Monday, September 25 through Friday, December 15. During this time, the Durham, Korstian, and Blackwood Divisions of the Duke Forest will be closed to all public access for all recreation Monday through Friday. All divisions of the Forest (except Dailey) will be open on Saturdays and Sundays for normal use. The program will be suspended and the Forest open for recreational use on Thanksgiving Day, Thursday, Nov. 22, and Nov. 23 and 24. The Edeburn and Hillsboro Divisions will remain open as usual throughout the fall. Learn more about this program at – <https://dukeforest.duke.edu/dmap>.
7. **DCSO's Star Talk Podcast** – The Durham County Sheriff's Office has its latest edition of its "Star Talk" podcast available for residents. In the fifth edition, Durham County Sheriff Clarence Birkhead discusses the Durham County Sheriff's Office Animal Services Division with Captain Mark Manning who oversees its operation. Listen to each episode here – <https://dcsostartalk.podbean.com/>
8. **Duke Energy Virtual Career Conference** – Duke Energy will hold a two-day virtual student career conference "On Your Yard" on Thursday, Oct. 5 from 4-8 p.m. and Friday, Oct. 6 from 9 a.m. to 1 p.m. Discover potential careers at Duke Energy, paid internships, and co-op programs. RSVP by Friday, Sept. 29 at <https://forms.office.com/pages/responsepage.aspx?id=OjjeLh9-V0OoRoWIaywMTREWsdwYodFJkdf-1VbRrytURDIBWIAySTVINjZVSE1EMVhSUKQ2Vjg1Ni4u>. Questions? Contact – campusteam@duke-energy.com.

Commissioners shared the following additional announcements.

- Yom Kippur 2023 began on the evening of Sunday, September 24 and ended on the evening of Monday, September 25.

- Bull City Summit was September 18th – 21st and was co-sponsored by Families and Communities Rising.
- North Carolina’s \$30 billion budget passed with Medicaid expansion and Senator Natalie Murdock received an itemized list of the approved items for Durham County.

Chair Howerton recognized the Durham City-County Neighborhood College student attendees: Nick Jonckowski, Jimmie Anderson, Melinda Love and Spencer Bard.

Minutes

Commissioner Carter moved, seconded by Commissioner Burns to approve the September 11, 2023 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

23-0713 Proclamation – Minority Enterprise Development Week October 2-6, 2023

Chair Howerton read the following proclamation:

MINORITY ENTERPRISE DEVELOPMENT WEEK | 2023

- WHEREAS,** it is the policy of the County of Durham that purchasing by the County and contracts with the County be open to all people and be free of discrimination on the basis of race and gender; and
- WHEREAS,** diverse entrepreneurship encourages progress toward innovative solutions to the problem of economic growth, and supports the promise of thriving communities that embrace inclusion and a better life for all families
- WHEREAS,** the Durham County Minority and Women Enterprise Ordinance Section 8-132 provides minorities and women equal opportunity to participate in all aspects of the County’s contracting program, including, but not limited to, employment, construction projects, and/or materials and service contracts, consistent with law; and
- WHEREAS,** G.S. 143-128, provides for Good Faith Efforts to be made in an effort to ensure fair participation of minority and women business owners in all County projects; and
- WHEREAS** according to the Stanford Institute for Economic Policy Research, the impacts of the Covid 19 have contributed to a staggering 41 percent drop in African American business owners, 32 percent decline in Latin business owners, 26 percent in Asian business owners and a 25 percent reduction in women owned businesses nationwide, and
- WHEREAS,** it is further the policy of the County to conduct its contracting programs so as to prevent such discrimination, correct present discrimination and to resolve claims of such discrimination; and
- WHEREAS,** the County of Durham is a sponsor of the Minority Enterprise Development Week.
- WHEREAS,** During Minority Enterprise Development Week, we recognize that our County and our economy are stronger because of the hardworking men and women who comprise America’s minority business community. They consistently demonstrate the courage it takes to overcome adversity, seize opportunity, and contribute to our shared prosperity.

NOW, THEREFORE, BE IT RESOLVED I, Brenda Howerton, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim October 2 – 6, 2023 as

“MINORITY ENTERPRISE DEVELOPMENT WEEK”

in Durham County.

This 25th day of September 2023.

Brenda Howerton, Chair
Durham Board of County Commissioners

Tammie Hall, Assistant County Manager thanked the Board for the recognition and support. She stated Minority Enterprise Development (MED) Week Business Fair was Thursday, October 5th from 4-7 p.m. and the MED Week Program and Luncheon was Friday, October 6th from 8-2 p.m. Ms. Hall added the County partnered with the City along with 20 business sponsorships for the event.

The Board thanked Ms. Hall and the MWBE staff for providing services and programs for minorities in the Durham community.

23-0734 Domestic Violence Awareness Month

Commissioner Burns read the following proclamation:

DOMESTIC VIOLENCE AWARENESS MONTH | 2023

WHEREAS, the safety, security, physical and emotional wellbeing of our neighbors affects the lives of everyone in our community; we recognize that domestic violence takes a variety of forms and believe all individuals have the right to live their best and fullest lives free of violence and fear; and

WHEREAS, we recognize that 1 in 4 women and 1 in 9 men report experiencing physical violence by an intimate partner in their lifetimes, according to the National Coalition Against Domestic Violence. Domestic violence is a serious, preventable public health concern involving the manipulation of power and control, including willful intimidation, physical and sexual assault, emotional and financial abuse, and other abusive behaviors; and

WHEREAS, anyone can be a victim of intimate partner violence, regardless of gender, age, race, socioeconomic status, ability, or relationship choice. We believe that everyone deserves a life free of violence, regardless of gender identification, ethnicity, ability, age, religion, or social status; and

WHEREAS, we recognize that the crime of domestic violence impacts victims, families, and society, and can lead to long-term health problems, missed days of work and loss of employment, psychological distress, family instability and homelessness, and increased risk for future violence; and

WHEREAS, ending domestic violence starts with awareness and education, changing social norms about gender and violence, and mobilizing our communities, including men, boys, our faith institutions, the public, and private sectors.

NOW, THEREFORE, I, Brenda Howerton, Chair and on behalf of the Durham Board of County Commissioners, do hereby proclaim October 2023 as

“DOMESTIC VIOLENCE AWARENESS MONTH”

in Durham County. We urge all who engage with youth to teach and model respect, consent, and healthy relationships. We encourage government, health professionals, law enforcement, faith communities, and civic organizations to ensure an inclusive environment that supports survivors of domestic violence and sustains their efforts to rebuild their lives without violence in Durham. We are strongly committed to working with all partners so that every individual can access appropriate and affirming resources to address and end violence in our communities.

This the 25th day of September 2023.

Brenda Howerton, Chair
Durham Board of County Commissioners

Damien Talley, Domestic Crisis Response Center (DCRC) Executive Director thanked the Board for the proclamation and for the opportunity to highlight the importance of domestic violence awareness. He invited the community to attend the annual “Reading of the Names” of the lives lost to domestic violence this year on Monday, October 2nd at 8 a.m. at 101 E. Morgan Street in the back parking lot.

The Board stated domestic violence increased during the holidays and the community’s first Family Justice Center was now open in Durham. Mr. Talley stated the Family Justice Center would provide support for families affected by domestic violence, sexual violence, and human trafficking. The Board stated the Durham County Sheriff’s Office was available at the center and Mr. Talley shared the Sheriff’s Office availability at the center was limited along with representatives from the Crisis Response Team and Legal Aid.

The Board thanked Mr. Talley and the DCRC staff for assistance, support and services for domestic, sexual, and family violence, human trafficking, and their families in Durham.

23-0737 Proclamation – Hispanic Heritage Month

Commissioner Carter read the following proclamation:

NATIONAL HISPANIC HERITAGE MONTH | 2023

WHEREAS, National Hispanic Heritage Month, known as “Mes de Herencia Hispana,” is celebrated from September 15 to October 15; and

WHEREAS, the annual celebration recognizes the diverse histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America; and

WHEREAS, this observation was first held in 1968 as Hispanic Heritage Week under President Lyndon Johnson and was later expanded in 1988 by President Ronald Reagan; and

WHEREAS, generations of Hispanic Americans have defended democracy along with this nation’s liberty and freedoms throughout the world by serving in our armed forces; and

WHEREAS, approximately 15.4% of Durham County’s residents are of Hispanic or Latino descent and more than 62 million Latinos contribute to communities across the country; and

WHEREAS, our communities are made stronger when we recognize our diversity and work to honor, understand and appreciate the history, achievements, art, music, cuisine, customs, unique traditions and cultures of our friends, family and neighbors who represent the Hispanic community; and

WHEREAS, the theme for National Hispanic Heritage Month 2023 is "Todos Somos, Somos Uno: We are All, We Are One”, and is intended to emphasize the diversity and unity of the Hispanic/Latino population as well as the indispensable role members play in shaping and enriching our American society.

NOW, THEREFORE, I, Brenda Howerton, Chair and on behalf of the Durham Board of County Commissioners, do hereby proclaim September 15 – October 15, 2023 as

“NATIONAL HISPANIC HERITAGE MONTH”

in Durham County and urge all residents to celebrate National Hispanic Heritage Month by honoring generations of Hispanic residents who have made our nation strong and prosperous with their essential contributions to Durham County, North Carolina, and beyond.

This the 25th day of September 2023.

Brenda Howerton, Chair
Durham Board of County Commissioners

The Board stated according to the U.S. Census Bureau, there were approximately 63.7 million Hispanics or Latinos in the United States in 2022, accounting for approximately 19.1 percent of the total U.S. population. The Board added approximately 30 percent of Durham Public School students were Hispanic or Latino and approximately 14 percent of Durham’s population identified as Hispanic or Latino. They also shared the importance of an equitable and accessible Durham community.

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 23-0732 and Vice Chair Jacobs requested to comment on Item 23-0733.

- Item 23-0732 – Commissioner Burns stated the Board addressed affordable housing in Durham County building approximately 2,000 units of affordable housing and thanked Dr. Kimberly Sowell, County Manager, staff, and the community.
- Item 23-0733 – Vice Chair Jacobs asked Donna Rewalt, Cooperative Extension Director to give an overview of the project. Ms. Rewalt stated the project would support expanded 4-H program offerings and services, health and wellness through 4-H camps and workshops for youth in Durham.

Hearing no additional comments, 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.

*23-0718 Capital Project Amendment No.24CPA00005 and Budget Ordinance Amendment No.24BCC00029 Reducing the Shoppes of Hope Valley Capital Project (4730DC154) Budget to \$0; Transferring \$53,151.70 to the General Fund to Record Security Deposits from Existing Tenants; and Transferring the Remaining \$101,329.84 to the Debt Service Fund for Future Use

23-0726 Approve an Amendment to the Penny Conservation Easement

*23-0727 Capital Project Amendment No.24CPA00006 and Budget Amendment No.24BCC00031 Reducing the Hollow Rock/New Hope Project (4730DC086) by \$92,188 and Transferring \$92,188 to the General Fund to Support Purchase of the Penny Addition to Hollow Rock Nature Park; Appropriating \$29,812 of Open Space Payment in Lieu Funds from Restricted Fund Balance to the General Fund to Support the Purchase of the Penny Addition to the Hollow Rock Nature Park; as well as Approve the Acquisition of 7.4 Acres of 4105 Pickett Road from Carolyn Penny for \$118,000

*23-0730 Approval of Property Tax Releases and Refunds for August 2023

23-0732 Approve Interlocal Agreement with the City of Durham to Support Affordable Housing units using American Rescue Plan Act Funds totaling \$3.5 million.

23-0733 Approval of 4-H Youth Program Activity as an American Rescue Plan Act Project totaling \$360,000

Consent Agenda Item #23-0718

**Durham County, North Carolina
FY 2023-2024 Capital Project
Amendment Number 24CPA-05**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the FY 2023-24 budget ordinance is hereby amended to reflect budget adjustments.

Project #	Project Name	Current Budget	Increase / Decrease	Updated Budget
47302635DC154	Shoppes of Hope Valley	\$12,146,717.00	(\$154,481.54)	\$11,992,235.46

All capital projects in conflict herewith are hereby repealed.

Approved September 25, 2023

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00029**

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>
GENERAL FUND			
<u>Expenditure</u>			
Environmental Protection	\$6,183,333.00	\$53,151.70	\$6,236,484.70
<u>Revenue</u>			
Other Financing Sources	\$39,379,050.00	\$53,151.70	\$39,432,201.70
DEBT SERVICE FUND			
<u>Expenditure</u>			
General Government	\$97,525,519.00	\$154,481.54	\$97,680,000.54
<u>Revenue</u>			
Other Financing Sources	\$96,841,777.00	\$154,481.54	\$96,996,258.54

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

Approved September 25, 2023

Consent Agenda Item #23-0727

**Durham County, North Carolina
FY 2023-2024 Capital Project
Amendment Number 24CPA-06**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:
That the FY 2023-24 budget ordinance is hereby amended to reflect budget adjustments.

Project #	Project Name	Current Budget	Increase / Decrease	Updated Budget
47302635DC086	Hollow Rock/New Hope Project	\$665,937.00	(\$92,188.00)	\$573,749.00

All capital projects in conflict herewith are hereby repealed.

Approved September 25, 2023

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00031**

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>
GENERAL FUND			
<u>Expenditure</u>			
Environmental Protection	\$6,183,333.00	\$122,000.00	\$6,305,333.00
<u>Revenue</u>			
Other Financing Services	\$39,432,201.70	\$122,000.00	\$39,554,201.70

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

Approved September 25, 2023

Consent Agenda Item #23-0730

Releases and Refunds – August 2023

Current Year 2023 Taxes	Releases	Refunds	
Real Property	\$0.00	\$0.00	
Personal Property	\$0.00	\$0.00	
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	\$0.00	\$0.00	
SUB - TOTAL	\$0.00	\$0.00	\$0.00
Prior Year 2016-2021	Releases	Refunds	
Real Property	\$21,908.33	\$90,155.64	
Personal Property	\$56,341.28	\$843.44	
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	\$12,538.42	
SUB - TOTAL	\$78,249.61	\$103,537.50	\$181,787.11
GRAND TOTAL	\$78,249.61	\$103,537.50	\$181,787.11

Board and Commission Appointments

Al Andrews, County Attorney announced the voting results.

The Board made the following appointments (incumbents are identified with an (i). Individuals who are recommended by a Board are underlined.) Individuals listed in bold print were appointed.

Audit Oversight Committee

(i)**Manuel Rojas** (Allam, Burns, Carter, Howerton, Jacobs)

Board of Adjustment

Scott Mofield (Allam, Burns, Carter, Howerton, Jacobs)

Community Child Protection/Child Fatality Prevention Team

Ronelle Hinton (Allam, Burns, Carter, Howerton, Jacobs)

Durham Workforce Development Board

Raymond Trapp (Allam, Burns, Carter, Howerton, Jacobs)

Environmental Affairs Board

Gitanjali Morey (Allam, Burns, Carter, Howerton, Jacobs)

Library Board of Trustees

Tracy Jackson (Burns, Carter, Howerton)

Leah Josephson (Allam, Jacobs)

Adjournment

Commissioner Burns moved, seconded by Commissioner Carter to adjourn the Regular Session meeting at 8:01 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