

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

Monday, October 9, 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

Zoom Hybrid

Participants: 17

**Opening of Regular Session - Pledge of Allegiance**

Chair Howerton asked for a moment of silence for Israel victims.

**Agenda Adjustments**

Chair Howerton announced that there were no agenda adjustments.

**Announcements**

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

1. **Election Day is Tuesday, Oct. 10** – Election Day for the 2023 Municipal Primary and Election is Tuesday, October 10, 2023. Polls will be open from 6:30 a.m. to 7:30 p.m. Reminder that you must vote at your assigned precinct location when you vote on Election Day. Find your location here – <https://www.dcovotes.com/voters/voting/polling-locations>.
2. **DCo On the Go Design Contest** – Durham County has ordered a new vehicle that will serve residents as a “mobile Durham County Office.” DCo On the Go will include broadband access, meeting rooms, large screens to share videos, and other services. This vehicle will need distinctive artwork and the County is asking local artists to assist! The DCo On the Go Design Contest is open to artists 18 years and up and winning designs for the bus wrap will be eligible for cash prizes up to \$1,000. Younger residents in grades 6-12 can help design art for a rear panel of the vehicle, with prizes up to \$250. The deadline to enter is Tuesday, November 14, 2023. Visit [www.dconc.gov/DCoOnTheGo](http://www.dconc.gov/DCoOnTheGo) for more information and how to apply.
3. **Public Comment Period for Durham Transit Work Program Amendments** – Our Durham County Transportation Staff wants your feedback! The Public Comment Period for Q2 Amendments to the FY24 Durham Transit Work Program is open until Friday, Oct. 12. For information on the proposed amendments, please visit here – <https://bit.ly/DCoTransitQ2>. To submit a public comment, please send an email to [TransitPlan@dconc.gov](mailto:TransitPlan@dconc.gov).

4. **Time for Flu Vaccine** – It’s time to get your flu shot! The CDC recommends taking your shot by the end of October to best protect yourself. Call the Durham County Department of Public Health at 919-560-7608 to schedule your shot or find other locations at <https://vaccines.gov/flu>. Visit the DCoDPH website at <http://DCoPublicHealth.org/FluSeason> to learn more.
5. **New Hours for NC Collection** – The operating hours of the North Carolina Collection located inside the Durham County Main Library have changed. Effective Monday, October 2, the North Carolina Collection will be open Monday - Saturday, 10 a.m. - 4 p.m. Appointments outside of these hours are available upon request. Please contact the North Carolina Collection staff at [ncc@dconc.gov](mailto:ncc@dconc.gov) or 919-560-0171 and visit <https://durhamcountylibrary.org/location/main-library/the-north-carolina-collection/> for more information.
6. **Residents Invited to Share Ideas for Community Arts & Culture** – All who live, work, and play in the Bull City are invited to complete an online survey to help develop a new cultural plan for the Durham community. Online surveys about community arts and culture are now available, in English and Spanish. Survey responses must be submitted by 11:59 p.m. on Wednesday, October 18. This feedback will inform the development of a new five-year Durham City-County Cultural Plan. Link to survey – <https://survey.alchemer.com/s3/7505431/durham-cultural-roadmap-survey>. More information on the Durham Cultural Roadmap here – <https://durhamculturalroadmap.org/>.
7. **Double Bucks on Food Spending** – Do you receive SNAP, WIC, or live in Section 8 housing? Get double the food for your money with Double Bucks Shop at: Durham Farmers’ Market at 501 Foster Street on Saturdays 8 a.m.-12 p.m. and Wednesdays 3-6 p.m.; South Durham Farmers’ Market at 5410 NC-55 on Saturdays 8 a.m. to 12 p.m.; and Black Farmers’ Market at 1637 E. Lawson Street on first & third Sundays: 1-4 p.m.

Commissioners shared the following additional announcements.

- Catherine Ferrell, Durham resident celebrated her 111<sup>th</sup> birthday on October 9<sup>th</sup> alongside many friends and family at the First Baptist Church in Warsaw, NC.
- Kids Voting, Durham Youth Candidate Forum was held on Wednesday, October 18<sup>th</sup> from 6 – 8:30 p.m. at the Durham School of the Arts.
- Trinity United Methodist Church Flu and COVID-19 vaccination clinic would be held on November 4<sup>th</sup>.
- October was Breast Cancer Awareness Month.
- 40 Community Leaders were given the Presidential Lifetime Achievement Award, which honored leadership and volunteer work on October 7<sup>th</sup> at North Carolina Central University.
- The City of Durham Department of Water Management invited all area high school students to participate in the Value of Water Campaign’s 2023 Imagine a Day Without Water Video Challenge.
- National School Lunch Week was October 9 - 13 and the program celebrated 77 years of service.

Commissioner Jacobs read the following statement:

*“Tonight, I speak out against the unprecedented attack of Hamas militants on the people of Israel. The deliberate and targeted killing of civilians, including children and seniors, families, and youth in their homes, villages, kibbutz’s and at a music festival*

*and the intentional taking of hostages is horrific and can never be justified for any purposes.*

*As noted in the Guardian newspaper: “The US special antisemitism envoy, Deborah Lipstadt, who is one of the world’s most renowned Holocaust scholars, called the Hamas attacks “the most lethal assault against Jews since the Holocaust”. She said there was “no justification” for the “heinous, barbaric terrorism against Israeli civilians” and mass murder.”*

*I also want to recognize the ongoing suffering and indiscriminate killing of the Palestinian people and the 2.3 million Palestinian residents of Gaza who have been virtually imprisoned within the small area of the Gaza Strip for more than 16 years. Scores of innocent Palestinians are being killed in Israeli military retaliation and response to the Hamas terrorist attack and ongoing bombing into Israel from Gaza. Residents are now struggling to survive with no access to electricity, fuel, food and water.*

*War, terrorism and the indiscriminate killing of innocent people must be condemned and must stop. There must be a two-state solution. The Palestinian people must have a homeland. The people of Israel must be able to live in safety and security. Peaceful coexistence and self-determination for all is the only just and possible way forward.”*

## **Minutes**

Commissioner Jacobs moved, seconded by Commissioner Burns to approve the September 5, 2023 Work Session and the September 25, 2023 Regular Session minutes.

The motion carried unanimously.

## **Ceremonial Items**

### **23-0768 Introduction of Roshanna Parker as new Justice Services Director**

Dwane Brinson, Assistant County Manager introduced Roshanna Parker, Justice Services Director and shared a brief overview of her education, work history and background.

Ms. Parker thanked the Board, County Manger, Durham County Leadership Team and her son. She was honored to lead the Justice Service Department and to serve the Durham community.

The Board thanked Ms. Parker and happy she was chosen to serve in the role and lead the department.

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Commissioner Allam read the following resolution:

### **Resolution Honoring Indigenous People’s Day**

#### **INDIGENOUS PEOPLES’ DAY**

**WHEREAS,** Durham County, North Carolina acknowledges its presence on the ancestral lands of the Eno, Tuscarora, Lumbee, Occaneechi, Cheraw, Shakori, Saponi, and Catawba tribes, whose rich history and continued contributions have greatly shaped the cultural, historical, and environmental landscape of our community; and

**WHEREAS,** the Indigenous people of the Eno, Tuscarora, Lumbee, Occaneechi, Cheraw, Shakori, Saponi, and Catawba tribes have inhabited this region for time immemorial, maintaining a profound connection with the land, waterways, life force, and environment that sustain our community; and

**WHEREAS,** prior to colonization, Indigenous Peoples lived and flourished in what is known as the Americas for time immemorial; Whereas the European colonization of North America led to the suppression, forced assimilation, and genocide of Indigenous Peoples and their cultures; and

**WHEREAS,** the Indigenous people of this region have experienced historical and present day injustices and dispossession of their ancestral lands, leading to adverse social, cultural, economic, and health impacts on their communities; and

**WHEREAS,** Durham County recognizes the vital role the Eno, Tuscarora, Lumbee, Occaneechi, Cheraw, Shakori, Saponi, and Catawba tribes play in promoting understanding, respect, and preservation of Indigenous heritage, language, traditions, and customs, which continue to enrich our community's diverse cultural fabric; and

**WHEREAS,** the Durham County Board of Commissioners is committed to fostering inclusive and equitable policies and practices that respect and celebrate the heritage, culture, and contributions of Indigenous Peoples.

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

1. Honor the ancestral lands of the Eno, Tuscarora, Lumbee, Occaneechi, Cheraw, Shakori, Saponi, and Catawba tribes on which Durham County is situated and acknowledge their enduring presence in our community.
2. Express its gratitude for the historical and ongoing contributions of the Eno, Tuscarora, Lumbee, Occaneechi, Cheraw, Shakori, Saponi, and Catawba tribes to the cultural, environmental, and social vitality of Durham County.
3. Commit to fostering a spirit of respect, understanding, and cooperation with the Indigenous communities in Durham County, recognizing their sovereignty and their right to self-determination.
4. Encourage educational initiatives, cultural exchange programs, and partnerships that promote the awareness and preservation of the heritage, language, traditions, and customs of the Eno, Tuscarora, Lumbee, Occaneechi, Cheraw, Shakori, Saponi, and Catawba tribes.
5. Continue to work towards policies and practices that advance equity, inclusivity, and social justice for all residents of Durham County, with a particular focus on addressing disparities faced by Indigenous communities.

This the 9<sup>th</sup> day of October 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

Chair Howerton read the following statement:

*“Our Country was conceived on a promise of equality and opportunity for all people – a promise that despite the extraordinary process we have made through the year, we have never fully lived up to. That is especially true when it comes to upholding the rights and dignity of the Indigenous people who were here long before colonization of the Americas began. For generations, Federal policies systematically sought to assimilate and displace Native people and eradicate Native cultures. Today, we recognize Indigenous peoples’ resilience and strength as well as the immeasurable positive impact that they have made on every aspect of American society. We also recommit to supporting a new, brighter future of promise and equity for Tribal Nations – a future grounded in Tribal sovereignty and respect for the human rights of Indigenous people in Durham and around the world.*

*The contributions that Indigenous people have made throughout history – in public service, entrepreneurship, scholarship, the arts, and countless other fields – are integral to our Nation, our culture and our society.*

*I encourage everyone to celebrate and recognize the many Indigenous communities and cultures that make up our great country as Indigenous People’s Day. I call upon the people of Durham County to observe this day with appropriate ceremonies and activities.”*

The Board thanked Commissioner Allam, Mary Oxendine, Food Security Coordinator and the Public Art and Public History Program. The Board encouraged residents to apply for the Durham County Open Space Matching Grants Program before the November 15<sup>th</sup> deadline and stated Durham needed an Indigenous People Memorial.

### **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 Allam to approve the following items on the Consent Agenda.

The motion carried unanimously.

23-0666 Approval of Contract with Stryker for the Purchase of Five (5) Power-LOAD units in the amount of \$185,761.75

23-0667 Approval of the Consensus Principles II Resolution

23-0668 Approval of a \$500,000 Contract (RFP 23-038) with Communities in Partnership to create a community-accountable brick-and-mortar grocer in Northeast Central Durham

\*23-0689 Budget Ordinance Amendment No. 24BCC00027 to Recognize \$60,000 in Grant Funding from the Durham ABC Board for the Adult Drug Treatment Court

23-0703 Contract approval with Carahsoft in the amount of \$136,082.31 to allow Durham County to purchase website strategy services to assist with the planning and redesign of DCONC.gov, the County's public-facing website

23-0461 Approval of Standard Non-Reimbursable Utility Contracts for Extensions of the County Sanitary Sewer System

23-0709 Approval of the Recommended Revised Fee Structure for the Durham County Memorial Stadium - Effective October 30, 2023

23-0710 Request for Board Approval of the Durham County Memorial Stadium Sponsorship Policy

23-0717 Durham County Sheriff's Office Contract Amendment Approval with Motorola Solutions, Inc. in the amount of \$10,145 (Total New Contract Amount: \$1,031,868.73) . This Contract is Part of the Capital Project for Body Worn Cameras (BWC)

23-0719 Approve Triangle Wastewater Treatment Plant (TWWTP) Residuals Transport and Disposal Contract Amendment with McGill Environmental Systems of NC, Inc. in the amount of \$136,594 Bringing the Total Contract Amount to \$408,600

23-0720 Approve award of Sodium Aluminate Contract for the Triangle Wastewater Treatment Plant (TWWTP) to C&S Chemicals, Invitation for Bid (IFB) 23-034 in the amount of \$248,500 but not to exceed \$298,000

23-0722 Approve Sole Source Exemption for Purchase of Remote Switch Actuators from CBSArcSafe for the Triangle Wastewater Treatment Plant (TWWTP)

\*23-0723 Approval of Capital Project Amendment No.24CPA00007 and Budget Amendment No.24BCC00035 Appropriating \$1,704,836 of Debt Service Fund Fund Balance, Transferring \$1,704,836 of Debt Service Fund Fund Balance to the PAYGO Fund and Using PAYGO Funding to Pay for Construction Repairs and Interior Upgrades at the Stanford L. Warren Library (6110DC097); as well as Executing a Construction Change Order in the Amount of \$1,910,751 with Muter Construction for Interior Repairs and Upgrades at the Stanford L. Warren Library plus Owner's Contingency at 10 percent for a Total Not-to-Exceed Contract Amount of \$4,140,324

\*23-0725 Budget Ordinance Amendment No. 24BCC00030 to Recognize \$228,484.00 in Grant Funding from the US DHHS Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment and Adult Drug Treatment Court Expansion

\*23-0729 Approval of the Budget Ordinance Amendment No. 24BCC00039 Transferring \$789,700 of Capital Financing Plan Fund Funding to the Engineering Department General Fund Budget to Support a Durham County Comprehensive Facilities Assessment and Approve Authorization for the County Manager to Enter into a Contract with HDR Engineering, Inc. of the Carolinas, (HDR) to provide Comprehensive Facilities Assessment for the Durham County Renewable Energy Plan in the amount of \$789,700

23-0731 Request for Approval of the proposed Memorandum of Understanding between Durham and Orange Counties for the storage and implementation of the Mobile Processing Unit

\*23-0734 Budget Ordinance Amendment No. 24BCC00038 to Recognize \$345,375 of year-2 funds to support grant award #1H79TI084839-01 to the Office of Emergency Services-EMS Division (OES-EMS) from the US Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA), and to authorize the County Manager to sign and execute all contracts for authorized and approved uses associated with the grant program throughout the grant’s period of performance

\*23-0738 Approval of Budget Ordinance Amendment No. 24BCC00033 Appropriating \$112,905 of General Fund Fund Balance to Support a Position Related to the Reorganization of the Human Resources Department

\*23-0741 Budget Ordinance Amendment No. 24BOCC00034 Appropriating \$250,000 of General Fund Fund Balance for the Durham Youth Home to Offset Higher Than Expected Use of Out-of-County Facilities

\*23-0742 Approval of Capital Project Amendment No.24CPA00008 Appropriating \$1,736,015.13 in Limited Obligation Bond Funding (LOBS) to the Board of Elections S. Roxboro Street Renovation Capital Project (4730DC155) for the early purchase packages for the renovation and to Execute the Construction Manager @ Risk GMP#1 “Pre-purchase packages” Contract for the BOE S. Roxboro St. Renovation Project

\*23-0743 Budget Ordinance Amendment No. 24BCC00032 - Transferring \$7,548,086 of General Fund Fund Balance to the Capital Financing Fund in Recognition of Final Sales and Occupancy Tax Collection from the Prior Year in Adherence to Board Policy

\*23-0749 Budget Ordinance Amendment No. 24BCC00037 in the Amount of \$129,886.61 to Recognize Grant Award for Year 2 of the EMS Bridge MAT (Medication Assisted Treatment) Program to the Office of Emergency Services-EMS Division (OES-EMS) from the NC Department of Health and Human Services (NCDHHS), and to Authorize the County Manager to Sign and Execute All Contracts and Purchases

23-0753 Resolution Adopting the Durham Comprehensive Plan (2023)

23-0755 Approval to enter into an \$80,000.00 contract with Boys and Girls Club of Durham and Orange Counties for the purchase of vehicles to support program operations

\*23-0765 Approval of Property Tax Releases and Refunds for September 2023

Consent Agenda Item #23-0689

**Durham County, North Carolina  
2023-2024 Budget Ordinance  
Amendment Number 24BCC00027**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2023-2024 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	\$83,234,699.00	\$60,000.00	\$83,294,699.00
<u>Revenue</u>			

Intergovernmental \$73,139,038.00 \$60,000.00 \$73,199,038.00

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

Approved October 9, 2023

Consent Agenda Item #23-0723

**Durham County, North Carolina  
FY 2023-2024 Capital Project  
Amendment Number 24CPA-07**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:  
That the FY 2023-24 capital project 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>
61102541DC097	Stanford L. Warren Library Upgrade – 61102541DC097	\$3,473,246.00	\$1,704,836.00	\$5,178,082.00

All capital projects in conflict herewith are hereby repealed.

Approved October 9, 2023

**Durham County, North Carolina  
2023-2024 Budget Ordinance  
Amendment Number 24BCC00035**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2023-2024 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	\$97,626,848.84	\$1,704,836.00	\$99,331,684.84
<u>Revenue</u>			
Other Financing Services	\$96,943,106.84	\$1,704,836.00	\$98,647,942.84

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

Approved October 9, 2023

Consent Agenda Item #23-0725

**Durham County, North Carolina  
2023-2024 Budget Ordinance  
Amendment Number 24BCC00030**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2023-2024 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	\$83,294,699.00	\$228,484.00	\$83,523,183.00
<u>Revenue</u>			
Intergovernmental	\$73,199,038.00	\$228,484.00	\$73,427,522.00



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

Approved October 9, 2023

Consent Agenda Item #23-0729

**Durham County, North Carolina  
2023-2024 Budget Ordinance  
Amendment Number 24BCC00039**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2023-2024 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>			
Environmental Protection	\$7,035,405.88	\$789,700.00	\$7,825,105.88
<u>Revenue</u>			
Other Financing Services	\$69,147,167.76	\$789,700.00	\$69,936,867.76

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

Approved October 9, 2023

Consent Agenda Item #23-0734

**Durham County, North Carolina  
2023-2024 Budget Ordinance  
Amendment Number 24BCC00038**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2023-2024 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	\$85,810,319.21	\$345,375.00	\$86,155,694.21
<u>Revenue</u>			
Intergovernmental	\$73,557,408.61	\$345,375.00	\$73,902,783.61

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

Approved October 9, 2023

Consent Agenda Item #23-0738

**Durham County, North Carolina  
2023-2024 Budget Ordinance  
Amendment Number 24BCC00033**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2023-2024 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	\$178,867,192.00	\$112,905.00	\$178,980,097.00



General Government	\$171,319,106.00	\$7,548,086.00	\$178,867,192.00
<u>Revenue</u>			
Other Financing Services	\$39,554,201.70	\$7,548,086.00	\$47,102,287.70
<b>CAPITAL FINANCING FUND</b>			
General Government	\$110,416,992.00	\$7,548,086.00	\$117,965,078.00
<u>Revenue</u>			
Other Financing Services	\$59,377,140.00	\$7,548,086.00	\$66,925,226.00

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

Approved October 9, 2023

Consent Agenda Item #23-0749

**Durham County, North Carolina  
2023-2024 Budget Ordinance  
Amendment Number 24BCC00037**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2023-2024 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	\$85,680,432.60	\$129,886.61	\$85,810,319.21
<u>Revenue</u>			
Intergovernmental	\$73,427,522.00	\$129,886.61	\$73,557,408.61

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

Approved October 9, 2023

Consent Agenda Item #23-0765

Releases and Refunds – September 2023

<b>Current Year 2023 Taxes</b>	<b>Releases</b>	<b>Refunds</b>	
Real Property	\$0.00	\$97.94	
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	\$1,799.49	
<b>SUB - TOTAL</b>	<b>\$0.00</b>	<b>\$1,897.43</b>	<b>\$1,897.43</b>
<b>Prior Year 2016-2021</b>	<b>Releases</b>	<b>Refunds</b>	
Real Property	\$0.00	\$4,924.15	
Personal Property	\$21.53	\$383.93	
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	\$22,952.73	
<b>SUB - TOTAL</b>	<b>\$21.53</b>	<b>\$28,260.81</b>	<b>\$28,282.34</b>

GRAND TOTAL

\$21.53

\$30,158.24

\$30,179.77

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**Public Hearings**

**23-0754 Public Hearing - An Ordinance to Amend the Durham Unified Development Ordinance Provisions Related to the Comprehensive Plan**

Scott Whiteman, Planning Manager stated the Board was requested to conduct a public hearing and receive public comments on the Unified Development Ordinance, incorporating revisions to Common Review Procedures (Section 3.2), Comprehensive Plan Adoption/Amendment (Section 3.4, Zoning Districts (Article 4) and Purpose, Applicability and Use Regulations for Design Districts (Section 16.1) effective upon adoption. He stated due to the draft ordinance not being properly updated to show all the changes, a recommendation was made for the public hearing to be continued until the next meeting which was scheduled for October 23, 2023.

The Board asked for an example of a benefit for removing limitations on zoning districts in each development tier. Mr. Whiteman responded that an example was the Planned Development Residential District (PDR), which was limited to the Urban and Suburban Tier and if allowed to other tiers; it would provide more density. The Board inquired about notification changes and the difference between University and College Districts (UC). Mr. Whiteman replied no changes were planned for notifications and UC was more for Duke and UC-2 was added for North Carolina Central University.

The Board questioned the process for residents around access and equity for public utilities. Sarah Young, Planning Director replied staff was notified to address water issues as a top priority and for entire development areas to be infrastructure ready. She added developers were not including existing homes when developing large tracks of land. Ms. Young stated changes in the City Code were being planned to allow extensions of sewer and water. The Board inquired about the North Carolina Law on blasting permits. Ms. Young stated blasting permits were not included in the Unified Development Ordinance nor were they under the Planning Department. The Board asked County Manager Dr. Sowell to bring the City and County staff together to address blasting permits and blasting issues in Durham.

Chair Howerton opened the public hearing.

Commissioner Allam moved, seconded by Commissioner Carter to continue the public hearing to the October 23, 2023 Regular Session meeting.

The motion carried unanimously.

Lisa Miller, Principal Planner stated she was part of the team working on the Comprehensive Plan and thanked the City, County and the community for the approval and adoption of the plan.

The Board thanked the City-County Planning Department and the community for their continued work to accomplish the approval of the Comprehensive Plan.

Commissioner Burns read the following statement:

*“A Comprehensive Plan is more than a piece of paper or a collection of maps and graphs. It reflects our collective vision, shared dreams and unwavering*

*commitment to the welfare of every resident in Durham. The plan lays out the road map for our County's future growth, ensuring that as we regress no one is left behind."*

**Directive: Vice Chair Jacobs asked County Manger Dr. Sowell to bring the City and County staff together to address blasting permits and blasting issues in Durham.**

### **Closed Session**

Chair Howerton stated the board was 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).
- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, in the matter of Robin Barefoot, et al vs. Durham County, which privilege is hereby acknowledged; pursuant to G. S. 143-318.11(a)(3).

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 9:45 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton  
Deputy Clerk to the Board