

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

Monday, March 25, 2024

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 Nida Allam, Vice-Chair Nimasheena Burns and Commissioners Heidi Carter, Brenda Howerton and Wendy Jacobs

Presider: Chair Nida Allam

Zoom Hybrid
Participants: 0

Opening of Regular Session - Pledge of Allegiance

Agenda Adjustments

Chair Allam announced that there were no agenda adjustments.

Announcements

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

1. **Advance Public Comments on the Fiscal Year 2024-25 Budget** – As county staff begins preparation of the FY 2024-25 budget, public input is being solicited on issues which may need to be addressed during the budget process. The County Manager's Recommended FY 2024-25 Budget will be presented to the Board of Commissioners on Monday, May 13, 2024, with individual budget work sessions with the BOCC to be scheduled for the period of May 14th until June 3rd.

Tuesday, May 14th Budget Work Session (1pm-5pm)

Thursday, May 23rd Budget Work Session (9am-4:30pm)

Thursday, May 30th Budget Work Session (9am-4:30pm)

Monday, June 3rd Work Session/Budget Work Session (WS: 9am-1:30 pm, BWS: 1:30pm-5pm)

There will also be a Public Hearing at the Commissioners' Regular Meeting on May 28th at 7:00 pm. Final adoption of the FY 2024-25 Budget Ordinance is scheduled for Monday, June 10, 2024.

Additional comments can also be e-mailed to commissioners@dconc.gov. or residents are encouraged to use the Durham County's online FY 2024-25 Resident Portal to have their voice heard if they are unable to come in person.

2. **Durham County Cooperative Extension** - Durham County Cooperative Extension is hosting a **Members Only Plant Sale** on Friday, April 5, from 4:00 pm to 6:00 pm at the Sarah P. Duke Gardens, followed by the **Master Gardener Plant Festival** on Saturday, April 6, from 10:00 am to 1:00 pm at the Durham County Cooperative Extension. There will also be **Seed Starting Workshop/Garden Clean-Up** at the Burch Avenue Community on Sunday, April 7, from 2:00 pm to 4:00 pm, providing hands-on experience in starting a garden and maintaining it. For additional information please visit <https://durham.ces.ncsu.edu/>.
3. **Registration for Durham 4-H Summer Camps** - Now open! June-August half-day, full day & overnight camps! Themes such as woodworking, sewing, cooking & more! Must be enrolled in 4-H online BEFORE enrolling! Scholarships available. Info: <https://durham.ces.ncsu.edu/4hsummercamp/>.
4. **Get Vaccinated at DCo Public Health** - Be safe and keep your family safe by getting your updated COVID-19 vaccine and flu shot, and pick up free COVID-19 tests, at the Durham County Department of Public Health (414 E. Main Street). COVID vaccines are available by appointment only, while flu shots can be appointment or walk-in. Schedule COVID vaccine at 919- 560-7658. Schedule flu shots at 919-560-7608. More information at: <http://www.dcopublichealth.org/>.
5. **Calling all Artists!** - Durham County seeks artists to participate in DCo on the Go Design Contest! Durham County has ordered a new vehicle that will serve residents as a “mobile Durham County Office.” 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 April 12, 2024. Visit www.dconc.gov/DCoOnTheGo for contest details!
6. **Durham County Library** - The Durham County Library invites residents to explore its diverse programs and services. During the first week of April, the Durham County Library offers a variety of engaging events tailored to different age groups, fostering community engagement and personal development. Please visit <https://durhamcountylibrary.org/> to learn about all available programs being offered for during the month of April.
7. **Durham County Memorial Stadium** - This month is packed with a variety of exciting events suitable for fans of all ages, offering a fantastic opportunity for the community to come together and enjoy the spirit of competition and entertainment. The lineup kicks off on April 4th with the Trinity School Track Meet, followed by the Raleigh Radiance Home Opener against DC Shadow on April 6th. For more information and to view the April schedule, visit Durham County Memorial Stadium Events Calendar.
8. **Most Durham County Offices Closed for the Good Friday Holiday** - Durham County Government will observe the Good Friday holiday by closing most of its offices on Friday, March 29, 2024, with a scheduled reopening on Monday, April 1, 2024. The Durham County General Services Department will close all three of its solid waste and recycling convenience sites on the holiday. Residents holding a current 2023-2024 solid waste decal will be able to continue disposal services, including garbage, recycling, yard waste, and bulky items at the County’s Northern and Redwood convenience sites starting from 7 a.m. on Saturday, March 30, 2024. The Durham County Library, Public Health Department, Department of Social Services,

and the Sheriff's Administration and Records Division will also close during this period. Emergency services and roadside recycling collection will operate as per their regular schedules to ensure no interruption to critical services. Residents are encouraged to plan accordingly for these closures and to utilize the available services before and immediately after the holiday weekend.

9. **Engage Durham** – Spring 2024 Planning Academy Applications are now open until March 29th. The spring 2024 academy will be hosted by Durham County Main Library who are partnering with the City-County Planning Department to offer this community learning opportunity.
10. **Chix Dig It** – Celebrating Women in Construction in Loving Memory of Patricia Lucas Smith. Join the celebration on March 28th from 10a.m. – 2p.m. for inspiring stories, networking opportunities and supportive panels.
11. **2024 Summer LEEP Internship Program** – Now accepting summer internship application until April 12th. Requirements included applicants must be age 15 – 19 as of April 12th and one of the following: resident of Durham County, enrolled in Durham Public Schools, a child of a Durham County employee. Applicants must be available to attend Mandatory Orientation on June 17th and available to work June 17th – August 9th.

Commissioners shared the following additional announcements.

- The Influx Care Facilities at the Greensboro Children's Center has opened to house unaccompanied child migrants.
- Stand Up-Speak Out (SUSO) of North Carolina Grand Opening was held on March 25th at 112 Broadway Street, Suite B. SUSO advocates to decrease sexual assault and domestic violence.
- The Human Relations Division of the City's Neighborhood Improvement Services Department will present the 21st Annual Women's Forum on March 28th at 6 p.m. in honor of National Women's History Month.

Commissioner Jacobs stated she would be visiting the United States – Mexico Border in El Paso County, Texas from March 26th – 28th with National Association of Counties (NACo) Immigration Reform Task Force.

Minutes

Vice Chair Burns moved, seconded by Commissioner Howerton to approve the February 26, 2024 Regular Session, March 4, 2024 Work Session and March 11, 2024 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

24-0156 Proclamation – Catherine Ferrell Beautification and Garden Week 2024

Commissioner Carter read the following proclamation:

CATHERINE FERRELL BEAUTIFICATION AND GARDEN WEEK | 2024

WHEREAS, Catherine Ferrell, North Carolina's oldest citizen and ornamental gardener has beautified Durham's green spaces and private homes with flowers, shrubs, and trees; and

WHEREAS, Catherine Ferrell as a longstanding member of the North Carolina Federation of Garden Clubs and Durham affiliate chapter Better Homes and Garden Club has epitomized horticultural excellence and community services; and

WHEREAS, Catherine Ferrell has promoted civic pride and human kindness through gardening and love of the environment for future generations of North Carolinians; and

WHEREAS, Catherine Ferrell promotes gardening as a means of healthy living, stress reduction and lifelong fitness; and

WHEREAS, Catherine Ferrell has advocated for the importance of all creatures, large and small, that share our planet and worked to make a difference in the world's overall ecological betterment; and

WHEREAS, Catherine Ferrell has empowered Durham area residents and garden clubs across the state and nation to make a difference in the communities where they reside and work.

NOW THEREFORE, I, Nida Allam, Chair and on behalf of the Durham Board of County Commissioners, do hereby proclaim March 25 – March 31, 2024 as

“CATHERINE FERRELL BEAUTIFICATION AND GARDEN WEEK”

in Durham County.

This the 25th day of March 2024

Nida Allam, Chair
Durham Board of County Commissioners

Chair Allam stated the proclamation would be presented to Ms. Ferrell at the African American Legacy in Gardening and Horticulture Event at the Hayti Heritage Center on March 30th.

24-0158 Proclamation – North Carolina Federation of Garden Clubs

Commissioner Howerton read the following proclamation:

NORTH CAROLINA FEDERATION OF GARDEN CLUBS DAY | 2024

WHEREAS, The North Carolina Federation of Garden Clubs was founded in 1935 on the campus of North Carolina A&T State University with Asa Sims as advisor and Madie Hall Xuma as its first president; and

WHEREAS, The North Carolina Federation of Garden Clubs and its affiliated clubs across North Carolina have fostered community beautification, cultural awareness, horticultural excellence, and ecological understanding; and

WHEREAS, the achievements and efforts of the North Carolina Federation of Garden Clubs have increased the plant and ecological knowledge of K-12 students and North Carolina residents in general, and promoted civic pride and environmental responsibility in youth populations; and

WHEREAS, many past and present Durham area residents have held memberships in the North Carolina Federation of Garden Clubs, had have enhanced the Federation’s mission throughout the State with their time and talents: and

WHEREAS, the work of the North Carlina Federation of Garden Clubs has extended beyond gardening to aiding and supporting numerous organizations and efforts socially and economically.

NOW, THEREFORE, I, Nida Allam, Chair and on behalf of the Durham Board of County Commissioners, do hereby proclaim March 30, 2024 as

“NORTH CAROLINA FEDERATION OF GARDEN CLUBS DAY”

in Durham County, NC

This the 25th day of March 2024.

Nida Allam, Chair
Durham Board of County Commissioners

Chair Allam stated the proclamation would be presented to the Federation at the African American Legacy in Gardening and Horticulture Event at the Hayti Heritage Center on March 30th. The Board thanked Carter Cue, resident for bringing the proclamations to the County.

24-0161 Proclamation – National County Government Month

Chair Allam read the following proclamation:

NATIONAL COUNTY GOVERNMENT MONTH | 2024

WHEREAS, the nation’s 3,069 counties serving more than 330 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties fulfill a vast range of responsibilities and deliver services that touch nearly every aspect of our residents' lives; and

WHEREAS, Durham County and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, under the leadership of National Association of Counties President Mary Jo McGuire, NACo is highlighting county leadership through the lens ForwardTogether, celebrating the role of county governments in connecting, inspiring, and leading as intergovernmental partners; and

WHEREAS, that role includes a responsibility to inspire county residents to engage with their communities, and to lead by highlighting our strength as intergovernmental partners; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs, and services; and

WHEREAS, this year’s activities will be both interactive and informative; inviting all to learn more about the work Durham County Government does to support a community were all can live, grow, and thrive.

NOW, THEREFORE BE IT RESOLVED, I, Nida Allam, Chair of the Durham Board of County Commissioners, do hereby proclaim April 2024 as

“NATIONAL COUNTY GOVERNMENT MONTH”

in Durham County, North Carolina, and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

This 25th day of March 2024.

Nida Allam, Chair
Durham Board of County Commissioners

Deborah Craig-Ray, Chief Information Officer thanked the Board for recognizing National County Government Month. She added the County would be showcased during the month and thanked the Public Information Department for their dedication.

The Board inquired about youth civic engagement. Ms. Craig-Ray responded Durham County provided information on youth civic engagement on social media and was in the process of printing information booklets that would be available at County libraries. The Board asked about activities planned for the National Government Month. Ms. Craig-Ray stated tours for residents, youth-centered activities and a mentoring breakfast were being scheduled.

The Board thanked Ms. Craig-Ray and the Public Information Department for supporting Durham County.

Consent Agenda

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

Vice Chair Burns requested to comment on Items 24-0131 and Item 24-0162.

- Item 24-0131 – Vice Chair Burns highlighted a lease agreement for the Shoppes at Hope Valley.
- Item 24-0162 – Vice Chair Burns highlighted the American Rescue Plan Act Small Business Support Grant for economic development.

Commissioner Howerton requested to pull Item 24-0128 and Commissioner Carter requested to pull Item 24-0174.

Hearing no additional comments, Chair Allam entertained a motion for approval.

Commissioner Jacobs moved, seconded by Vice Chair Burns, to approve the following items on the Consent Agenda except Items 24-0128 and 24-0174.

The motion carried unanimously.

24-0108 Authorize Board Chair to sign Letters of Support for Applications for Environmental Enhancement Grant Funds for County Stormwater Project

24-0115 Approve Amendment to increase funding in the amount of \$150,000 to Interlocal Agreement with Central Pines Regional Council for Low to Moderate Income Solarize Program

24-0116 Approval of a Contract amendment with HDR Engineering Inc of the Carolinas to provide design, bidding, and contract administration for the installation of a whole site generator at the new Northern Convenience Center in the amount of \$30,470 for a not-to-exceed total contract amount of \$660,832

24-0121 Approval of a Contract Amendment with U. S. Smoke & Fire Corporation to Repair Two Smoke Curtains at Durham County Main Library in the amount of \$31,520.00 for a total contract amount of \$42,300

24-0130 Approve Thirumala Restaurant Lease Amendment #4 to Extend Rent Commencement Date to September 1, 2024

24-0131 Approve Lease Agreement Between Superior Insurance and Durham County for the Shoppes at Hope Valley, Suite 118 for One Year in the amount of \$26,256.00, with Two One-Year Options to Renew

*24-0133 Approval of Capital Project Amendment No.24CPA00018 Appropriating \$12,421,277 of 2022 General Obligation Bonds (GO Bonds) to Two Elementary School Capital Projects: \$8,921,277 to the Glenn Elementary School Capital Project (SH293) and \$3.5M to the Murray-Massenburg Elementary School Capital Project (SH292) to Support the Design, Construction and Completion of these Projects

24-0162 Approval of American Rescue Plan Act (ARPA) Nonprofit Grant Program Phase 2 - Small Business Support Grant to Forward Cities, Inc. for \$1.5 million

*24-0165 Approval of Property Tax Releases and Refunds for February 2024

24-0171 Approval to Advertise 2023 Tax Liens on Real Property

*24-0185 Approval of a Budget Ordinance Amendment No. 24BCC00090 Appropriating \$172,479.18 of General Fund Fund Balance to Durham County Board of Elections for the Statewide Second Primary Election

Consent Agenda Item #24-0133

**Durham County, North Carolina
FY 2023-2024 Capital Project
Amendment Number 24CPA-18**

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
59105400SH292	Elementary School F – New – Murray-Massenburg	\$87,125,025.27	\$3,500,000.00	\$90,625,025.27
59105400SH293	Glenn Elementary Renovation	\$59,475,182.98	\$8,921,277.00	\$68,396,459.98

All capital projects in conflict herewith are hereby repealed.

Approved March 25, 2024

Consent Agenda Item #24-0165

Releases and Refunds – February 2024

Current Year 2023 Taxes	Releases	Refunds	
Real Property	\$53,713.50	\$135,062.90	
Personal Property	\$14,282.00	\$21,029.44	
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	\$21,677.46	
Gross Rec	\$0.00	\$12.38	
SUB – TOTAL	\$67,995.50	\$177,782.18	\$245,777.68
Prior Year 2019-2022	Releases	Refunds	
Real Property	\$4,400.32	\$4,011.27	
Personal Property	\$6,875.04	\$0.00	
GAP Vehicles	\$0.00	\$0.00	
Motor Vehicle	\$0.00	\$0.00	
Solid Waste	\$0.00	\$0.00	
Stormwater Utility	\$0.00	\$0.00	
VTS Refunds	\$0.00	\$0.00	
SUB - TOTAL	\$8,376.06	\$4,011.27	\$15,286.63
GRAND TOTAL	\$79,270.86	\$181,793.45	\$261,064.31

Consent Agenda Item #24-0185

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00090**

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>			
General Government	\$192,537,741.62	\$172,479.18	\$192,710,220.80
<u>Revenue</u>			
Other Financing Services	\$74,561,204.50	\$172,479.18	\$74,733,683.68

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

Approved March 25, 2024

Other Business

24-0160 Presentation of the Fiscal Year (FY) 2023 Annual Financial Audit and Annual Comprehensive Financial Report (ACFR) and the FY 2023 Annual Single Audit and Compliance Report

Scott Anderson, Audit Director with Cherry Bekaert shared the *Audit Executive Summary* presentation which highlighted the following: Client Service Team, Agenda, Results of the Audit, Single Audit, Results of the Single Audit, Single Audit Findings, Internal Control Communications, Corrected and Uncorrected Misstatements, Qualitative Aspects of Accounting Practices, Independence Considerations, Other Matters and Upcoming Financial Changes.

The Board asked would the adjustment of 2.5 million dollars to reflect the fair market value adjustment be considered a significant deficiency. Mr. Anderson responded the misstatement was evaluated at a significant deficiency level, although the misstatement was not reported as significant.

The Board asked if there was concern about the County’s liabilities exceeding assets when looking at trends from the last 10 years. Mr. Anderson replied the County should not be concerned; adding the County should continue to monitor trends and liquidity. The Board inquired about where the County showed an increase in spending. Mr. Anderson responded a significant increase was in pension funding.

The Board thanked Tiffany Murray, Chief Financial Officer, Crystally Wright, Deputy Chief Financial Officer and the Finance Department for their continued diligent work in preparation for the audit and commendable reports.

Board and Commission Appointments

Curtis Massey, Interim 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.

Durham County Women’s Commission

Amanda Gordon-Redmon (Allam, Carter, Howerton, Jacobs)

Montrelle Caldwell (Burns)

Items Pulled from the Consent Agenda

*24-0128 Budget Ordinance Amendment No. 24BCC00086 Community Intervention & Support Services to Recognize \$50,000 from the City of Durham Interlocal Agreement to Support Coordinated Programmatic and Systems-Level Strategies in Community Intervention

Joanne Pierce, Assistant County Manager stated the funding would be used to expand activities and meetings to include local and state representation for the My Brother’s Keeper Program.

Consent Agenda Item #24-0128

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00086**

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	\$129,250,621.46	\$50,000.00	\$129,300,621.46
<u>Revenue</u>			
Intergovernmental	\$80,485,364.58	\$50,000.00	\$80,535,364.58

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

Approved March 25, 2024

*24-0174 Approval of Budget Ordinance Amendment No. 24BCC00089 Appropriating \$259,824 of General Fund Fund Balance for a Contract with SHI International Corp. for Licenses, Services and the Enterprise Agreement with Microsoft for the Durham County Sheriff’s Office

Keisha Gaither, Finance Manager, Sheriff’s Office stated the item was time-sensitive due to the existing contract ending on April 30th. Keisha Lovelace, Attorney stated funding for the contract was not budgeted in the Fiscal Year 2023-2024 budget process due to the passing of the former Finance Manager and the hiring of Ms. Gaither. She added Ms. Gaither noticed the funding for the contract was not budgeted and contacted the Budget Department to address the matter. Ms. Lovelace stated the Budget Department asked Ms. Gaither to provide a mid-year budget request and the item was entered as a budget amendment and changed to a contract approval.

The Board asked if the funding request was a one-time request or a continuous request. Ms. Lovelace responded the funding request would be annual; adding the funding would be included in the annual budget request as with previous years. Dwane Brinson, Assistant County Manager stated the funds were requested in January after several strategies were unsuccessful to reallocate funds.

Consent Agenda Item #24-0174

**Durham County, North Carolina
2023-2024 Budget Ordinance
Amendment Number 24BCC00089**

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	\$87,048,311.72	\$259,824.00	\$87,308,135.72
<u>Revenue</u>			
Other Financing Sources	\$74,584,490.02	\$259,824.00	\$74,844,314.02

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

Approved March 25, 2024

Commissioner Howerton moved, seconded by Vice Chair Burns to approve Items 24-0128 and 24-0174 on the Consent Agenda.

The motion carried unanimously.

Closed Session

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

- The Board is requested to adjourn into Closed Session to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations; pursuant to G.S. 143-318.11(a)(4).
- 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 the National Opioid Litigation, which privilege is hereby acknowledged; pursuant to G. S. 143- 318.11(a)(3).

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

The motion carried unanimously.

Reconvene to Open Session

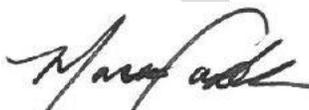
Chair Allam announced the Board met in Closed Session and provided direction to staff.

Adjournment

Vice Chair Burns moved, seconded by Commissioner Jacobs to adjourn the Regular Session meeting at 8:47 p.m.

The motion carried unanimously.

Respectfully Submitted,



Macio Carlton
Deputy Clerk to the Board