

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

Monday, November 14, 2022

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 Commissioner Nida Allam

Presider: Chair Brenda Howerton

Excused Absence: Commissioners Nimasheena Burns and Heidi Carter

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. **DCo Public Health COVID-19 Vaccination Clinic Hours** – The walk-in COVID-19 vaccination clinic at the Durham County Department of Public Health, 414 E. Main St., has the following hours to get your free vaccination: Monday, Wednesday, Thursday & Friday: 9 a.m. to 4 p.m.; Tuesday: 9 a.m. to 5:30 p.m. All approved doses available. Please note, clinics are closed between 11:30 a.m.-1 p.m. daily.

Visit www.dcopublichealth.org/COVIDVaccines or call 919-560-9217 for more information.

2. **Flu Vaccines Available at DCoDPH** – The first and most important step in preventing flu is to get a flu shot each year! Call the Durham County Department of Public Health at 919-560-7608 to schedule your flu shot. Find other flu shot locations here: <https://www.vaccines.gov/find-vaccines/>.
3. **WHOLE-istic Wellness Fair** – Join us Sunday, November 20th from 12pm – 5pm at Southern School of Energy and Sustainability located at 800 Clayton Road for an event filled with opportunities to learn more about the spectrum of mental healthcare. This event is FREE and open to the public. There will also be snacks, beverages, childcare and give-a-ways available at no charge.

4. **Town Hall Meeting about the Alliance Health Tailored Plan** – Here is your chance to share feedback and ask questions about the Medicaid Tailored Plan and the Tailored Care Management Benefit. Alliance Health will be sponsoring Town Hall meetings in several counties including Durham on Monday, November 28th from 6-7pm at the Community Family Life & Recreation Center at Lyon Park located at 1309 Halley Street. Registration is not required, and additional information can be found at www.alliancehealthplan.org/tp/
5. **Durham Recycles Webinar** – Celebrate America Recycles Day on Tuesday, Nov. 15 with Keep Durham Beautiful by learning more about how, what and where to recycle in the City and County of Durham. Representatives from the City of Durham, Durham County Solid Waste Division, Shimar Recycling and Sonoco will discuss best practices, what can and can't be recycled, and what to do with those harder to recycle items. Webinar from 11:30 a.m. to 12:30 p.m. Sign up for virtual session here: <https://us06web.zoom.us/meeting/register/tZYud-CpqjIrE9GiJlzWFavILWX7-k-tePP/>
6. **Innovate Durham Demo Day** – Everyone is invited to come out to the 2022 Innovate Durham Demo Day on Wednesday, Nov. 16 from 5-7 p.m. at the Durham County Main Library (300 N. Roxboro St.). This year's cohort features five local businesses that have ideas and products that will transform the way Durham County and the City of Durham governments tackle issues of sustainability, mental health, technological advancements, creating opportunities for community members to thrive in digitally changing atmospheres, and more! Register for free tickets here: <https://www.eventbrite.com/e/innovate-durham-demo-day-tickets-444283533007>.
7. **Welcome Baby Coat Drive** – The Welcome Baby Durham program is holding its 10th Annual Winter Coat Drive from now until January 6, 2023. For this milestone anniversary, we want to collect and distribute 400 coats to our youngest County residents! Donate gently used or new coats, sizes newborn to 8 years old at the Cooperative Extension office at 721 Foster Street or at any open Durham County Library site. If community members or organizations would like to partner with Welcome Baby to host a mini coat drive or establish a drop-off location, or get information about Welcome Baby, contact Welcome Baby at 919-560-7319 or at ckriley@dkcon.gov.
8. **Check Out Updated Comprehensive Plan: Policies, Place Type Guide & Place Type Map** – The Durham City-County Planning Department has released a revised version of the Comprehensive Plan Policies, the Place Type Guide, and the Place Type Map. This revision incorporates resident and staff feedback. Stay tuned for a release of the full draft Comprehensive Plan and the final engagement phase beginning in January 2023! Visit <https://engagedurham.com/comprehensive-plan> to review the latest draft and sign up for updates!
9. **Durham Low-Income Homeowners Relief Program** – The new and improved Low-Income Homeowners Relief Program (LIHR) provides property tax help on current taxes for eligible homeowners. Tax assistance based upon a 3-tiered income model and other improvements. Apply before Jan. 31, 2023 at www.DCONC.GOV/DSS or call 919-560-8000 for an appointment.
10. **Sign Up for Your FREE Solar Installation Estimate** – Durham County encourages residents and businesses to sign up for a free estimate for a solar installation through the Solarize the

Triangle Program. Prices are 25% lower through the program and a trustworthy installer has been selected. The more who sign up, the lower the cost for everyone.

Go to www.SolarizeTheTriangle.com for information and to sign up or call 919-560-7999 before December 31st.

Commissioners shared the following additional announcements.

- Citizens could register for the WHOLE-istic Wellness Fair at www.wholeschools.org/events/fair.
- Thanked residents for voting to approve the bond referendum; also thanked Durham County staff and the Bond Referendum Committee.
- November was Diabetes Awareness Month and National Home Care and Hospice Month.
- North Carolina would not be hosting the 2027 Summer World University Games.
- November 20th was the Transgender Day of Remembrance.

Minutes

Vice Chair Jacobs moved, seconded by Commissioner Allam to approve the October 10, 2022 and October 24, 2022 Regular Session minutes.

The motion carried unanimously.

Ceremonial Items

22-0649 Recognition of Charlita Felder in the General Services Solid Waste Division for Receiving the Mike Stilwell Award for North Carolina Solid Waste Enforcement Officer of the Year

Motiryo Keambiroiro, General Services Director thanked Charlita Felder, Solid Waste Operations Supervisor and introduced Chrissie Koroivui, Solid Waste Manager. Ms Koroivui stated she nominated Ms. Felder for the award and gave a brief overview of Ms. Felder's work experience and achievements. Caleb Sinclair, President of the North Carolina Solid Waste Enforcement Officers Association presented Ms. Felder with the Mike Stilwell Award for the North Carolina Solid Waste Enforcement Officer of the Year.

The Board thanked Ms. Felder for being a leader and improving the quality of life for Durham County residents with continued solid waste enforcement. Ms. Felder thanked the Board, Ms. Keambiroiro, Ms. Koroivui and Mr. Sinclair for the recognition and the award.

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 Allam moved, seconded by Vice Chair Jacobs to approve the following items on the Consent Agenda.

The motion carried unanimously.

*22-0568 Budget Ordinance Amendment No. 23BCC00046 in the Amount of \$73,660.06 to Recognize a Grant Award 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.

*22-0594 Budget Ordinance Amendment No.23BCC00036 to Recognize \$5,239.91 in Grant Funding from the North Carolina Department of Public Instruction's Child Nutrition Program for the Youth Home

*22-0595 Budget Ordinance Amendment No. 23BCC00044 Social Services to Recognize \$38,000 in Distribution of North Carolina Rate Settlement Funds as authorized by Duke Energy Carolinas Stipulations and Settlement ordered in Docket No. E-7, Sub 1214

*22-0605 Budget Ordinance Amendment No. 23BCC00043 Public Health to Recognize Funds in the Amount of \$8,000 From the Ann Wolfe Mini Grant for Child Health and Infant Mortality for Outdoor Learning

*22-0616 Budget Ordinance Amendment No. 43BCC00041 Library to recognize funds in the amount of \$153,182 from the State Library of North Carolina for a One-Time Financial Assistance Payment that Can Be Used for Personnel/Operating Costs

22-0627 Replace Roof Exhaust fans and Axial Fans at the Durham County Detention Center

*22-0628 Budget Ordinance Amendment No.23BCC00039 to recognize \$18,000 in Grant Revenue from the Burt's Bees Foundation to support an Updated Biological Inventory for Rare and Unique Plant Communities

22-0632 Approval of Interlocal Agreement with the City of Durham for Continuation of the Gang Reduction Strategy in FY23

22-0634 Transit Plan Governance Interlocal Agreement

*22-0636 Budget Ordinance Amendment No. 23BCC00047 Library to Recognize Funds in the Amount of \$24,480 from the Universal Service Connectivity Fund to Offset the Cost of Lending Hotspots to the Public

*22-0642 Budget Ordinance Amendment No. 23BCC00045 FY 2022-23 Encumbrance Rollover - Increasing Multiple Funds Budgeted Expenditures and Revenues by a total of \$15,530,177.54

22-0646 Durham County Hacking into History Restrictive Covenant Project Contract Approval

22-0650 Approve Renaming Capital Project 4190DC080 from "Owned Convenience Site Upgrades" to "Redwood Convenience Site Upgrades"

22-0651 Execute an Amendment to the Architectural/Engineering Services Contract with Smith+Gardner Engineers for Upgrades to the Redwood Solid Waste Convenience Site Capital Project (4190DC080)

22-0659 A Resolution of the County of Durham, North Carolina to Authorize the Purchase of Easements or the Acceptance of Easements by Grants of Properties in an Area Commonly Known as the Snow Hill Community, which is Specifically Inclusive of Roads and Streets for the Purpose of Creating,

Expanding, and Maintaining the Snow Hill Sanitary Sewer System

22-0662 Juvenile Crime Prevention Council Appointment

22-0663 Preliminary Assessment Resolution for Little Acres Drive

22-0666 Approval of Surplus Personal Property Sale by Electronic Public Auction with GovDeals and Property Room

22-0669 Request Refund of Payment of Excise Tax to Burns, Day & Presnell, P.A.

22-0679 Criminal Justice Advisory Board Appointment

*22-0680 Property Tax Releases and Refunds for October 2022

*22-0681 Property Tax Releases and Refunds for November 2022

22-0686 Durham County Legislative Goals for 2023 General Assembly Session

Consent Agenda Item #22-0568

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00046**

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	\$76,123,966.91	\$73,660.06	\$76,197,656.97
<u>Revenue</u>			
Intergovernmental	\$79,057,271.91	\$73,660.06	\$79,130,931.97

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

Approved November 14, 2022

Consent Agenda Item #22-0594

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00036**

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	\$76,118,757.00	\$5,239.91	\$76,123,996.91
<u>Revenue</u>			
Intergovernmental	\$78,822,450.00	\$5,239.91	\$78,827,689.91

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

Approved November 14, 2022

Consent Agenda Item #22-0595

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00044**

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	\$110,321,029.00	\$38,000.00	\$110,359,029.00
<u>Revenue</u>			
Intergovernmental	\$79,019,271.91	\$38,000.00	\$79,057,271.91

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

Approved November 14, 2022

Consent Agenda Item #22-0605

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00043**

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	\$110,313,029.00	\$8,000.00	\$110,321,029.00
<u>Revenue</u>			
Intergovernmental	\$79,011,271.91	\$8,000.00	\$79,019,271.91

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

Approved November 14, 2022

Consent Agenda Item #22-0616

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00041**

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>			
Cultural and Recreation	\$15,647,899.00	\$153,182.00	\$15,801,081.00
<u>Revenue</u>			
Intergovernmental	\$78,848,089.91	\$153,182.00	\$79,001,271.91

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

Approved November 14, 2022

Consent Agenda Item #22-0628

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00039**

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>			
Environmental Protection	\$5,244,763.00	\$18,000.00	\$5,262,763.00
<u>Revenue</u>			
Intergovernmental	\$78,827,089.91	\$18,000.00	\$78,845,089.91

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

Approved November 14, 2022

Consent Agenda Item #22-0636

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00047**

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>			
Cultural and Recreation	\$15,866,969.16	\$24,480.00	\$15,891,449.16
<u>Revenue</u>			
Intergovernmental	\$79,130,931.97	\$24,480.00	\$79,155,411.97

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

Approved November 14, 2022

Consent Agenda Item #22-0642

**Durham County, North Carolina
2022-2023 Budget Ordinance
Amendment Number 23BCC00045**

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>			
Cultural and Recreation	\$15,801,081.00	\$65,888.16	\$15,866,969.16
Economic and Physical Development	\$10,073,886.00	\$298,502.47	\$10,372,388.47
Education	\$194,820,540.00	\$233,919.54	\$195,054,459.54
Environmental Protection	\$5,262,763.00	\$246,075.55	\$5,508,838.55
General Government	\$170,728,181.00	\$7,062,988.66	\$177,791,169.66
Human Services	\$110,359,029.00	\$4,164,975.66	\$114,524,004.66
Public Safety	\$76,123,996.91	\$1,817,280.62	\$77,941,277.53
Transportation	\$1,282,103.00	\$207,356.73	\$1,489,459.73
<u>Revenue</u>			
Other Financing Services	\$53,426,906.00	\$14,096,987.39	\$67,523,893.39
<u>RISK MANAGEMENT FUND</u>			
<u>Expenditure</u>			
General Government	\$4,973,674.00	\$192,390.49	\$5,166,064.49
<u>Revenue</u>			
Other Financing Services	\$500,432.00	\$192,390.49	\$692,822.49
<u>REAPPRAISAL RESERVE FUND</u>			
<u>Expenditure</u>			
General Government	\$710,432.00	\$31,451.61	\$741,883.61
<u>Revenue</u>			
Other Financing Services	\$710,432.00	\$31,451.61	\$741,883.61
<u>BENEFITS PLAN FUND</u>			
<u>Expenditure</u>			
General Government	\$38,750,565.00	\$10,146.30	\$38,760,711.30
<u>Revenue</u>			
Other Financing Services	\$34,834,179.00	\$10,146.30	\$34,844,325.30
<u>STORMWATER FUND</u>			

<u>Expenditure</u>			
Environmental Protection	\$1,413,936.00	\$349,732.46	\$1,763,688.46
<u>Revenue</u>			
Other Financing Services	\$0.00	\$349,732.46	\$349,732.46
SEWER UTILITY FUND			
<u>Expenditure</u>			
Utilities	\$12,124,580.00	\$849,469.29	\$12,974,049.29
<u>Revenue</u>			
Other Financing Services	\$500,000.00	\$849,469.29	\$1,349,469.29

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

Approved November 14, 2022

Consent Agenda Item #22-0680

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings and clerical errors, etc. The attached report details releases and refunds for the month of October 2022.

Releases and Refunds – October 2022

<u>Current Year 2022 Taxes</u>	<u>Releases</u>	<u>Refunds</u>
Real Property	\$ 624,824.36	\$ 129,751.23
Personal Property	\$ 738,039.85	\$ 2.00
Motor Vehicle	\$ 0.00	\$ 243.62
Solid Waste	\$ 165.00	\$ 0.00
Stormwater Utility	\$ 0.00	\$ 0.00
VTS Refunds	\$ 16,009.59	\$ 0.00
SUB - TOTAL	\$ 1,379,038.80	\$ 129,996.85
<u>Prior Year 2016-2021</u>	<u>Releases</u>	<u>Refunds</u>
Real Property	\$ 2,212.25	\$ 2,292.31
Personal Property	\$ 0.00	\$ 0.00
Motor Vehicle	\$ 0.00	\$ 86.53
Solid Waste	\$ 0.00	\$ 0.00
Stormwater Utility	\$ 0.00	\$ 0.00
VTS Refunds	\$ 0.00	\$ 0.00
SUB - TOTAL	\$ 2,212.25	\$ 2,378.84
 GRAND TOTAL	 \$ 1,381,257.05	 \$ 182,375.69

Consent Agenda Item #22-0681

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings and clerical errors, etc. The attached report details releases and refunds for the month of November 2022.

Releases and Refunds – November 2022

Current Year 2022 Taxes	Releases	Refunds
Real Property	\$ 5,803.50	\$ 78,117.48
Personal Property	\$ 1,820.07	\$ 21.44
Motor Vehicle	\$ 0.00	\$ 0.00
Solid Waste	\$ 0.00	\$ 0.00
Stormwater Utility	\$ 120.00	\$ 0.00
VTs Refunds	\$ 0.00	\$ 0.00
SUB - TOTAL	\$ 7,743.57	\$ 73,138.92

Prior Year 2016-2021	Releases	Refunds
Real Property	\$ 0.00	\$ 2,107.30
Personal Property	\$ 0.00	\$ 0.00
Motor Vehicle	\$ 0.00	\$ 73.86
Solid Waste	\$ 0.00	\$ 0.00
Stormwater Utility	\$ 0.00	\$ 0.00
VTS Refunds	\$ 0.00	\$ 0.00
SUB - TOTAL	\$ 0.00	\$ 2,181.16

GRAND TOTAL	\$ 7,743.57	\$ 75,320.08
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Public Hearings

22-0539 Public Hearing – Consolidated Item – Mason Farms Major Special Use Permit Quasi-Judicial Hearing Continuance

Chair Howerton stated the Board was requested to open and continue a quasi-judicial hearing for a Major Special Use Permit (MSUP) for a Community Wastewater System for the Mason Farms conservation subdivision pursuant to Unified Development Ordinance (UDO) 12.7.1C.

Chair Howerton opened the public hearing.

Vice Chair Jacobs moved, seconded by Commissioner Allam to continue the Major Special Use Permit for case M2200001, Mason Farms Community Wastewater System to the November 28, 2022 meeting.

The motion carried unanimously.

Closed Session

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

- To qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officers 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 Allam moved, seconded by Vice Chair Jacobs 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 Vice Chair Jacobs to adjourn the Regular Session meeting at 8:29 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Macio Carlton', is written over a large, light gray 'DRAFT' watermark.

Macio Carlton
Deputy Clerk to the Board