

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

Monday, September 14, 2020

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 Wendy Jacobs, Vice-Chair James Hill and Commissioners Heidi Carter, Brenda Howerton and Ellen Reckhow

Presider: Chair Wendy Jacobs

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

**Agenda Adjustments**

Chair Jacobs announced that there were no agenda adjustments.

**Announcements**

Chair Jacobs read the following announcements:

1. **Getting Ready for Election Season** – The Durham County Board of Elections is preparing for the 2020 General Election. Please visit the DCo Board of Elections' website at [www.dcovotes.com](http://www.dcovotes.com) for information about absentee ballots, early voting and more!
2. **Census Sweepstakes** – Durham residents who complete the 2020 Census have the opportunity to enter a sweepstakes to win a prize. To participate, you must do one of the following:
  - a. Complete the Census online in English at [www.2020census.gov/en](http://www.2020census.gov/en) or in Spanish at [www.2020census.gov/es](http://www.2020census.gov/es) or by calling 844-330-2020 for English or 844-468-2020 for Spanish
  - b. If you have completed the Census, please visit <https://upvir.al/103847/durhamcounty> to enterPlease visit [www.dconc.gov](http://www.dconc.gov) for more information.
3. **Free COVID-19 Testing at Walgreens** – Testing at Walgreens has moved to a new location! Free testing is available by appointment at Walgreens on N. LaSalle Street in Durham.

Please visit <https://Walgreens.com/COVID19testing> for more information.

4. **Central Piedmont Community Action Presents: 4<sup>th</sup> Annual CDBG Family Fun Day** – You are invited to the **COVID-19 Friendly** Trunk or Treat outdoor event. For additional information please contact Allexus Porter at 919-797-0888 or by email at [allexusp@cpcanc.org](mailto:allexusp@cpcanc.org).

Please note that face masks are required for this event!

**Directive: Commissioner Reckhow recommended that the County have a Census information table at Durham's Farmers Market**

## **Minutes**

Commissioner Carter moved, seconded by Commissioner Reckhow to approve the July 13, 2020 Regular Session minutes.

The motion carried unanimously.

## **Ceremonial Items**

### **20-0491 Proclamation – National Preparedness Month**

Chair Jacobs read the following resolution:

#### **NATIONAL PREPAREDNESS MONTH | 2020**

- WHEREAS,** National Preparedness Month, occurring annually in September since 9/11, creates an ideal opportunity for every resident of Durham County, North Carolina, to join citizens across the United States in preparing their homes, businesses, and communities for any type of emergency, including natural, technological, and human caused; and
- WHEREAS,** the Federal Emergency Management Agency (FEMA) announced the 2020 National Preparedness Month theme of “Disasters Don’t Wait. Make Your Plan Today”; and
- WHEREAS,** 2020 requires extra precautions due to COVID-19 and additional provisions to keep our residents and their families safe; and
- WHEREAS,** planning now, before a disaster is the best way to improve community resiliency from disaster; and
- WHEREAS,** the City/County Emergency Management Division partners with federal, state, local, tribal, territorial, private, and volunteer agencies to educate individuals on local hazards and how to prepare for them; and
- WHEREAS,** the City/County Emergency Management Division informs residents on how to take action, through its Alert Durham public education campaign; and
- WHEREAS,** all residents of Durham County, North Carolina, are urged to plan ahead for disasters and encourage their family and friends to do so by visiting the County’s preparedness campaign website at [alertdurham.com](http://alertdurham.com).

**NOW, THEREFORE BE IT RESOLVED,** I, Wendy Jacobs, Chair of the Durham Board of County Commissioners and on behalf of the Durham Board of County Commissioners, do hereby proclaim September as

## **“NATIONAL PREPAREDNESS MONTH”**

in Durham, North Carolina and with the theme ***DISASTERS DON'T WAIT. MAKE YOUR PLAN TODAY***, I **encourage** the community to observe this month by preparing for emergencies before they occur in Durham County, North Carolina.

This the 14<sup>th</sup> day of September 2020.

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Wendy Jacobs, Chair  
Durham Board of County Commissioners

Leslie O’Conner, Chief Emergency Manger thanked the Board for recognizing National Preparedness Month. She explained that the 2020 theme “*Disaster Don’t Wait. Make Your Plan Today*” was a reflection of COVID-19, the malware attack and the hurricane season. Ms. O’Conner encouraged all residents to have a disaster plan as well as an emergency kit.

Jim Groves, Fire Marshal and Director of Emergency Management explained the importance of a communications plan.

Chair Jacobs thanked Ms. O’Conner and Mr. Groves for the work being done around the clock and for the vital functions of Emergency Management and Fire Services. She asked for a list of websites that Durham residents could review to get information to prepare for disasters. Ms. O’Conner responded <https://alertdurham.com> and [www.ready.gov](http://www.ready.gov).

### **20-0493 Resolution – Women’s Health and Equal Access To Abortion**

Commissioner Reckhow read the following resolution:

#### **RESOLUTION SUPPORTING WOMEN’S HEALTH AND EQUAL ACCESS TO ABORTION**

**WHEREAS,** the Resolution to Support Women’s Health was passed by the Durham County Board of Commissioners on April 9, 2018, affirming accessible, safe, affordable and comprehensive reproductive health care services, including abortions, and called for the repeal of the Hyde Amendment; and

**WHEREAS,** the right to an abortion has been chipped away since then. North Carolina targeted regulations on abortion providers to include requiring them to perform an ultrasound, send ultrasounds to the Department of Health and Human Services and banning state funding to abortion providers; and the North Carolina general assembly recently passed the “Born-Alive Abortion Survivors Protections Act,” later vetoed by Governor Cooper, where any violation was a class D felony, punishable by imprisonment and a \$250,000 fine; and

**WHEREAS,** this bill perpetuates the false narrative that abortion frequently occurs immediately before or at the time of birth, interferes with private health care decisions, disregarding clinical practice guidelines put forth by the American College of Obstetricians and Gynecologists, and makes no mention of the evidentiary guidelines for prosecution; and

**WHEREAS,** approximately 22% of Durham County residents are people who can become pregnant, whose health and ability to economically, socially and educationally success is linked to reproductive health care and access to abortion; and

**WHEREAS,** the federal “Women's Health Protection Act of 2019” aims to “protect a woman’s ability to determine whether and when to bear a child or end a pregnancy, and to protect a health care provider’s ability to provide reproductive health care services, including abortion services”. And the federal “Equal Access to Abortion Coverage in Health Insurance (EACH Woman) Act of 2017” aims to “ensure affordable abortion coverage and care for every woman, and for other purposes”.

**NOW, THEREFORE, BE IT RESOLVED** that the Durham Board of County Commissioners does hereby firmly support reproductive health care and publicly denounce any laws that hinder reproductive rights and access to reproductive care. We call for the "Women's Health Protection Act of 2019" and the "Equal Access to Abortion Coverage in Health Insurance Act of 2017" **to** be passed by Congress, thereby further protecting the choice of pregnant individuals in Durham County to or when to bear a child or terminate a pregnancy and to ensure the monetary cost of an abortion is covered under all and any health care insurances, whether private or public.

**BE IT FURTHER RESOLVED,** we ask federal Senators, House Representatives and the President of the United States to pass these Acts and sign them into law immediately.

This the 14<sup>th</sup> day of September 2020.

_____	_____
Wendy Jacobs, Chair	James Hill, Jr., Vice-Chair
_____	_____
Heidi Carter, Commissioner	Brenda A. Howerton, Commissioner
_____	
Ellen Reckhow, Commissioner	

Patti Black, Durham Women’s Commission Member stated she was grateful for the awareness and explained abortion was a part of health care for women and, women should be able to make choices about their body. Vivian Slade, Chair of the Durham Women’s Commission explained that the Women’s Commission was focusing on reproductive healthcare and Afro-American maternal health.

The Board thanked the Durham Women’s Commission for bringing forward the resolution and focusing on maternal health. They requested the Clerk send the resolution to President Trump and all Federal Representatives and if the Commission requested a letter be sent to the State, they would need to draft a letter for the Board to sign.

Chair Jacobs asked Rodney Jenkins, Public Health Director what services were offered by the County to women. Mr. Jenkins responded Public Health and the Department of Social Services offered many services and programs for women; adding the County recently hired Jessica Bousquette, Adverse Childhood Experience and Resilience Coordinator.

**Directive: Chair Jacobs asked the Clerk to send the resolution to President Trump and all Federal Representatives.**

**Consent Agenda**

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

Hearing none, Chair Jacobs entertained a motion for approval.

Commissioner Howerton moved, seconded by Commissioner Reckhow to approve the following items on the Consent Agenda.

The motion carried unanimously.

\*20-0370 Budget Ordinance Amendments No. 21BCC000021 to Recognize Funds in the Amount of \$5,384 From The Centering Healthcare Institute.

\*20-0372 Budget Ordinance Amendment No. 21BCC000022 to Recognize Funds in The Amount of \$190,797 For the Durham Dental Hope Project Grant.

\*20-0374 Budget Ordinance Amendment No. 21BCC000020 to Recognize Funds in the Amount of \$5,000 From the United Way of the Greater Triangle's Rapid Response Fund.

\*20-0375 Budget Ordinance Amendment No. 21BCC000023 to Recognize \$15,000 Increase Medicaid Revenue and Approve Fee Schedule Changes for Public Health.

20-0394 Naming Opportunities in Durham County Main Library.

\*20-0416 Budget Ordinance Amendment No. 21BCC000019 to Recognize Funds in the Amount of \$7,500 from North Carolina Department of Health and Human Services (NC DHHS).

\*20-0417 Budget Ordinance Amendment No. BCC000018 to Recognize an Increase of \$22,639 from Durham County Juvenile Crime Prevention Council (JCPC).

\*20-0418 Budget Ordinance Amendment No. 21BCC000017 to Recognize \$419,458 from the NC DHHS Division of Public Health Epidemiology/Communicable Disease Branch.

\*20-0421 Budget Ordinance Amendment No. 21BCC000026 to Recognize \$7,500 in Additional Grant Funds from Durham County ABC Board for Durham Drug Treatment Court.

\*20-0422 Budget Ordinance Amendment No. 21BCC000016 – Recognizing Dominion Energy Grant Funds from My Brother's Keeper (\$100,000).

\*20-0423 Budget Ordinance Amendment No. 21BCC000027: Approve a \$50,000 Grant from the NC Justice Center to the Criminal Justice Resource Center.

20-0425 Board of Elections Nighthawk Security Services Amendment.

20-0441 BOCC Review of 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Application.

20-0445 Amendment to the Durham County Public Art Program Manual.

20-0449 Approval of Durham County ABC Board Chair.

20-0451 BOCC Approval of the FY 2021 Governor's Highway Safety Program (GHSP) Grant Application.

\*20-0453 Budget Ordinance Amendment No. 21BCC000029 Appropriating \$81,569 of General Fund Balance and Transferring \$214,767 to Support Early Childhood Services.

\*20-0454 Budget Ordinance Amendment No. 21BCC000030 adjust revenue source for OES CARES ACT funding,

\*20-0457 Budget Ordinance Amendment No. 21BCC000031 recognizing \$16,000 in grant revenue from the Burt's Bees Foundation and Supporting the Expenditure for an Ecological Modeling Study in Durham County's Upper Neuse River basin.

20-0462 Approve a Special Military Project Cooperative Agreement between Durham County and the Army National Guard for financial funding support for conservation easements.

20-0463 Approve the acquisition of three lots at 1112, 1114, and 1116 Trails End Road located adjacent to the Little Ricer for open space water quality protection.

20-0467 Execution of Contract Agreement with EcoShift Consulting, LLC for the Development of a Renewable Energy Plan for County Operations.

20-0473 Approval of a Proposed Property Transaction between TROSA and Central Park School for Children (CPSC) and Enter a Finding that the Proposed Transaction does not Breach nor Violate a Reversionary Clause found in an Earlier Deed.

\*20-0476 Capital Project No. 20CPA000007 – Appropriating \$87,500 of Public School Building Capital Fund Lottery Funds for Litter River Elementary School Roof Replacement.

\*20-0477 Budget Ordinance Amendment No. 21BCC000032 Community Development Block Grant for COVID assistance, U.S. Department of Housing and Urban Development (HUD) to address the Coronavirus Aid, Relief and Economic Security Act (CARES Act and for the Department of Social Services to Recognize Funds in the amount of \$1,077,601.

20-0485 Extend Contract Agreement for Durham ACCESS with GoDurham Transit.

Consent Agenda Item #20-0370

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000021**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Resources	\$88,599,765	\$5,384	\$88,605,149
<u>Revenue</u>			
Intergovernmental	\$49,755,039	\$5,384	\$49,780,423

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

Approved September 14, 2020

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Consent Agenda Item #20-0372

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000022**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Resources	\$88,605,149	\$190,797	\$88,795,946
<u>Revenue</u>			
Intergovernmental	\$49,780,423	\$190,797	\$49,971,220

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

Approved September 14, 2020

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Consent Agenda Item #20-0374

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000020**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Resources	\$88,594,765	\$5,000	\$88,599,765
<u>Revenue</u>			
Intergovernmental	\$49,770,039	\$5,000	\$49,775,039

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

Approved September 14, 2020

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Consent Agenda Item #20-0375

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000023**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Resources	\$88,795,946	\$15,000	\$88,810,946
<u>Revenue</u>			
Intergovernmental	\$49,971,220	\$15,000	\$49,986,220

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

Approved September 14, 2020

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Consent Agenda Item #20-0416

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000019**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Resources	\$88,564,626	\$22,639	\$88,587,265
Public Safety	\$65,805,848	(\$22,639)	\$65,783,209

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

Approved September 14, 2020

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Consent Agenda Item #20-0417

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000018**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Resources	\$88,564,626	\$22,639	\$88,587,265
<u>Revenue</u>			
Intergovernmental	\$49,762,539	\$22,639	\$49,784,908

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

Approved September 14, 2020

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Consent Agenda Item #20-0418

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000017**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Resources	\$88,145,168	\$419,458	\$88,564,626
<u>Revenue</u>			
Intergovernmental	\$49,343,081	\$419,458	\$49,762,539

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

Approved September 14, 2020

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Consent Agenda Item #20-0421

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000026**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Public Safety	\$65,833,209	\$7,500	\$65,840,709
<u>Revenue</u>			
Intergovernmental	\$50,036,220	\$7,500	\$50,043,720

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

Approved September 14, 2020

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Consent Agenda Item #20-0422

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000016**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
General Government	\$122,187,146	\$100,000	\$122,287,146
<u>Revenue</u>			
Contributions and Donations	\$273,452	\$100,000	\$373,452

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

Approved September 14, 2020

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Consent Agenda Item #20-0423

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000027**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Public Safety	\$65,790,709	\$50,000	\$65,840,709
<u>Revenue</u>			
Intergovernmental	\$49,993,720	\$50,000	\$50,043,720

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

Approved September 14, 2020

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Consent Agenda Item #20-0453

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000029**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<b><u>GENERAL FUND</u></b>			
<b><u>Expenditure</u></b>			
Economic and Physical Development	\$7,438,082	(\$214,767)	\$7,223,315
Education	\$166,565,598	\$231,336	\$166,796,934
Human Services	\$88,810,946	\$65,000	\$88,875,946
<b><u>Revenue</u></b>			
Other Financing Sources	\$30,261,550	\$81,569	\$30,343,119

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

Approved September 14, 2020

Consent Agenda Item #20-0454

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000030**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<b><u>GENERAL FUND</u></b>			
<b><u>Revenue</u></b>			
Intergovernmental	\$50,043,720	(\$219,744)	\$49,823,976
Other Financing Services	\$30,343,119	\$219,744	\$30,562,863

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

Approved September 14, 2020

Consent Agenda Item #20-0457

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000031**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<b><u>GENERAL FUND</u></b>			
<b><u>Expenditure</u></b>			
Environmental Protection	\$4,588,506	\$16,000	\$4,604,506
<b><u>Revenue</u></b>			
Intergovernmental	\$49,823,976	\$16,000	\$49,839,976

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

Approved September 14, 2020

Consent Agenda Item #20-0476

**DURHAM COUNTY, NORTH CAROLINA  
2020-2021 Capital Project Ordinance  
Amendment Number 20CPA000007**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2020-2021 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

<b>Project</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
Little River ES - Roof replacement (SH289)	\$0.00	\$87,500.00	\$87,500.00
Totals	\$0.00	\$87,500.00	\$87,500.00

Adopted this the 14th day of September 2020.

**Durham County, North Carolina  
2020-2021 Budget Ordinance  
Amendment Number 21BCC000032**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the 2020-2021 budget ordinance is hereby amended to reflect budget adjustments.

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
<u>Expenditure</u>			
Human Resources	\$88,875,946	\$1,077,601	\$89,953,547
<u>Revenue</u>			
Intergovernmental	\$49,839,976	\$1,077,601	\$50,917,577

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

Approved September 14, 2020

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## **Public Hearings**

### **20-0486 Long Beverage Zoning Map Change (Z1900051)**

Grace Smith, Planning Supervisor stated the Board was requested to hold a public hearing to consider a request to change the zoning atlas for property located at 10500 World Trade Boulevard from Industrial Light with a Development Plan (IL(D)) to Industrial Light (IL).

Ms. Smith shared the *Long Beverage Zoning Map Change Staff Report* which highlighted the following: Case Summary, Aerial Map, Area Photos, Zoning Context, Wake Zoning Context, Future Land Use Map, IL Dimensional Standards, Comprehensive Plan Policies and Staff Determination.

The Board asked if sidewalks were required. Ms. Smith responded sidewalks were not required for zoning, although sidewalks were included on the site plan review. The Board asked why the development plan was withdrawn and not revised. Andrew Porter, Associate Landscape Designer at Coulter Jewell Thames replied the development plan limited parking to four (4) spaces and Long Beverage decided to use similar zoning as surrounding parcels to allow additional parking spaces.

Chair Jacobs opened the public hearing.

Patrick Byker, Zoning Attorney at Morningstar Law Group provided the Board with the history of Long Beverage and explained the company was adding 100 new jobs. He added the zoning change would remove the parking restriction and allow additional parking for the new employees. Mr. Byker explained Long Beverage would need to increase the size of the building in the next five (5) to ten (10) years and the increase would be in Durham; adding Long Beverage would install sidewalks and the additional employees would not cause an increase in peak hour traffic.

The Board asked if the proposed parking lot would be in line with parking lot zoning. Mr. Byker

responded yes.

Chair Jacobs closed the public hearing and asked to entertain a motion.

**First Motion:**

Commissioner Carter moved, seconded by Commissioner Reckhow to adopt a Consistency Statement as required by NCGS 153A-341.

The motion carried unanimously.

**Second Motion:**

Commissioner Reckhow moved, seconded by Commissioner Howerton to adopt an ordinance amending the United Development Ordinance by taking property out of the Industrial Light with a Development Plan (IL(D)) zoning district and establishing the same as Industrial Light (IL) zoning district.

The motion carried unanimously.

**Other Business**

**20-0490 Durham County Public Health Focused Update on the COVID-19 Crisis.**

Rodney Jenkins, Public Health Director thanked the Board and County Management for their support in the COVID response.

Mr. Jenkins provided the following updates for Durham County:

- 7309 total cases
- 28 seven-day moving average
- 35.2 percent were African American; 21.9 percent were Caucasian; 40 percent were LatinX
- 27704 zip code held the highest positive cases at 35.5 percent
- 20 percent of cases were under age 18
- Greatest number of cases were among people who worked in universities, hospitals, General Medicine/Surgical and those unemployed.
- CVS would not perform COVID test on children ages 12 and under.
- Walgreens COVID testing site relocated from Guess Road to 200 N. Lasalle Street.

The Board inquired about the typical number of COVID test given in Durham per day and where to get a young child tested for COVID. Mr. Jenkins responded 100 to 125 test per day; with regards to children testing sites, the Holton site was testing individuals of all ages or any Pediatrician Office. The Board mentioned flu shots and stated it would be helpful to be able to provide them to employees safely in an outdoor environment. Mr. Jenkins replied the County only received a small percentage of requested flu shots and would make look at options upon receiving more request.

**20-0465 Discussion of proposed 2021 Legislative Goals for NCACC**

Deborah Craig-Ray, General Manager explained all proposals were to be submitted to the North Carolina Association of County Commissioners (NCACC) by September 30, 2020 and accompanied by a letter from the Chair, an adopted resolution of the Board or a letter from an affiliated organization.

Ben Rose, Director of Social Services stated he submitted goals to protect and preserve federal Social Services and Human Service block grants, increase funding/enhance service for Adult Protective

Services and Guardianship Services, and Support legislation to increase state funding for federally/state mandated child welfare services.

Commissioner Howerton stated she submitted goals to seek additional revenue sources to address statewide public school and community college capital challenges and for reinstatement of affordable housing tax credits. She added the new NCACC President would be focusing on food insecurities and planned for Social Services to work with Ms. Craig-Ray to provide additional information.

Rodney Jenkins, Public Health Director stated he advocated for the following:

- Local Health Directors' \$8 million appropriation request for communicable disease
- Funding to have a Public Health Department Registered Nurse in every school
- Legislation that would close the health insurance coverage gap
- Discretionary funding for local Public Health Departments,
- Enhance schools' accountability and reporting to provide quality physical education,
- Requested \$1 million in recurring funds to expand the North Carolina Healthy Food Small Retailer Program
- Requested \$3 million in recurring funds to expand evidence-based tobacco cessation and prevention services
- Requested to appropriate at least \$7 million in recurring funds for tobacco use prevention programs
- To oppose privatization of State control system for the sale of liquor, or to support a controlled system.

The Board inquired about the expansion of the Property Tax Relief Program and the ending of the Affordable Housing Tax Credit. Claudia Hager, General Manager replied staff would draft language specific to Durham's relief program; with regards to the Affordable Housing Tax Credit, Ms. Craig-Ray responded she would provide the date to the Board. The Board recommended staff schedule a meeting with the North Carolina Legislatures to discuss the inequitable distribution of the CARES Act funding.

Commissioner Reckhow expressed concern with reimbursement from the State for housing inmates at \$40 per day, adding the cost was the same for over 20 years and the reimbursement should be increased to full cost. Ms. Craig-Ray responded she would follow-up with Jodi Miller, General Manager regarding the full cost per day to house inmates.

Commissioner Carter recommended staff contact the City and School Board to inquire about what each entity proposed for Legislative Goals. Commissioner Reckhow recommended asking the state for guidance and funding to assist with learning and additional support for kids due to virtual classes.

Ms. Craig-Ray asked that the Board email her additional goals they would like to propose.

#### **Directives:**

- **The Board requested the following:**
  - **Information regarding the expansion of the Property Tax Relief Program and the end date of the Affordable Housing Tax Credit**
  - **Suggested staff schedule a meeting with the North Carolina Legislatures to discuss the inequitable distribution of the CARES Act funding**
  - **Follow-up on being reimbursed for the full cost of housing inmates at the detention**



center

- **Recommended staff to contact the City and School Board to inquire about what each entity proposed for Legislative Goals**
- **Recommended asking the state for guidance and funding to assist children with learning and additional support for kids due to virtual classes**

#### **20-0471 Follow-up on BOCC Directives**

Drew Cummings, Chief of Staff stated he continued to work with staff to ensure directives were being addressed and completed.

Commissioner Reckhow commented on a directive from a previous Work Session meeting regarding the number of individuals at the detention center that should have been transferred to a State prison. She stated that she contacted Sheriff Birkhead and he reported nine (9) individuals were transferred.

Many Commissioners noted difficulty opening the link to the directives. Mr. Cummings stated he would check on the technology of the directive link.

#### **Closed Session**

Chair Jacobs stated the Board was requested to adjourn to Closed Session for the following:

- 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, which privilege is hereby acknowledged pursuant to G.S. 143-318.11(a)(3).
- To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee, pursuant to G.S. 143-318.11(a)(6).

Commissioner Reckhow moved, seconded by Commissioner Howerton to adjourn into the Closed Session.

The motion carried unanimously.

#### **Reconvene to Open Session**

Chair Jacobs announced the Board met in Closed Session and entertained a motion.

Commissioner Reckhow moved, seconded by Commissioner Carter that the Board for good cause shown, rescind an action and vote passed on July 13, 2020 whereby the Board authorized Staff to enter into a contract with Carolina Duke Inn to extend and provide services to the homeless during the COVID-19 pandemic for \$540,000.00.

The motion carried unanimously.

## Adjournment

Commissioner Howerton moved, seconded by Commissioner Reckhow to adjourn the Regular Session meeting at 9:52 p.m.

The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Macio Carlton", written in a cursive style.

Macio Carlton  
Deputy Clerk to the Board

DRAFT