

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

Monday, November 6, 2023

9:00 A.M. Work Session

MINUTES

Place: Commissioners' Chambers, Second floor, Durham County Government
Administrative Complex, 200 E. Main Street, Durham, NC

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

Presider: Chair Brenda Howerton

Citizen Comments

The Board of County Commissioners provided a 30-minute comment period to allow Durham County citizens an opportunity to speak. Citizens were given the option to deliver their Citizen Comments in-person or virtually via email to the Clerk no later than Sunday, October 1st at 12 noon.

Russell Pierce, thanked the Board for their support and matched funds to purchase the Carver Creek Apartments for homelessness.

DeWarren K Langley, spoke on data being absent and asked for the Board to look at trends pertaining to juveniles and crimes. He continued to bring forth recommendations to help mitigate juvenile delinquency.

Consent Agenda

The Board was requested to review the following Consent Agenda items for the November Regular Sessions.

23-0746 Budget Ordinance Amendment No. 24BCC00045 Public Health to Recognize funds in the amount of \$862,450 from NCDHHS Division of Public Health to Support Core Public Health Services

Rod Jenkins, MHA, Public Health Director, clarified funds spent from the CDC were for use over four (4) years as the intended purpose. He continued to say the focus was to increase salaries around environmental health professionals and to allow additional workforce in public schools.

23-0781 Budget Ordinance Amendment No. 24BCC00052 Recognizing \$81,725 from the U.S. Department of Justice, Bureau of Justice Assistance (BJA) to the Durham County Sheriff's Office for the 2022 State Criminal Alien Assistance Program (SCAAP)

Vice-Chair Jacobs requested an email be sent pertaining to annual data on the amount of undocumented people involved in the justice system and for staff to use person first language instead of criminal aliens.

23-0791 Approval of contract with North American Rescue Simulation for upgrades and repairs to current TOMMANIKIN EMS Simulator manikins in the amount of \$37,584.00.

Jim Groves, OES Director, stated the manikins were simulators and portrayed real life scenarios to better assist EMS providers in training.

23-0797 Approval of Budget Ordinance Amendment No.24BCC00053 Transferring \$400,000 of Capital Financing Plan Fund Funding to the Engineering Department General Fund Budget to Support the Shoppes of Hope Valley Pre-Development Process Study (Estimated Total Cost of \$400K), as well as Authorizing the Execution of a Contract Agreement with the UNC School of Government's Development Finance Initiative for Phase I of the Pre-Development Process for the Shoppes at Hope Valley Shopping Center Site for a Total Not-to-Exceed Amount of \$144,350.00

Peri Manns, ASLA, Deputy Director, informed the Board the purpose of the predevelopment process was to take a comprehensive look at sites. He added multiple meetings would be held with the Board to provide updates on the process and community engagement.

23-0799 Approval of Budget Ordinance Amendment No.24BCC00051 Appropriating \$237,000 of General Fund Fund Balance to the Stagville Memorial Committee for the Stagville Memorial Project and Authorizing the County Manager to Execute a Memorandum of Understanding with the Stagville Memorial Committee Outlining the County's Commitment to the Project for a Total Not-to-Exceed Amount of \$237,000

Peri Manns, ASLA, Deputy Director, stated the MOU outlined the process and would include intensive community engagement and a partnership with the City of Durham. He continued to say the goal was to bring attention and awareness to the plantation and once community engagement was complete, Stagville would hire an artist to assist with the fabrication and installation of the art piece; however, the site placement of the art piece was not found.

23-0804 Budget Ordinance Amendment No. 24BCC00055 Department of Social Services to Recognize Funds in the Amount of \$2,025,899.59 from North Carolina Pandemic Recovery Office (NCPRO) for Durham County to Provide Emergency Rental Assistance Payments for eligible families.

Kelly Inman, Chief Operations Officer, clarified \$1.6 million were roll-forward of NCPro dollars and the \$2 million dollars was the current amount as of June 30, 2023. County Manager Sowell added DSS staff worked together to talk through how to continue such programs and where additional funding could come from. She continued to say multiple challenges would arise and Maggie Cveticanin, Director of the Department of Social Services, created a coalition of staff to assist with the project and would come back with all proposals.

23-0805 Budget Ordinance Amendment No. 24BCC00050 Appropriating \$100,000 in General Fund Restricted Fund Balance to Increase State Asset Forfeiture Expenditure Authority for the Sheriff's Office

Keisha Gaither, Finance Manager for the Durham County Sheriff's Office, clarified the program was for crime prevention and other community awareness events for officers and highway safety

troopers. The budget was previously \$40,000 annually and due to the increase of support in the community, additional funds were needed for events.

There were no questions regarding the items below:

23-0748 Budget Ordinance Amendment No. 24BCC00042 Public Health to Recognize \$1,404,000 from the NC DHHS Division of Child and Family Wellbeing, Whole Child Health Section, School, Adolescent and Child Health Unit for an Inclusive School Health Team

23-0750 Budget Ordinance Amendment No. 24BCC00041 Public Health to Recognize \$265,113 from the NC DHHS Division of Public Health Epidemiology Section / Immunization Branch for COVID-19 Services

23-0751 Budget Ordinance Amendment No. 24BCC00040 Public Health to Recognize \$150,000 from the NC DHHS Division of Child & Family Well-Being, Whole Child Health Section, Child & Family Wellness Unit to Expand the Triple P Positive Parenting Program

23-0760 Budget Ordinance Amendment No.24BCC00056 to Recognize \$199,106 in Grant Funding and Approval of Interlocal Agreement for the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG)

23-0780 Budget Ordinance Amendment No. 24BCC00046 Recognizing \$35,066 from the 2023 Homeland Security Grant Program (HSGP) to the Durham County Sheriff's Office

23-0787 Capital Project Amendment No.24CPA00009 and Budget Amendment No.24BCC00047 Appropriating \$2,055,401 of Debt Service Fund Fund Balance, Transferring \$2,055,401 out of the Debt Service Fund to the PAYGO Fund in the Detention Center Critical Infrastructure Capital Project (4190DC086 - New Total \$6,480,903) to Fund a \$5,893,380 Contract with Esitech Inc.; as well as Authorize the County Manager to Execute Any Amendments Not to Exceed \$6,335,383.00

23-0792 Approval of a Contract with Insight Global for an IS&T Help Desk Technician in the amount of \$103,350.00.

23-0793 Approval of Interlocal Agreement with the City of Durham for the Northeast Creek Sewer Basin Hydraulic Model and approve use of funding from Unrestricted Sewer Utility Enterprise Fund from Approved FY 2023-24 Budget in the amount of \$700,000 with an amount not to exceed \$900,000.

23-0798 Approval of contract with Read's Uniforms to purchase Emergency Medical Services uniforms in the amount of \$84,830.00.

23-0803 Budget Ordinance Amendment No. 24BCC00048 Appropriating \$11,834 of General Fund Fund Balance to the Clerk of Superior Court for Furniture Expenses

23-0820 Budget Ordinance Amendment No. 24BCC00054 Appropriating \$13,560 of General Fund Fund Balance for the Durham County District Attorney's Office for Increased Costs of Assistant District Attorney Contracts

23-0824 Approval of Capital Project Amendment No.24CPA00010 Appropriating \$21.3M in Limited Obligation Bond Funding (LOBS) to the Board of Elections S. Roxboro Street Renovation Capital Project (4730DC155), as well as Execute the Construction Manager @ Risk GMP#2 Contract for the BOE S. Roxboro St. Renovation Project

Discussion Items

23-0828 Expedited Hearing Request for the Unified Development Ordinance Amendment to Paragraph 6.2.4 (TC2300005)

The Board was requested to suspend the rules and adopt the resolution granting the expedited hearing request for the Unified Development Ordinance Amendment to Paragraph 6.2.4 (TC2300005).

Curtis Massey, Senior Assistant County Attorney clarified the amendment was to be expedited due to pending ongoing mitigation.

Commissioner Carter moved, seconded by Commissioner Burns, to suspend the rules.

The motion carried unanimously.

Commissioner Carter moved, seconded by Commissioner Allam, to approve the resolution to expedite the public hearing.

The motion carried unanimously.

23-0811 Presentation for the Board of County Commissioners to Review and Approve the FY24 Durham Transit Plan Q2 Work Program Amendment

The Board was requested to approve an amendment to the FY24 Durham Work Program. As part of the appropriations process for the Durham County Transit Plan, an annual Work Program was developed which included a budget for the upcoming fiscal year. The Transit Plan Governance Interlocal Agreement (ILA) determined the process by which the annual budget was developed and approved and required approval by the Durham County Board of Commissioners (“BOCC”) and the GoTriangle Board of Trustees.

The Staff Working Group (“SWG”) recommended approval of an amendment to the FY24 Durham Transit Work Program at their meeting held on October 18, 2023. The BOCC was requested to adopt the amendment. The Staff Working Group Administrator provided a memo which described the amendment as followed:

1. Amendment for FAST 2.0 Study (Durham County)
 - a. Increases FY24 Work Program by \$110,000.
2. Amendment for Mobile Ticketing Technology (GoTriangle)
 - a. Net Increase to FY24 Work Program is \$29,550
 - b. Decrease Fare Collection by \$22,000
 - c. Decrease Youth GoPass by \$24,000
 - d. Increase Mobile Ticketing Technology by \$75,550

The total increase to the FY24 Durham Transit Work Program was \$139,550.

The Board questioned if issues would arise pertaining to mobile ticketing; considering some riders were not technology proficient. Steven Schlossberg, Assistant Director of Budget and Finance, stated GoTriangle was proactive in creating a learning process for everyone, including staff. Public outreach would be helpful to create ways to utilize mobile ticketing and a soft launch would be held to understand growing pains associated with the program.

Doug Plachcinski, Executive Director, DCHC MPO, shared studies worked together based on specific corridor projects, with FAST 2.0 study being a global look.

Vice-Chair Jacobs stressed the importance of additional land use conversations and the coordination and adoption of the UDO to assist with the growth of the Triangle.

23-0821 Presentation of Durham County 2025 General Reappraisal (Revaluation) Update

The Board was requested to receive an update presentation on the upcoming 2025 General Reappraisal. This presentation will provide the Board with the Tax Administration's current status within the reappraisal timeline and an overall view of the reappraisal process.

Keyar Dole, Tax Administrator, emphasized the reappraisal was to provide tax values and only identified market value at the current time of reappraisal. He added increased property values of newer homes and rising costs impacted residents who bought home in previous years. Mr. Dole continued to say a timeline around community engagement was being worked on, however; it was not fully developed, and information would be shared with the Board once finalized.

23-0822 Durham County Department of Public Health Response to the Opioid Crisis

The Board was requested to receive a presentation from the Durham County Department of Public Health on Harm Reduction Activities and Response to the Opioid Crisis and included context on the epidemic, a summary of implemented strategies, and recommendations on current needs and future actions.

The Durham County Department of Public Health (DCoDPH) took a comprehensive approach to address the opioid epidemic by coordinating a variety of services to assist individuals ready to address opioid use, substance use, substance use disorders, and addiction. DCoDPH lead prevention, linkage to treatment, and harm reduction services to reduce opioid overdoses since 2016. DCoDPH utilized an interdisciplinary approach to facilitate and implement harm reduction efforts. Allied Health, Health Education, Nutrition, and Clinical Services were all divisions who supported Public Health's harm reduction and opioid response activities.

Discussion was held regarding the impact of youth overdosing and services provided to help them. Lindsey Bickers Bock, Health Education and Community Transofration Division Director, stated data in general showed individuals over the age of 18, however; due to the concerns of youth accessing drugs at an earlier age and then progressing into overdose when older, additional education around the community increased. Rodney Jenkins, Public Health Director, added public schools and organizations in universities were providing naloxone and naloxone vending machines could be placed in any locations where needed.

Ms. Bickers Bock stated purchasing the vending machines for NC Harm Reduction would come from the Board and could bring street supply testing to pharmacies or the harm reduction coordinator. Dr. Jeff Jenks, Medical Director added a custom medical van would be forthcoming to also address the uptick of overdoses.

County Manager Sowell informed the Board an agenda item should be added to the next meeting for approval.

Chair Howerton inquired on the number of individuals who overdosed in previous years and the amount of opioid funds being spent.

Directive:

- **Staff to provide data on the number of individuals who overdosed in previous years and the amount of opioid funds being spent.**

23-00819 Juvenile Crime Prevention Council Presentation

The Division of Juvenile Justice and Delinquency Prevention partners with Juvenile Crime Prevention Councils in each county to galvanize community leaders, locally and statewide, to reduce and prevent juvenile crime.

JCPC board members were appointed by the county Board of Commissioners and meet monthly in each county. The meetings were open to the public, and all business is considered public information. DJJDP allocated approximately \$28 million to these councils annually. Funding was used to subsidize local programs and services.

The Durham County Juvenile Crime Prevention Council (JCPC) envisions a community where its youth were well-educated, healthy, law abiding, and contributing members of society who respect the rights of others and themselves.

To facilitate these goals, the Durham County JCPC reviews the needs of juveniles in the county who were at risk of delinquency or who were adjudicated, undisciplined or delinquent. They also reviewed the resources available to address those needs, prioritize community risk factors, determine the services needed to address problem areas and developed strategies to intervene and treat the needs of juveniles at risk of delinquency.

Walter “Eddie” Crews, State Area Consultant, clarified the most common offenses among juvenile complaints were breaking and entering of motor vehicles and coordinated efforts to break into cars for firearms. He added, August complaints were for less than ten (10) kids and not all complaints for the month of August were reported in August.

Mr. Crews continued to say trends in other counties were typically the same for females however, young females were involved with older man which contributed to the number of female complaints.

The Board questioned ways to prevent the start of behavior issues, the number of juveniles served, their demographics and if juvenile programs were tracked. Mr. Crews stated 60-65 percent of juveniles were non-court involved and School Resource Officers (SROs) referred to

non-court involved programs to utilize prevention and intervention. Kevin McIver, JCPC Chair, added each program was tracked and reports were provided monthly to the Juvenile Crime Prevention Council.

Mr. McIver answered questions pertaining to programs to help youth when parents enter the penal system. He stated there were home based counseling programs available once parents enter the system; however, there were no specific programs related to this issue and he would investigate additional programs.

Directive:

- **Staff to provide the number of kids being served in programs.**

23-0827 Presentation of the Current Durham County Blasting Permit Process

The Board received a presentation on the current Durham County blasting permit process. This presentation was requested by the BOCC and addressed previous questions posed by the Board.

Blasting was the use of explosives used to excavate or remove large volumes of rock or earth. Blasting permits were required for safety and regulatory reasons. The issuance of blasting permits helped ensure explosives were used in a controlled and responsible manner, minimizing the risk to people, property, and the environment. The issuance of a blasting permit ensures that the County is informed that those conducting the blasts are insured, trained, adhere to established safety standards, conduct seismic monitoring, and can meet notification requirements.

Claudia Hager, Deputy Manager, informed the Board of conversations held with the City regarding infrastructure changes, tax revenue being used to offset costs of developments and if developers would pay for future projects. She added a written update would be provided to the Board to address those issues.

Jim Groves, OES Director, answered questions pertaining to citizens being made aware of blasting and if citizens could submit blasting damage through the Durham Portal.

Gregory Boyden, Assistant Fire Marshal, stated the process of receiving notifications after permits were given would be challenging – this was because companies no longer communicated with Fire Marshalls after the permit was provided. He added the max distance of notifying citizens of blasting was 500 ft. and an ordinance would need to be created to adjust blasting the distance.

Discussions were held surrounding work being done with environmental staff to deal with Triassic Soil data and the location of monitors being shared with residents. Notifications of blasting typically occurred within 24 hours, which was not a significant amount of time. Mr. Groves shared there was a new requirement allowing inspectors on property sites and the distance and notifications time frame could be modified.

County Manager Sowell informed the Board conversations were held to start notifying citizens after a permit was issued that blasting would begin occurring in the upcoming days.

The Board asked staff to work with County Manager Sowell on additional recommendations to change blasting requirements.

Directive:

- **Staff to provide new requirements of inspectors on property.**
- **Staff to create additional recommendations to change blasting requirements.**

23-0834 Commissioner Comments

The Board was requested to allow each Commissioner six (6) minutes to report on conferences or make comments regarding issues that may be of interest or concern to the Board.

Vice-Chair Jacobs shared a brief statement:

“During our October 23 County Commission meeting, Commissioner Nida Allam and I made a joint statement addressing the rise in Islamophobia and antisemitism, our collective grief and mourning over the terrible loss of life in Israel and Palestine, and the need to work together for peace and social justice. As leaders in our community, as a Muslim woman and as a Jewish woman, Nida and I are deeply committed to walking this difficult path together.

In our statement, we called for a ceasefire to stem the loss of life. We want to make it clear that respect for life also requires the immediate release of all the hostages taken by Hamas. While our statement explicitly condemned the horrific atrocities committed by Hamas on October 7, it did not mention the hostages. Again, we want to be crystal clear that all of Hamas’ hostages must be released immediately.

It is important that we all continue to find ways to come together, discuss these very difficult issues and find a better way forward.”

She also shared her appointment with the task force “One More Thing” which addressed the opioid crisis and working with the Durham Familiar Faces Initiatives. The group was created with three (3) committees: *Focus on Supportive Housing for Carver Creek, Focus on Data Sharing, and Pilot for First Familiar Faces Initiative.*

Commissioner Allam asked for an update from library staff pertaining to the concerns around hours, the capacity of employees, and the maintenance of technologies for citizens.

23-0815 Closed Session

The Board was requested to adjourn into Closed Session to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract; pursuant to G.S. 143-318.11(a)(5).

Commissioner Burns moved, Commissioner Allam to go into Closed Session.

The motion carried unanimously.

Reconvene to Open Session

Chair Howerton stated the Board met in closed session and provided directions to staff.

Commissioner Burns moved, seconded by Vice-Chair Jacobs to reconvene to Open Session.

The motion carried unanimously.

Adjournment

Commissioner Allam moved, seconded by Commissioner Burns, to adjourn the meeting.

The motion carried unanimously.

The meeting was adjourned at 3:13 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sh. Wardrick', with a stylized flourish at the end.

Shaunecie Wardrick
Administrative Assistant