

**REVISED**

(Added a Closed Session)

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

Monday, September 28, 2009

County Commissioners' Chambers  
200 East Main Street, Durham, North Carolina

**“Public Charge”**

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

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7:00 P.M. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcements** 5 min.
  - Welcome to Dr. Cassandra Atkinson, Director of Community Research and Technical Assistance Initiatives, and her students from North Carolina Central University's Public Administration who are visiting our meeting today. The students are in a Senior Seminar and studying Building Capacity with Constituents and in Communities.
  - Project Homeless Connect will be held Thursday, October 8, from 10:00 a.m. to 4:00 p.m. at the Durham Bulls Athletic Park, located at 409 Blackwell Street. This free event is a one-day, one-stop shop designed to provide support and interventions to prevent and reduce homelessness in Durham. For more information, please contact Lanea Foster at 919 683-1185 ext. 29.
4. **Minutes** 5 min.
  - a. August 24, 2009 Regular Session
  - b. September 8, 2009 Worksession

5. **Introduction of New DSS Director—Ms. Geraldine “Gerri” Robinson**

5 min.

The Board will be introduced to Ms. Geraldine “Gerri” Robinson, Durham County’s new Director of the Department of Social Services. Ms. Robinson brings 27 years of experience as a Social Services professional. She joins Durham County from Davidson County, Tennessee where she served as Department of Social Services Director for Metro Nashville/Davidson County. She led that agency to achieve accreditation by the Council on Accreditation, which is the international accrediting agency for public and private providers of human services.

She has held various human services positions including a stint with the Maryland Department of Human Resources as a Social Services administrator and as Deputy Director with the Baltimore City Department of Social Services.

Ms. Robinson assumed her duties as DSS Director on September 14, 2009.

Resource Person(s): Gladys Dunston, DSS Board Chairman; Joe Bowser, Durham County Commissioner and DSS Board Member; and Carolyn P. Titus, Deputy County Manager

5a. **Presentation of the Commissioners Community Circle Award**

5 min.

The Commissioners Community Circle Award is designed as a way to recognize County departments and community organizations and programs for the extraordinary services they provide to Durham’s citizens.

The Alliance of AIDS Services – Carolina, created to serve people living with HIV/AIDS, their loved ones, caregivers and communities at large through compassionate and non-judgmental care, prevention, education, and advocacy, is the recipient of the September 2009 Commissioners Community Circle Award.

The award is presented to this group for their continuous efforts to partner with community agencies to provide a full continuum of care to individuals living with HIV/AIDS. These services include pastoral care and counseling, substance abuse treatment, mental health counselors, nutritional counseling with a registered dietician, medical and non-medical case management, and family care homes. A few of the Alliance’s partner agencies include Lincoln Community Health Center, Durham Health Department EI Clinic, and the Duke University Hospital ID Clinic.

The BOCC salutes the Alliance of AIDS Services – Carolina for their efforts to provide positive change in the lives of Durham County Citizens living with HIV/AIDS and their families.

Resource Person(s): Michael D. Page, Chairman of the Durham Board of County Commissioners

County Manager's Recommendation: The Manager's recommendation is that the Board congratulate the Alliance of AIDS Services – Carolina for their receipt of the Commissioners Community Circle Award and present the award to John Paul Womble, Interim Executive Director for the Alliance of AIDS Services – Carolina.

6. **Recognition of Employees who received the Local Government Federal Credit Union Employee Productivity Award at annual NCACC Conference**

5 min.

Each year, the North Carolina Association of County Commissioners (NCACC) offers the Employee Productivity Award as an opportunity to celebrate and reward county innovation. Formerly the Ralph Ketner Award, this year, the Local Government Federal Credit Union assumed financial sponsorship. Durham County was one of 10 winning entries to receive \$1,000.

Kimberly Simpson, Durham County Tax Administrator, employees of the Tax Department, and the Information Technology Department were honored for creating a Remote Tax Payment Kiosk. The Remote Tax Payment Kiosk, the first of its kind in the state, allows Durham County taxpayers to pay their real estate and automobile taxes without having to visit the downtown tax office, all at the touch of a button.

The winning team included: Kimberly Simpson, Robie McLamb, Teresa Williamson, and Joyce Logan, Tax Department; and Don Bogumil, IT Department.

The team was officially recognized on August 28 at the NCACC Annual Conference in Hickory. These awards were presented in recognition of the best productivity enhancements implemented in county government between Jan. 1, 2008 and Dec. 31, 2008. To date, the productivity awards program has generated over \$100 million in savings or cost avoidance in the 1,350 applications submitted.

Resource Person(s): Chairman Michael D. Page

County Manager's Recommendation: The Manager's recommendation is that the Board extend sincere congratulations to the entire team of employees who created the award winning Remote Tax Payment Kiosk.

6a. **Resolution to Recognize the Durham Bulls Baseball Team for winning the 2009 Triple-A National Championship**

5 min.

On September 22, 2009, the Durham Bulls Baseball Team won their first Triple-A National Championship. After a wild pitch made by Oneli Perez of the Memphis Redbirds, Rashad Eldridge scored a winning run allowing the Durham Bulls to defeat the Memphis Redbirds 5-4.

The Durham Bulls' 2009 Triple-A Baseball Championship win makes the team the first International League team to win the National Championship. Prior to the Triple-A Championship, the Durham Bulls won the 2009 Governors' Cup Finals.

The Durham Bulls have helped to bring a sense of vibrancy to downtown Durham as they play in the Durham Bulls Athletic Park, drawing nearly 400,000 fans to the downtown area.

Resource Person(s): Vice-Chairman Commissioner Ellen Reckhow

County Manager's Recommendation: The Manager's recommendation is that the Board recognize the Durham Bulls for winning the 2009 Triple-A National Championship and the 2009 Governors' Cup and present the resolution to Mr. George Habel, Vice President and General Manager of the Durham Bulls.

7. **Proclamation declaring October 2009 as Big Sweep Month in Durham County**

5 min.

The Soil and Water Conservation Department requests that the Board of County Commissioners adopt the presented proclamation to declare October 2009 as Big Sweep Month in Durham County. The NC Big Sweep cleanup event is coordinated each year by the Durham Soil and Water Conservation District, in partnership with Keep Durham Beautiful Inc. and the City of Durham's Stormwater Services Division. Further support is supplied by Durham County General Services and the City of Durham's Solid Waste. During the 2008 Big Sweep, 372 volunteers cleaned up over 10,000 lbs. of trash from Durham County. October 3, 2009 is the official Big Sweep day across the world, but cleanups in Durham County are organized throughout the month of October. Citizens are encouraged to do their part to restore the beauty and function of Durham's lakes, streams, and landscapes by volunteering to participate in the 2009 Big Sweep event.

Resource Person(s): Jennifer Brooks, Watershed Conservationist

County Manager's Recommendation: The Manager's recommendation is that the Board recognize and adopt the proclamation declaring October 2009 as Big Sweep Month in Durham County.

8. **Proclamation for "Domestic Violence Awareness Month"**

5 min.

October is designated as "Domestic Violence Awareness Month". The Chairman is requested to issue a proclamation for the observance. Durham Crisis Response Center will sponsor a "Kick Off" event October 1, from 5:30 p.m. – 6:30 p.m., at its office on 206 N. Dillard Street. The local theme of the observance is "Healing Through the Arts". Executive Director Aurelia Sands Belle will make comments about the importance of this observance.

County Manager's Recommendation: Approve the proclamation and present to Aurelia Sands Belle, Executive Director of Durham Crisis Response Center.

9. **Consent Agenda**

15 min.

- a. Property Tax Releases and Refunds for Fiscal Year 2009-2010 (accept the property tax release and refund report for August 2009 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- b. Budget Ordinance Amendment No. 10BCC000016—Appropriating Prior Year Property Tax for Turner Business Appraisers Contract Amendment (amend the contract with Turner Business Appraisers for property value discoveries and approve Budget Ordinance Amendment No.10BCC000016 in the amount of \$125,000);
- c. Budget Ordinance Amendment No. 10BCC000017—Appropriating Prior Year Property Tax For County Tax Service Inc. Contract Amendment (amend the contract with County Tax Service Inc. for property value discoveries and approve Budget Ordinance Amendment No.10BCC000017 in the amount of \$175,000);
- d. Approve Budget Ordinance Amendment 10BCC000018 requested by Bahama Volunteer Fire Department to appropriate \$320,000 in fund balance from the Bahama Volunteer Fire Department Special Revenue Fund in order to purchase two new tanker trucks;
- e. Approve Budget Ordinance Amendment No. 10BCC000019 Public Health to recognize grant funds from the NC Department of Health and Human Services in the Amount of \$100,000 for the Local Public Health Preparedness Program;
- f. Recognize the Homelessness Prevention and Rapid Re-Housing Program Grant award (S-09-37-0006) in the amount of \$789,101, approve Budget Ordinance Amendment No. 10BCC000020 in the amount of \$374,915 for FY10, approve the Subrecipient Agreement, and authorize the Manager to execute said Agreement and approve a provisional social worker position;
- g. Resolution for Public Auction Sale and Entering into a Contract with Jerry L. Harris, Auctioneer (approve the Resolution authorizing a Public Auction Sale and authorize the County Manager to enter into a contract with Jerry L. Harris, Auctioneer, to act as Auctioneer for the County of Durham);
- h. Service Contract with Just A Clean House Inc. for Management of Second House, a short-term transitional living facility (authorize the manager to enter into a contract with Just A Clean House Inc. for Transitional Living Facility provider in the amount of \$72,054.00 for FY 2010);
- i. Durham Public School Construction Project at Neal Middle School (approve the owner/contractor agreement with Riggs-Harrod Builders, Inc. for the Renovation Project at Neal Middle School in the amount of \$6,850,203 and authorize the Manager to execute the agreement pursuant to the terms of the Interlocal Agreement with Durham Public Schools);
- j. Durham Public School Construction Project at Carrington Middle School (approve the owner/contractor agreement with AAR of North Carolina Inc. for the Roof Replacement Project at Carrington Middle School in the amount of \$875,900 and authorize the Manager to execute the agreement pursuant to the terms of the Interlocal Agreement with Durham Public Schools);
- k. Encroachment Agreement with NC DOT at Creekside Elementary School (approve the Right-of-Way Encroachment Agreement with NC DOT related to the Creekside Elementary School addition and authorize the Manager to execute the agreement);

- l. Approve the recommended appointments to the Criminal Justice Partnership Act Advisory Board;
- m. Approve the recommended appointments to the Juvenile Crime Prevention Council; and
- n. Approval of the Amended Documents related to the 2009B Variable Rate COPS (adopt the resolution and authorize the execution of the required documents upon approval by the Local Government Commission).

10. **Public Hearing on Refunding Bond Order**

10 min.

The Board of Commissioners is requested to hold a public hearing on the Order Authorizing \$70,000,000 Refunding Bonds. The initial order was adopted by the Board at its September 14, 2009 meeting. The proposed bond order along with the notice of the public hearing was duly advertised in accordance with law.

Resource Person(s): George K. Quick, Finance Director

County Manager's Recommendation: Following the public hearing, if appropriate, adopt the final Bond Order and approve the Resolution providing for the issuance of General Obligation Refunding Bonds, Series 2009.

11. **Board and Commission Appointments**

10 min.

Yvonne Jones, Acting Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Adult Care Home Community Advisory Committee
- Area Mental Health Board
- Board of Adjustment
- Criminal Justice Partnership Act Advisory Board
- EMS Council
- Historic Preservation Commission
- Open Space & Trails Commission
- Raleigh-Durham Noise Abatement Committee
- Triangle J Water Resources Committee

Resource Person(s): Yvonne R. Jones

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

**12. Closed Session**

**30 min.**

**The Board of Commissioners is requested to adjourn to closed session to discuss matters relating to the location or expansion of a business or industry pursuant to G.S. § 143-318.11(a)(4).**

~~1 hr. 20 min.~~ 1 hr. 50 min.