

REVISED

(Deleted Item Nos. 6f and 6h; and Add Item No. 6a)

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

Monday, September 8, 2008

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

AGENDA

"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.

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.
- 3a. **Report from "A Taste for Durham's Future" Committee** 5 min.

An advisory referendum on a 1% Prepared Food Tax is scheduled for November 4. If approved, the proceeds will be used by the City and the County to fund community cleanup, workforce training, visitor marketing, and many cultural amenities including museums, trails, the County Stadium, Civic Center, and much more.

A committee of business and community leaders has been working to develop information and marketing strategies for the vote. The group has adopted the theme, "A Taste for Durham's Future". Co-Chairs of this comprehensive effort are Mr. Robb Teer, Mrs. Sylvia Kerckhoff, and Mr. Charles Watts.

Mr. Teer will present a progress report on the group's efforts to date.

Resource Person(s): Deborah Craig-Ray, Assistant County Manager

County Manager's Recommendation: The Manager's recommendation is that the Board receive the report of "A Taste for Durham's Future" from Co-Chairman Teer.

4. **North Regional Branch Library—2008 AIA (American Institute of Architects) North Carolina Merit Award & 2008 ALA/IIDA (American Library Association/International Interior Design Association) Library Interior Design Award**

5 min.

The Board is hereby requested to receive the following awards for the North Regional Branch Library project:

2008 AIA (American Institute of Architects) North Carolina Merit Award:

The American Institute of Architects is the leading professional membership association for licensed architects, emerging professionals, and allied partners. During the North Carolina Chapter's yearly awards program, projects designed by North Carolina firms are judged on the basis of their architectural excellence. The selected jury determines the number of awards to be given and whether to confer honor or merit awards. This year, nine awards were given—three honor awards and six merit awards. The awards were announced on August 23 at this year's AIA North Carolina's annual conference in Charlotte, NC.

Honorable Mention Award from the American Library Association (ALA) and the International Interior Design Association (IIDA) for the 2008 ALA/IIDA Library Interior Design Awards:

The Library also received an honorable mention award from the American Library Association (ALA) and the International Interior Design Association (IIDA) for the 2008 ALA/IIDA Library Interior Design Competition. The award recognizes excellence in library interior design, incorporating aesthetics, design creativity, function, and satisfaction of the client's objectives. Nine winners and two honorable mentions were selected from 100 projects submitted from throughout North America. Winners were honored on July 1, 2008 at the ALA/IIDA Library Interior Design Awards Reception during the American Library Association Annual Conference in Anaheim, California, and will be featured in an upcoming issue of *Contract* magazine, the publishing partner of the competition. The North Regional Branch Library was recognized under the category for Public Libraries: 30,000 sq. ft. and smaller.

Resource Person(s): Glen Whisler, P.E., County Engineer, Engineering Department; Skip Auld, Director of Library Services; Priscilla Lewis, Asst. Director for Facilities Management, Library Services; Zena Howard, AIA, The Freelon Group; Ademola Shobande, Assoc. AIA, Sr. Project Manager; and Peri Manns, Assoc. ASLA, Project Manager

County Manager's Recommendation: The Manager recommends that the Board recognize the North Regional Library project team for receiving the 2008 AIA North

Carolina Merit Award and an honorable mention award for the 2008 ALA/IIDA Library Interior Design Awards.

5. **Consent Agenda**

15 min.

- a. Approval of the New Cultural Master Plan Interlocal Agreement and Establishment of the Cultural Master Plan Advisory Board;
- b. Raleigh-Durham Airport Authority Grant Offer (accept the \$1,193,929 grant offer from the Federal Aviation Administration);
- c. Budget Ordinance Amendment No. 09BCC000009—Results Based Accountability Program Grants to County Departments (approval to recognize \$19,700 in RBA grant funds for The Durham Center, Public Health, and the Department of Social Services);
- d. Urban Ministries of Durham Inc.—Contract Approval (authorize the Manager to enter into a contract with Urban Ministries of Durham Inc. in the amount of \$145,000 to provide homeless shelter services);
- e. Selection of External Auditors (approve the recommendation of Cherry, Bekaert & Holland LLP for \$105,000);
- f. ~~Capital Project Amendment No. 09CPA000004—Appropriate \$4,338,640 to the IT Computer Replacement Project (DC080) and \$475,000 to the IT Telecommunications Project (DC084);~~
- g. Offer to Purchase County Surplus Properties (2600 Lincoln Street and 540 Belt Street); the Board has the authority to accept or reject any offer at the conclusion of the upset bid process; and
- h. ~~Proposed Amendments to the Animal Control Ordinance (approve the Animal Control Advisory Committee's proposed revisions to the Animal Control Ordinance).~~

6. **Public Hearing—Proposed Secondary Road Construction Program for Durham County (2008-2009)**

15 min.

Tasha Johnson, P.E., District Engineer for the North Carolina Department of Transportation, will present the Board with the Annual Secondary Road Construction Program for Durham County (2008—2009). Division Engineer Wally Bowman, P.E., and Division Maintenance Engineer Brandon Jones, P.E., will accompany Ms. Johnson.

Resource Person(s): Tasha Johnson, P.E., North Carolina Department of Transportation, Division of Highways, Division Five

County Manager's Recommendation: The Manager recommends that the Board review the Proposed Secondary Road Construction Program and hold the public hearing. Note that any changes to the priorities will affect others on the priority listing. After the public hearing, if appropriate, approve the Proposed Secondary Road Program.

6a. Proposed Amendments to the Animal Control Ordinance

30 min.

The Durham County Animal Control Advisory Committee (ACAC) requests the Board of County Commissioners approved proposed amendments to the Animal Control Ordinance.

In September of 2006, following a recommendation from the *Durham Inter-neighborhood Council* and the *Coalition to Unchain Dogs* to outlaw the tethering of dogs in Durham County, the ACAC were asked to research, evaluate, and to make a recommendation on their findings to the Durham County Board of County Commissioners.

For more than 18-months, the ACAC held multiple meetings, collected statistics, conducted research and interviewed experts in the animal welfare profession on the issue of tethering. Members on the committee were: Patty Croom, Susan Teer, Jenny Nichols, Vickie White, Carol Charping, Becky Heron, Kim O'Neil, Martha Ann Traylor, Evelyn Nicholson, Dr. Joyce McKinney, Carol Hammett, Kathy Everett-Perry, Marie Inserra, Jan Paul, Beth Livingston, Cindy Bailey and Jennifer Brehler.

At the County Commissioner's August 4th, 2008, Work Session, Amanda Arrington, Chairman of the ACAC, presented the Committee's proposed Ordinance amendments to the Board. A Public Hearing was then scheduled for August 25th, where 59 citizens spoke in support and 7 citizens spoke against the proposed amendment, and a second Work Session was conducted on September 2nd by the Board. Following the Worksession, at the direction of the Board, final adjustments to the Animal Control Ordinance, a black-lined copy of the ordinance and the Education/Implementation Plan are now completed.

RESOURCE PERSONS: Michael Turner, Director of General Services; Amanda Arrington, Chairperson for the Durham County ACAC; Cindy Bailey, Animal Control Administrator; and Marie Inserra, Assistant County Attorney.

COUNTY MANAGER'S RECOMMENDATION:

The County Manager recommends the Board approve the Animal Control Advisory Committee's proposed revisions to the Animal Control Ordinance.

7. Board and Commission Appointments

5 min.

Vonda Sessoms, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Audit Oversight Committee
- City-County Appearance Commission
- Civic Center Authority
- Juvenile Crime Prevention Council

- Library Board
- Nursing Home Community Advisory Committee
- Women's Commission

Resource Person(s): Vonda Sessoms

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

8. **Closed Session**

15 min.

The Board is requested to adjourn to closed session to consult with an attorney and to preserve the attorney-client privilege and to discuss County of Durham v. E.T. Development Corporation, 08 CVS 3340, pursuant to G.S. § 143-318.11(a)(3).

1 ¾ hrs.