

REVISED

(Added an Announcement; Removed Item No. 8)

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

Monday, November 23, 2009

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.
 - “In Touch with Durham County”, the Durham County television show, airs on Cable TV channel 8 at 8:00 a.m. and 12 noon daily, 5:00 p.m. on Mondays, and 6:00 p.m. Tuesday – Saturday.
 - **The Health Department will provide H1N1 vaccination clinics for CDC-designated target groups who are at high risk for flu complications; the vaccine will be provided at no charge. Beginning this week through the end of December, vaccination clinics will be conducted at the Health Department, 414 East Main Street, on Tuesdays and Thursdays by appointment, except for Thanksgiving Day, November 26, and Christmas Eve, December 24. To make an appointment, please call 560-7882. Additional influenza information is available on the Durham County website at www.durhamcountync.gov.**

4. **Minutes** 5 min.
- a. October 5, 2009 Worksession
 - b. October 26, 2009 Regular Session
 - c. October 28, 2009 Budget Workshop

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

The Commissioners Community Circle Award, created by the Durham Board of County Commissioners (BOCC), is designed to recognize County departments and community organizations for the extraordinary services they provide to Durham's citizens.

Hold your Head Up, a Durham-based organization created to provide career attire for low-income women, will be awarded the November 2009 Commissioners Community Circle Award. Hold Your Head Up has received accolades around the Triangle for its ongoing effort to suit women appropriately for professional endeavors. Women that benefit from the program not only receive suits, shoes, and accessories; they also receive valuable career support services from Hold Your Head Up.

The BOCC celebrates Hold Your Head Up for successfully suiting 400 women of the Triangle its first year of inception and for providing valuable tools to overcome employment barriers. Today, many more women have benefited from the unique program. Hold Your Head Up has influenced the lives of many women of Durham and helped these women achieve self sufficiency and financial independence through their ongoing efforts.

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 Hold Your Head Up for their receipt of the Commissioners Community Circle Award and present the award to a representative from Hold Your Head Up.

6. **North Carolina Association of County Commissioners Special Presentation to Durham County Employees** 5 min.

Each year, the North Carolina Association of County Commissioners (NCACC) hosts an information booth at the North Carolina State Fair. Out of 100 North Carolina counties, at this year's fair, Durham County Government had the most employees to volunteer for the annual event. Among volunteers, Joyce Logan, Supervisor for the Tax Division of Tax Administration, won a prize package for volunteering. At the meeting, the NCACC will present Ms. Logan with her prize package and thank all Durham County employees for their volunteering efforts. Commissioner Joe Bowser, also a volunteer, will be among those recognized.

Resource Person(s): Neil Emory, Outreach Associate for the NCACC

County Manager's Recommendation: The Manager's recommendation is that the Board allow NCACC representatives Neil Emory and Lisa Nolen, Outreach Coordinator, to thank employees who volunteered at the 2010 N.C. State Fair and present Joyce Logan with her prize.

7. **Consent Agenda**

15 min.

- a. Property Tax Releases and Refunds for Fiscal Year 2009-2010 (accept the property tax release and refund report for October 2009 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- b. Sheriff's Office—Budget Amendment 10BCC000032—Recognize Revenue (\$143,766) from the Bureau of Justice Assistance (BJA) (authorize the Sheriff's Office to accept the award in the amount of \$143,766 from the Bureau of Justice Assistance and approve budget amendment 10BCC000032 appropriating \$143,766 in the Sheriff's budget);
- c. Approve Budget Ordinance Amendment 10BOCC000034 to recognize Additional Revenue for the Department of Social Services in the Amount of \$920,694;
- d. Approve Budget Ordinance Amendment No. 10BCC000035—Public Health/DSS to Recognize Revenue in the Amount of \$754,026 from NC Department of Health and Human Services via Durham Public Schools in support of the Child and Family Support Team Initiative to fund seven existing Public Health nurses and seven existing Social Workers;
- e. Ambulance Replacement in the Amount of \$184,514 (authorize the County Manager to enter into a contract with Southeastern Specialty Vehicles, in the amount of \$184,514 for the purchase of a replacement vehicle for Durham County EMS and one remount for Bethesda Volunteer Fire/EMS Department);
- f. Contract with Tax Management Associates Inc. (\$150,000) (amend the contract with Tax Management Associates to include Department Outsourcing, Audit and Discovery Services. The contract amount is not to exceed \$150,000);
- g. Department of Social Services Contract Amendment—One Source Contract (\$30,091) (approve Department of Social Services' request to amend its contract with One Source in the amount of \$30,091, from \$679,441 to \$709,532 for the DMI Project);
- h. Contract for Triangle Wastewater Treatment Plant Services for Sewer Line Cleaning and Closed Circuit Television Inspection in an Amount not to exceed \$46,683.50 (authorize the County Manager to enter into a standard service contract with Vision NC, LLC for sewer line cleaning and closed circuit television inspection, in an amount not to exceed \$46,683.50);
- i. Contract for Triangle Wastewater Treatment Plant Services for Easement Maintenance, in an amount not to exceed \$52,300 (authorize the County Manager to enter into a standard service contract with Bradsher and Son Septic Tank for the easement maintenance inspection services in an amount not to exceed \$52,300.00);
- j. Contract for Triangle Wastewater Treatment Plant Services for Manhole Inspections (\$67,500) (authorize the County Manager to enter into a service contract with Hydrostructures, PA for the manhole inspection services in an amount not to exceed \$67,500.00);

- k. Approval of 1 Grant-funded FTE for a Street Outreach Worker for Cooperative Extension's Project B.U.I.L.D Gang Intervention Program (approve the establishment of 1 FTE for a Street Outreach Worker position to support Project B.U.I.L.D., Durham County's Gang Prevention and Intervention Initiative);
- l. Approval of Contracts for the Purchase of Furniture for the Durham County Southwest Regional Library Project No: DC075, Bid No: IFB 10-10, not to exceed the Budget of \$426,958.13 (authorize execution of contracts with Alfred Williams and RDS for the purchase of furniture for the Southwest Regional Branch Library, in the total amount of \$388,143.79 [Base Bid plus Alternates] and execution of any other related contracts/services, if necessary, not to exceed the budget of \$426,958.13;
- m. Durham Public School Construction Contract at Lakeview Secondary School and Capital Project Amendment No. 09CPA000008—Transfer of 2007 GO Bond Funds (\$1,482,584) from Neal Middle School Renovation Project to Lakeview Project (approve the owner/contractor agreement with Mixon Construction Company Inc. for the Gymnasium Addition at Lakeview Secondary School in the amount of \$1,482,584; authorize the Manager to execute the agreement pursuant to the terms of the Interlocal Agreement with Durham Public Schools; and approve Capital Project Amendment No. 09CPA000008 to move available 2007 GO Bond funds from the Neal Middle School Renovation Project to the Lakeview Project);
- n. Encroachment Agreements with NC DOT at Neal Middle School (approve two Right-of-Way Encroachment Agreements with NC DOT related to the Neal Middle School addition/renovation project and authorize the Manager to execute the agreements);
- o. Encroachment Agreements with NC DOT at Lakeview Secondary School (approve the Three-Party Right-of-Way Encroachment Agreement related to the Lakeview Secondary School addition/renovation project and authorize the Manager to execute the agreement);
- p. Durham Public Schools—Annexation and Extension Agreement for New Elementary School E (approve the annexation petition and Extension Agreement for New Elementary School E and authorize the Manager to execute the agreement); ~~and~~
- q. Approve the Durham Chamber of Commerce Contract in the Amount of \$142,200 to provide industrial development services for Durham County; and
- r. Approve Budget Ordinance Amendment No. 10BCC00036 for Refunding Bonds.

8. ~~**Families First Audit**~~

15 min.

~~Commissioner Joe Bowser requested that this item be placed on the November 23, 2009 agenda for comment.~~

~~Resource Person(s): Joe Bowser, County Commissioner~~

~~County Manager's Recommendation: The Manager recommends that the Board receive the comments and advise staff if any additional action is necessary.~~

9. **Public Hearing—Unified Development Ordinance (UDO) Text Change—Sedimentation and Erosion Control (TC0900007)**

10 min.

Receive public comments on Text Change—Sedimentation and Erosion Control (TC0900007) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits; Article 8, Environmental Protection; Article 12, Infrastructure and Public Improvements; and Article 15, Enforcement.

Resource Person(s): Steven L. Medlin, AICP, City-County Planning Director; Julia Mullen, Planner; Aaron Cain, Senior Planner; and Chris Roberts, PE, County Stormwater and Erosion Control Division Manager

County Manager's Recommendation: The Manager recommends that the Board conduct a public hearing on the proposed UDO text change and, if appropriate based on the comments received during the hearing, approve the change.

10. **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
- Animal Control Advisory Committee
- Animal Control Review Board
- DCVB/Tourism Development Authority
- Nursing Home Community Advisory Committee
- Transportation Advisory Board
- Women's Commission

Resource Person(s): Yvonne 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.

~~1 1/3 hrs.~~ **1 hr. 5 min.**