

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

Monday, August 10, 2009

7:00 P.M. Regular Session

**MINUTES**

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

Present: Chairman Michael D. Page, Vice-Chairman Ellen W. Reckhow, and Commissioners Joe W. Bowser, Becky M. Heron, and Brenda A. Howerton

Absent: None

Presider: Chairman Page

**Opening of Regular Session**—Pledge of Allegiance

**Installation of County Attorney**

The Honorable A. Leon Stanback Jr. administered the Oath of Office to the newly appointed County Attorney Lowell Siler.

NORTH CAROLINA  
DURHAM COUNTY

OATH

COUNTY ATTORNEY  
DURHAM, NORTH CAROLINA

I, LOWELL L. SILER, do solemnly swear that I will well and truly serve the State of North Carolina in the Office of the County Attorney of the County of Durham; I will, in the execution of my office, endeavor to have all laws fairly and impartially administered, so far as in me lies, according to the best of my knowledge and ability; so help me God.

/s/ Lowell L. Siler  
COUNTY ATTORNEY

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County Attorney Siler thanked the Board for the opportunity to serve as County Attorney. He also thanked his mother, Judge Stanback, and hosts of friends and family for their support. County Attorney Siler particularly thanked former County Attorney Chuck Kitchen for his many years of dedicated service to Durham County. He briefly acknowledged persons he considers his role models and mentors who have contributed to his success.

Chairman Page made the following remarks: "Let me begin by saying what an exciting moment this is and how much I look forward to working with you, and your enthusiasm and commitment

to Durham County and to its citizens. I really appreciate the comment you raised in terms of the quality of life for our citizens. I think that in terms for us to continue to move forward to the next level, we look forward to that zeal. So, we really do appreciate all that you bring to the table, and I look forward to working with you in the coming months. So, thanks again for accepting this challenge.”

Commissioner Heron stated, “Lowell, we were almost kids when we came to this courthouse. We have kind of grown up together, I guess. We've seen a lot of changes, even here in this room where we are now; and they're all good changes. So, you and I have been around, and we've had a lot of battles out there; some we won, and some we didn't. But we know that you are going to be a winner in the position you now hold. I truly look forward to working with you, and between the two of us and all of these years we have behind us, we can't help but be better than we were. And we're going to get even better. Really and truly, I'm here for you in any way that I could be of any help. And I KNOW I'm going to be calling on you for help. So, sit back and enjoy a few days, and then we will be in touch.”

Commissioner Howerton stated her congratulations as follows: “Lowell, I would just like to say congratulations; I wish you all the very best. I look so forward to working with you.”

Commissioner Bowser issued his congratulations to County Attorney Siler, stating, “Lowell, I want to thank you for taking on this job. Certainly, when we called on you, you reached out to us; we really appreciate that. I look forward to working with you. You know that it's going to be a tough road ahead for us, and you are up to the task; certainly, we appreciate that of you. Also, Lowell, we want to make sure that if there is anything I can do as a Commissioner to make your job easier, please call on me. I want to say that publically. And you know, as Commissioner Heron said, you have five of us up here, and we all will be calling on you.”

Vice-Chairman Reckhow articulated her congratulatory comments as follows: “Lowell, I want to congratulate you. I have worked with you over many years. Not quite as long as Becky, but a lot of years and have gotten to know you really well. I look forward to working with you.”

County Attorney Siler asked the County Attorney staff that was present to stand and be recognized. He stated that his staff is dedicated, and he looks forward to partnering with the Board to combat current issues facing the County. County Attorney Siler acknowledged his family members and asked them to stand.

### **Agenda Adjustments**

County Manager Mike Ruffin mentioned the revised agendas that were placed at each Commissioner's station. He briefly highlighted the revisions made to the agenda.

Chairman Page requested to pull Item 6, Resolution Honoring the Life of former Durham Mayor Chester L. Jenkins, as Mrs. Jenkins was not notified about the resolution and would not be present to receive it.

Dr. E. Lavonia Allison, a citizen, mentioned that she informed Mrs. Jenkins of the resolution, and Mrs. Jenkins stated that she would be in attendance.

Chairman Page stated that the resolution would be presented if Mrs. Jenkins attends the meeting.

### **Announcement**

Chairman Page announced that the second meeting of the Durham Complete Count Committee has been scheduled for Tuesday, September 15, from 5:30 p.m. to 7:30 p.m. in the Main Library's auditorium (located on the first floor). He invited community organizations to come to the table to discuss the census process.

Commissioner Bowser addressed an article in The Herald-Sun regarding the Jordan Lake Critical Area Watershed. He made the following points to correct statements made in the article and beseeched the media to tell the truth:

- Actual statement made on April 13, 2009—"The watershed line issue that we were dealing with was simply a matter of correcting a mistake that had made years ago, and it was about a property owner following an order so that our maps would be correct."
- There is no developer submitting an application about this watershed line; Durham County is the applicant.
- The article discussed cleaner water; however, it did not state what neighboring counties are doing to protect water supply. Durham County is the only county with a one-mile critical area, which is why Wake County taxes are cheaper by 25%; Wake County allows construction closer to the Lake.
- The article did not mention that the survey methods used by the Haw River Group were wrong.
- The Durham Planning Commission has requested that a mistaken map of the Jordan Lake Watershed be corrected, which is a decades old mistake. It appears in the media that an underhanded act occurred in 2005, which is untrue.

Vice-Chairman Reckhow noted that Orange County has a one-mile Jordan Lake critical area; Chatham County has ½ a mile. However, Wake County uses a complex formula, with its critical area ranging between ½ a mile and one mile. She asked staff to research Wake County's critical area to obtain the exact figures.

Commissioner Bowser emphasized that Durham County's critical area is consistently one mile with no complexities, which offers great water protection for Jordan Lake, despite the statements made in the newspaper article.

Commissioner Heron opposed Commissioner Bowser's statement that the methods used in surveys by the Haw River Group were wrong. She opined that the methods are acceptable and up-to-date. Commissioner Heron stated that due to Durham County passing a watershed protection ordinance, little to no problems have been reported regarding pollution.

Commissioner Bowser agreed with Commissioner Heron about efforts taken by Durham County to protect the watersheds.

**Resolution Honoring the Life of Parkwood Volunteer Fire Department Assistant Chief James Andrew Barringer**

Chairman Page read the following resolution to honor the life of James Andrew “Andy” Barringer, Assistant Chief at Parkwood Volunteer Fire Department:

RESOLUTION

WHEREAS, James Andrew “Andy” Barringer, a native of Salisbury, North Carolina, moved to Durham in 1965 where he graduated from Jordan High School; and

WHEREAS, armed with a desire to help others, Mr. Barringer began his affiliation with Parkwood Volunteer Fire Department as a volunteer rookie firefighter in 1980 at the tender age of 18; and

WHEREAS, after progressing to the rank of Captain as a volunteer, he transitioned to a full-time employee in 1988 and was named full-time Captain in 1997; and

WHEREAS, in 2000, Captain Barringer was promoted to Assistant Chief in charge of Fire Operations and Personnel where he played a key role in ensuring that the department developed skills and training to respond to ever-changing challenges of emergency response; and

WHEREAS, he loved his family and his community and was a faithful member of Richland Creek Community Church where he served as a deacon and played in the church orchestra; and

WHEREAS, Chief Barringer made several mission trips to South East Asia, Greece, West Virginia, and France to share his religious faith with others; and

WHEREAS, on March 1 while on a skiing trip with his son in West Virginia, he suffered a fatal heart attack:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby resolve to honor the memory of

ASSISTANT CHIEF JAMES ANDREW “ANDY” BARRINGER,

a dedicated ,extraordinary public servant who proudly served Durham County with distinction. We call upon all citizens to remember the numerous and selfless contributions he made in this community and beyond during his lifetime.

This the 10<sup>th</sup> day of August, 2009.

/s/ All Five Commissioners

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Jeff Batten, Fire Marshal/Emergency Management Director, spoke briefly about Chief Barringer's impact on the lives of those who knew him. During Assistant Chief Barringer's career, the Parkwood fire district evolved from a quiet residential community to high-tech businesses, a major shopping mall, and high-density residential areas. Calls increased from about 300 per year to nearly 5,000 per year. He was instrumental in ensuring that the department received the training and developed the skills to stay current with the challenge of emergency response.

Mr. Batten expressed gratitude for Assistant Chief Barringer's leadership and friendship and is inspired by his devotion and service to his family, church, and community. Mr. Batten acknowledged Assistant Chief Barringer's wife, parents, and siblings and the Parkwood VFD who were present.

Mr. Barringer, Assistant Chief Barringer's father, extended appreciation to the community for its support to their family.

Chairman Page thanked the Barringer family for attending the meeting and stated that they would continue to be in the Board's thoughts. He presented the resolution to the family.

Commissioner Heron praised the Parkwood VFD for their dedication and hard work.

**Resolution Honoring the Life of former Durham Mayor Chester L. Jenkins**

Chairman Page apologized to Mrs. Jenkins for not contacting her about the resolution. He read the following resolution to honor the life of former Durham Mayor Chester L. Jenkins who passed on Tuesday, July 14:

RESOLUTION

WHEREAS, Durham native Chester L. Jenkins attended Durham schools and graduated from Merrick Moore High School before joining the military; and

WHEREAS, he served his country with distinction as a Military Police officer in the Air Force and pursued educational training in business, receiving a B. A. degree in Business Administration from Ft. Lauderdale University and an MBA in Business and Economics at North Carolina Central University; and

WHEREAS, his longtime civic involvements led to his election to Durham City Council, on which he served for eight years prior to being elected Durham's first black Mayor on November 8, 1989; and

WHEREAS, he was highly regarded as a bridge builder and highly respected for keeping the best interests of all Durham citizens in view during critical deliberations; and

WHEREAS, during his tenure on City Council and as Mayor, several key achievements were realized:

- Conversations began for the eventual construction of the new Durham Bulls stadium which ignited Durham's downtown redevelopment;
- The City purchased local bus system from Duke Power;
- Carolina Theatre was renovated; and
- Camp Hills/Holmes Recreations Center was constructed; and

WHEREAS, Chester L. Jenkins will forever be remembered as a role model who paved the way for the election of many successful African-American officials in Durham:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Durham County Board of Commissioners, do hereby resolve to honor the memory of

MAYOR CHESTER LUTHER JENKINS,

a compassionate, dedicated leader and public servant who gave his talents to improve the lives of others in his beloved City of Durham and beyond. We call upon all citizens to remember the numerous and selfless contributions he made during his extraordinary career.

This the 10<sup>th</sup> day of August, 2009.

/s/ All Five Commissioners

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Mrs. Jenkins thanked the Board for honoring Mayor Jenkins. She invited friends of the family—Dr. and Mrs. Chambers and Dr. E. Lavonia Allison—to comment.

Chairman Page presented the resolution to Mrs. Jenkins.

Commissioner Bowser reminisced about moments he shared with Mayor Jenkins and stated that he would be missed.

Commissioner Howerton commented on how Mayor Jenkins paved the way for her to serve on the Human Relations Commission and on the Durham County Board of Commissioners.

### **Consent Agenda**

Commissioner Heron moved, seconded by Commissioner Howerton, to approve the following consent agenda items:

- \*a. Budget Ordinance Amendment No. 10BCC000001—Recognize \$24,330 in Additional Grant Funding from Durham's Partnership for Children—A Smart Start Initiative—to Support the Expansion of the Incredible Years Parenting Curriculum;
- \*b. Budget Ordinance Amendment No. 10BCC000003—Recognize \$100,000 in Grant Funding from NC Department of Health & Human Services, Division of Social Services to

- Support the Expansion of the Incredible Years Parenting Program and Approve the Creation of 1.0 FTE for a Community Services Consultant;
- \*c. Budget Ordinance Amendment No. 10BCC000004—Public Health—Recognize \$3,000 in Grant Funds from the Central NC Partnership for Public Health Education Division;
  - \*d. Budget Ordinance Amendment No. 10BCC000005—Public Health—Recognize Grant Funds From the BlueCross BlueShield of NC Foundation for the Amount of \$75,000 for Project Access;
  - h. Receive the 2008-2009 Annual Report of the Durham Open Space and Trails Commission;
  - i. Right-of-Way Agreement with Duke Energy Carolinas at Hillside High School (approve the Right-of-Way Agreement for the relocation of utility facilities with Duke Energy Carolinas, LLC related to the Hillside High School renovation);
  - j. Approval of Fitness Center Lease Within Durham Convention Center;
  - \*k. Budget Ordinance Amendment No. 09BCC000078—Bethesda Fire District—Appropriation of Fire District Fund Balance in the amount of \$11,367 to Bethesda Fire District in order to satisfy the final payment to the General Fund for reimbursement of volunteer salaries; and
  - \*l. Budget Ordinance Amendment No. 10BCC000007—Appropriation of SWAP Funds for Legal Fees (approve the appropriation of \$120,000 of unrestricted SWAP Fund fund balance to pay legal fees and other expenses related to the operation of this fund).

The motion carried unanimously.

Commissioner Heron mentioned that in six to eight months, grants received by County services would be evaluated to determine how the funds are being used and what impact does the additional funding have on the services.

County Manager Mike Ruffin informed Commissioner Howerton that the grant evaluation reports would be submitted concurrently with next year's budget.

\*Documents related to these items follow:

Consent Agenda Item No. a. Budget Ordinance Amendment No. 10BCC000001—Recognize \$24,330 in Additional Grant Funding from Durham's Partnership for Children—A Smart Start Initiative—to Support the Expansion of the Incredible Years Parenting Curriculum.

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2009-10 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u>     | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> |                       |                          |                       |
| Intergovernmental   | \$438,552,103         | \$24,330                 | \$438,576,433         |

Expenditures:

| <u>Function</u>                 |             |          |             |
|---------------------------------|-------------|----------|-------------|
| <u>GENERAL FUND</u>             |             |          |             |
| Economic & Physical Development | \$5,178,116 | \$24,330 | \$5,202,446 |

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

This the 10<sup>th</sup> day of August, 2009.

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Consent Agenda Item No. b. Budget Ordinance Amendment No. 10BCC000003—Recognize \$100,000 in Grant Funding from NC Department of Health & Human Services, Division of Social Services to Support the Expansion of the Incredible Years Parenting Program and Approve the Creation of 1.0 FTE for a Community Services Consultant.

DURHAM COUNTY, NORTH CAROLINA  
FY 2009-10 Budget Ordinance  
Amendment No. 10BCC000003

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2009-10 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u>     | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> |                       |                          |                       |
| Intergovernmental   | \$438,576,433         | \$100,000                | \$438,676,433         |

Expenditures:

| <u>Function</u>                 |             |           |             |
|---------------------------------|-------------|-----------|-------------|
| <u>GENERAL FUND</u>             |             |           |             |
| Economic & Physical Development | \$5,202,446 | \$100,000 | \$5,302,446 |

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

This the 10<sup>th</sup> day of August, 2009.



Consent Agenda Item No. c. Budget Ordinance Amendment No. 10BCC000004—Public Health—Recognize \$3,000 in Grant Funds from the Central NC Partnership for Public Health Education Division.

DURHAM COUNTY, NORTH CAROLINA  
FY 2009-10 Budget Ordinance  
Amendment No. 10BCC000004

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2009-10 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u>     | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> |                       |                          |                       |
| Intergovernmental   | \$438,676,433         | \$3,000                  | \$438,679,433         |

Expenditures:

| <u>Function</u>     |               |         |               |
|---------------------|---------------|---------|---------------|
| <u>GENERAL FUND</u> |               |         |               |
| Human Services      | \$474,464,053 | \$3,000 | \$474,467,053 |

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

This the 10<sup>th</sup> day of August, 2009.

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Consent Agenda Item No. d. Budget Ordinance Amendment No. 10BCC000005—Public Health—Recognize Grant Funds From the BlueCross BlueShield of NC Foundation for the Amount of \$75,000 for Project Access.

DURHAM COUNTY, NORTH CAROLINA  
FY 2009-10 Budget Ordinance  
Amendment No. 10BCC000005

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2009-10 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u>     | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|---------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u> |                       |                          |                       |
| Intergovernmental   | \$438,679,433         | \$75,000                 | \$438,754,433         |

Expenditures:

| <u>Function</u>     |               |          |               |
|---------------------|---------------|----------|---------------|
| <u>GENERAL FUND</u> |               |          |               |
| Human Services      | \$474,467,053 | \$75,000 | \$474,542,053 |

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

This the 10<sup>th</sup> day of August, 2009.

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Consent Agenda Item No. k. Budget Ordinance Amendment No. 09BCC000078—Bethesda Fire District—Appropriation of Fire District Fund Balance in the amount of \$11,367 to Bethesda Fire District in order to satisfy the final payment to the General Fund for reimbursement of volunteer salaries.

DURHAM COUNTY, NORTH CAROLINA  
FY 2008-09 Budget Ordinance  
Amendment No. 09BCC000078

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2009-10 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u>             | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|-----------------------------|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u>         |                       |                          |                       |
| Other Financing Sources     | \$37,208,740          | \$11,367                 | \$37,220,107          |
| <u>SPECIAL REVENUE FUND</u> |                       |                          |                       |
| Other Financing Sources     | \$1,711,940           | \$11,367                 | \$1,723,307           |

Expenditures:

| <u>Function</u>             |              |          |              |
|-----------------------------|--------------|----------|--------------|
| <u>GENERAL FUND</u>         |              |          |              |
| Public Safety               | \$50,947,320 | \$11,367 | \$50,958,687 |
| <u>SPECIAL REVENUE FUND</u> |              |          |              |
| Other                       | \$2,371,222  | \$11,367 | \$2,382,589  |

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

This the 10<sup>th</sup> day of August, 2009.

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Consent Agenda Item No. l. Budget Ordinance Amendment No. 10BCC000007—Appropriation of SWAP Funds for Legal Fees (approve the appropriation of \$120,000 of unrestricted SWAP Fund fund balance to pay legal fees and other expenses related to the operation of this fund).

DURHAM COUNTY, NORTH CAROLINA  
FY 2009-10 Budget Ordinance  
Amendment No. 10BCC000007

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2009-10 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

| <u>Category</u>                          | <u>Current Budget</u> | <u>Increase/Decrease</u> | <u>Revised Budget</u> |
|--|-----------------------|--------------------------|-----------------------|
| <u>GENERAL FUND</u><br>Intergovernmental | \$550,000             | \$120,000                | \$670,000             |

Expenditures:

| <u>Function</u>                           |           |           |           |
|---|-----------|-----------|-----------|
| <u>GENERAL FUND</u><br>General Government | \$550,000 | \$120,000 | \$670,000 |

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

This the 10<sup>th</sup> day of August, 2009.

**Consent Agenda Items Removed for Discussion**

Consent Agenda Item No. e. Raleigh-Durham Airport Authority Grant Offer (accept the \$1,601,334 grant offer from the Federal Aviation Administration).

Chairman Page called the following signed speakers forward for comments:

Dr. E. Lavonia Allison, representing Durham Committee for the Affairs of Black People (DCABP), PO Box 428, Durham 27702

Victoria Peterson, representing Triangle Citizens Rebuilding Communities (TCRC), PO Box 101, Durham 27702

County Manager Ruffin agreed to communicate the citizens' questions to the RDU Authority, the Cities of Durham and Raleigh, and the Counties of Durham and Wake and obtain a report.

Commissioner Heron noted that Durham County does not receive any of the funds.

Commissioner Bowser thanked Dr. Allison and Ms. Peterson for their comments. He stated that Durham citizens should reap some benefit from this grant.

Commissioner Bowser moved, seconded by Commissioner Heron, to approve Consent Agenda Item No. e.

The motion carried unanimously.

Consent Agenda Item No. f. Raleigh-Durham Airport Authority Grant Offer (accept the \$1,383,170 grant offer from the Federal Aviation Administration).

Dr. E. Lavonia Allison, representing DCABP, PO Box 428, Durham 27702

Victoria Peterson, representing TCRC, PO Box 101, Durham 27702

Commissioner Heron suggested to Dr. Allison that she also attend a RDU Authority meeting to voice her concerns.

Commissioner Howerton moved, seconded by Commissioner Heron, to approve Consent Agenda Item No. f.

The motion carried unanimously.

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Consent Agenda Item No. g. Award of Contract for Purchase of Chemicals for the Triangle Wastewater Treatment Plant, IFB No. 10-001 (authorize the County Manager to enter into contracts with C&S Chemical for \$158,400, Mays Chemical Co. for \$81,400, and Amerochem Corporation for \$20,280, and authorize the County Manager to execute annual renewals of these contracts as funding becomes available).

Commissioner Bowser inquired about MWBE participation and annual renewals up to five years.

County Engineer Glen Whisler responded that the County's goal for goods and supplies was 12.05% for women-owned businesses; however, none of the vendors to be contracted with are women-owned. Mays Chemical Co. is an African-American minority-owned enterprise, 31.3% of the total contract. Mr. Whisler explained that annual renewals are typical for these types of contracts, which provide chemicals often used by the Treatment Plant. The County Manager would have the authority to renew the contracts up to five years.

Commissioner Bowser expressed a concern with renewing the contracts up to five years. He articulated a desire to see African-American-owned businesses as well as women-owned businesses participate in these contracts.

Mr. Whisler explained that renewing the contracts up to five years would be less labor intensive for staff as it would require less time to prepare and respond to RFPs. The County would have the option to not renew the contracts.

Commissioner Heron inquired about cost savings for providing renewals up to five years.

Commissioner Howerton asked if any guidelines exist that would prevent the contract from being renewed after one year.

Mr. Whisler stated that poor performance would be grounds to not renew.

Commissioner Bowser reiterated his concern that none of the vendors are women-owned.

Commissioner Heron moved, seconded by Commissioner Howerton, to approve Consent Agenda Item No. g.

The motion carried with the following vote:

Ayes: Heron, Howerton, Page, and Reckhow  
Noes: Bowser

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Consent Agenda Item No. m. Approval of Lease Agreement for 300 East Main Street, 2<sup>nd</sup> Floor (authorize the Manager to execute the lease).

Commissioner Bowser pulled this item to ask several questions pertaining to leasing the second floor of 300 East Main Street.

Jane Korest, Open Space & Real Estate Manager, replied to a question posed by Commissioner Bowser. She stated that based on the survey she conducted, the County would pay a lesser rate per square foot than the average rate in Durham.

Commissioner Bowser asked for a description of the Shared Services Department.

County Manager Ruffin responded that Shared Services manages SAP, which is the finance, budget, and human resources system for the County, and consists of six full-time employees. Eight attorneys from the County Attorney's office would also share the space.

Ms. Korest described the floor plan and setup of the second floor.

Commissioner Bowser asked questions regarding the lease agreement.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to approve Consent Agenda Item No. m.

The motion carried unanimously.

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Consent Agenda Item No. n. Amendment to the Unified Development Ordinance (direct the City-County Planning Director to proceed with an expedited process for the necessary amendments to the Unified Development Ordinance).

Commissioner Bowser inquired about the outcome of the House Bill 1099.

County Manager Ruffin stated that staff was prepared to address his questions relating to HB 1099 during the discussion of the Resolution Relative to Falls Lake Nutrient Management Strategy (FLNMS) item.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow, to approve Consent Agenda Item No. n.

The motion carried unanimously.

**Public Hearing—Zoning Map Change—New Middle School—Treyburn (Z0800034)**

Steven L. Medlin, AICP, City-County Planning Director, requested that the Board defer action on this item due to a lack of agreement between the proprietors and the applicant.

Chairman Page asked for direction as to how to address the public hearing. Although staff had requested a deferral, two citizens had signed up to speak; he felt obligated to allow them to comment.

Mr. Medlin advised Chairman Page to open the public hearing, allow the citizens to speak, close the public hearing, and refer the item back to staff.

County Manager Mike Ruffin concurred with Mr. Medlin.

Chairman Page addressed a citizen who spoke from the audience. He explained to the citizen that citizens were informed of the public hearing deferral; however, the public hearing was not removed from the agenda; thus, those citizens who signed up to speak must be heard.

Vice-Chairman Reckhow requested that in the future, agenda action forms for deferred items reflect a response to the specific directive given by the Board.

Mr. Medlin agreed to honor Vice-Chairman Reckhow's request.

Commissioner Howerton inquired about when this item would be brought back to the Board.

Mr. Medlin replied that the earliest the item may be brought back would be four months.

Dan Jewell, Coulter Jewell Thames, P.A., representing Durham Public Schools (DPS), stated for the record DPS' request for a deferral.

Chairman Page opened the public hearing that was properly advertised. He called the following citizens forward for comments:

Dr. E. Lavonia Allison, representing DCABP, PO Box 428, Durham 27702

Victoria Peterson, representing TCRC, PO Box 101, Durham 27702

As no one else requested to speak, Chairman Page closed the public hearing and referred the matter back to the Board.

Vice-Chairman Reckhow expressed frustration with the prolonging of this item as it was previously deferred in March. She stated that she hoped good faith attempts would be made to resolve the issues. Vice-Chairman Reckhow asked Mr. Medlin to address in the staff report the issue of accessing the site from a neighborhood road.

Commissioner Bowser referenced a comment made by Vice-Chairman Reckhow regarding constructing the school within a neighborhood. He asked if Vice-Chairman Reckhow was suggesting that the school not be built in the proposed location.

Vice-Chairman Reckhow spoke to potential challenges with the proposed location of the new middle school.

Commissioner Bowser expressed concern with continuing to review a project when the choice of its location is questioned.

Chairman Page stated his support for deferring the item. He explained that DPS has a dire need for a middle school; however, site locations are limited.

The Board and Hugh Osteen, Assistant Superintendent of Operational Services, DPS, discussed the following:

- Available land for potential school construction
- Possibly shift the new middle school site further away from the neighborhood

Board Requests for Applicant

- Shift the school site away from Vintage Hill Parkway, closer to Hwy. 15-501
- Research available land for an alternative New Middle School site
- Inform the Board of the upcoming meeting

Commissioner Heron inquired about the agreement with DPS to meet occasionally.

County Manager Ruffin responded that he and Dr. Carl Harris, DPS Superintendent, discussed scheduling a fall meeting between the Board and the DPS Board of Education. They would provide possible meeting dates to the Boards to decide on a final date.

Chairman Page suggested raising the issue of resuming the meetings at the meeting next week with the DPS Board Chair, Vice Chair, Superintendent, City Manager, and Mayor.

Commissioner Heron proposed that school transportation be discussed at an upcoming meeting with the DPS Board.

Commissioner Bowser mentioned the reduction in student population.

Chairman Page stated for the record that when he served on the DPS Board of Education, he voted for students to attend schools early for cost-saving and transportation reasons.

Commissioner Howerton discussed the 1) importance of the Board of County Commissioners meeting with the DPS Board of Education regularly, 2) school transportation, and 3) private schools.

Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to defer the Zoning Map Change—New Middle School—Treyburn (Z0800034) until a future meeting.

Commissioner Bowser opposed deferring the item as he felt that it would not be beneficial, considering the location of the site.

Chairman Page stressed his desire for DPS to work diligently with the property owners to resolve the issues for the betterment of the students.

Vice-Chairman Reckhow concurred with Chairman Page's comments. She encouraged DPS and the property owners to be creative and flexible when revisiting the site plan.

The motion carried with the following vote:

Ayes: Heron, Howerton, Page, and Reckhow

Noes: Bowser

**Public Hearing—Unified Development Ordinance (UDO) Text Change—CN Tier Parking (TC0900004)**

Aaron Cain, Senior Planner, requested that the Board receive public comments on Text Change—CN Tier Parking (TC0900004) and adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 10, Off-Street Parking and Loading.

Mr. Cain reported that the *Ninth Street Plan*, which was adopted by the Durham City Council on November 17, 2008, recommends several changes to make the Ninth Street Compact Neighborhood more pedestrian, bicycle, and transit oriented. Among those changes are certain UDO text amendments that can be adopted in the short term to improve parking requirements in the Ninth Street area and throughout the Compact Neighborhood Tier. They would:

- Lower the minimum required parking from 90 percent to 85 percent of the minimum parking required in the Urban, Suburban, and Rural Tiers;
- Lower the maximum allowed parking from 175 percent to 100 percent of the minimum parking required in the Urban, Suburban, and Rural Tiers;
- Allow on-street parking to count towards off-street parking requirements;
- Add commentary regarding suggested Transportation Demand Management activities; and
- Exempt a change of use from additional off-street parking requirements within the Pedestrian Business District, once adopted.

Chairman Page opened the public hearing that was properly advertised. As no one signed up to speak, he closed the public hearing and referring the matter back to the Board.

Commissioner Bowser moved, seconded by Commissioner Howerton, to approve Unified Development Ordinance (UDO) Text Change—CN Tier Parking (TC0900004).

The motion carried unanimously.

**AN ORDINANCE TO AMEND PROVISIONS OF THE UNIFIED DEVELOPMENT  
ORDINANCE REGULATING PARKING IN THE COMPACT NEIGHBORHOOD TIER**

WHEREAS, the Durham County Board of Commissioners wishes to amend certain provisions regarding parking in the Compact Neighborhood Tier in the Unified Development Ordinance; and

WHEREAS, it is the objective of the Durham County Board of Commissioners to have the UDO promote the health, safety, and general welfare of the community;



NOW, THEREFORE, be it ordained that Article 10, Off-Street Parking and Loading, is amended to make the following changes:

**SECTION 1**

Modify Section 10.3, Required Parking, paragraph 10.3.1, Required Motorized Vehicle Parking, paragraph B, Compact Neighborhood Tier, and Sec. 10.5, Alternative Parking Plans, paragraph 10.5.2, Factors Considered in Alternative Parking Plans, paragraph C, Transportation Demand Management (TDM), paragraph 2, TDM Activities, adding new Commentary, as set forth in the strikeouts and underlining below.

Sec. 10.3 Required Parking

10.3.1 Required Motorized Vehicle Parking

A. Rural, Suburban, and Urban Tiers

1. Minimum

Off-street parking spaces shall be provided for all uses listed below in the amounts specified below. Uses not listed shall be reviewed by the Planning Director, or designee, for a determination of the required spaces. Buildings with multiple uses shall calculate parking based on the square footage of each use in the building.

| Use Category                 | Specific Use                                       | Minimum Spaces   |
|------------------------------|--|--|
| <b>AGRICULTURAL USES</b>     |  |  |
| Agriculture                  | All agriculture                                    | 1 per site + 1 per 1,000 SF enclosed floor area  |
| <b>RESIDENTIAL USES</b>      |  |  |
| Household Living             | All household living                               | 2 per unit   |
| Group Living                 | All group living, except as listed below           | 1 per 4 beds   |
|                              | Boarding house, rooming house                      | 1 per bedroom  |
|                              | Congregate living facility                         | 1 per 2 units + 1 per 4 employees  |
| <b>PUBLIC AND CIVIC USES</b> |  |  |
| Community Service            | All community service                              | 1 per 500 SF floor area  |
|                              | Auditoriums  | 1 per 200 SF floor area available for seating in places of assembly, minimum 20 spaces |
|                              | Clubs and lodges                                   | 1 per 100 SF floor area  |
|                              | Museums  | 1 per 300 SF floor area, minimum 10 spaces   |
| Day Care                     | All day care                                       | 1 per employee + 1 per each 10 attendees   |
| Educational Facilities       | All educational facilities, except as listed below | 6 per classroom + 1 per 300 SF floor area of administrative office space               |

| Use Category                | Specific Use   | Minimum Spaces  |
|-----------------------------|--|---|
|                             | Kindergarten, elementary, middle school                            | 1 per classroom + 1 per 300 SF floor area of administrative office space                      |
|                             | College or University  | As determined by the Development Review Board   |
| Government Facilities       | City, county, state or federal government office                   | 1 per 300 SF floor area + 1 per 3 employees   |
|                             | Correctional facilities, jail, prison                              | 1 per 300 SF office area + 1 per 5 beds   |
|                             | Emergency services, fire, sheriff or medical station               | 1 per employee per shift + 1 per facility vehicle   |
| Medical Facilities          | All medical facilities, except as listed below                     | 1 per 250 SF floor area   |
|                             | Medical laboratory   | 1 per 500 SF floor area   |
|                             | Hospital   | 1 per 2 beds + 1 per doctor and nurse + 1 per 4 employees                                     |
| Parks and Open Areas        | All parks and open areas except as listed below                    | As determined by the Planning Director in consultation with the Parks and Recreation Director |
|                             | Cemetery, mausoleum columbaria, memorial garden                    | 1 per 5 seats in the chapel or assembly area  |
| Passenger Terminals         | All passenger terminals  | 1 per 200 SF waiting floor area + 1 per 2 employees   |
| Places of Worship           | All places of worship  | 1 per 28 SF available for seating in the assembly area(s)                                     |
| Social Service Institutions | All social service institutions, except as listed below            | 1 per 1,500 SF floor area + 1 per employee/volunteer  |
| Utilities                   | All utilities, except as listed below                              | 1 per 1,000 SF enclosed floor area  |
|                             | TV/HDTV/AM/FM broadcast facility                                   | 1 per 300 SF enclosed floor area  |
| <b>COMMERCIAL USES</b>      |  |   |
| Indoor Recreation           | All indoor recreation, except as listed below                      | 1 per 250 SF enclosed floor area  |
|                             | Adult establishment, bar, nightclub, movie or theater              | 1 per 100 SF of seating area  |
| Outdoor Recreation          | All outdoor recreation, except as listed below                     | 1 per 500 SF of enclosed floor area + 1 per 1,000 SF of outdoor use area                      |
|                             | Campground, summer camp  | 1 per campsite + 1 per employee   |
|                             | Circus ground  | 1 per 600 SF of the area devoted to the circus, arcade, concessions, etc.                     |
|                             | Flea market, outdoor   | 1 per 300 SF vendor area  |
|                             | Firing range, outdoor such as rifle range, archery, skeet, handgun | Min 5 + 1 per firing position   |

| Use Category              | Specific Use  | Minimum Spaces  |
|---------------------------|---|---|
|                           | Golf course, country club (see “restaurants” for additional parking requirements associated with eating facilities)   | 4 per hole + 1 per 500 SF floor area  |
|                           | Stadium or arena, commercial amphitheater, ballfield  | 1 per 4 seats   |
| Overnight Accommodations  | All overnight accommodations, except as listed below  | 1.25 per room+ 1 per 100 SF conference/banquet/restaurant   |
|                           | Bed and breakfast establishment   | 1 per guest room + 2 per owner/manager  |
|                           | Diet house, emergency shelter   | 1 per 250 SF floor area   |
| Restaurants               | All restaurants, except as listed below   | 1 per 100 SF  |
| Retail Sales and Service  | All retail sales and service, except as listed below  | 1 per 200 SF floor area for the first 50,000 SF of Gross Leaseable Area and 1 per 250 SF of leaseable area after that |
|                           | Animal hospital, kennel, or veterinarian  | 1 per 250 SF enclosed floor area  |
|                           | Artist gallery, bulk mailing service, psychic, medium, security service, studio, taxidermist  | 1 per 400 SF floor area   |
|                           | Repair-oriented services such as appliance, bicycle, canvas product, clock, computer, gun, jewelry, musical instrument, office equipment, radio, shoe, television or watch repair, locksmith, tailor, milliner, upholsterer | 1 per 500 SF floor area   |
| Self-Service Storage      | All self-service storage  | Min. 5 or 1 per 100 storage units, whichever is greater   |
| Vehicle Sales and Service | All vehicle sales and service, except as listed below   | 3 per service bay   |
|                           | Car wash  | 2 per wash bay  |
|                           | Vehicle sales, leasing or rental; manufactured housing sales  | 1 per 500 SF enclosed floor area  |
| <b>OFFICE USES</b>        |   |   |
| Office                    | All office uses, except as listed below   | 1 per 250 SF floor area   |
|                           | Conference center, retreat house  | 1 per 250 SF seating area   |

| Use Category                   | Specific Use                       | Minimum Spaces   |
|--------------------------------|------------------------------------|--|
| <b>INDUSTRIAL USES</b>         |                                    |  |
| Heavy Industrial               | All heavy industrial               | 1 per 1,000 SF enclosed floor area                                     |
|                                | Wrecking, junk or salvage yard     | 1 + 1 per 10,000 SF of yard area                                       |
| Light Industrial Service       | All light industrial service       | 1 per 1,000 SF floor area  |
| Resource Extraction            | All resource extraction            | 1 per 2 employees, minimum 3   |
| Warehouse and Freight Movement | All warehouse and freight movement | 1 per 5,000 SF of floor area   |
| Waste-Related Service          | All waste-related services         | 1 per 500 SF enclosed floor area + 1 per 5,000 SF outside storage area |
| Wholesale Trades               | All wholesale trade                | 1 per 1,000 SF floor area  |

2. Maximum Parking Permitted

- a. No use shall provide more than 175% of the required parking shown in the table above unless any parking above the 175% threshold is pervious or is provided through use of structured parking.
- b. Where a project is intended to be developed in phases, the Development Review Board may approve development of a parking area intended to serve current and future development.

B. Compact Neighborhood Tiers

1. The minimum parking requirement shall be 85% of the parking standards shown in the table in Sec. 10.3.1A.1, Minimum [Rural, Suburban, and Urban Tiers], except as otherwise\_authorized under this Ordinance. For purposes of calculating bicycle parking under Sec. 10.3.3, Minimum Required Bicycle Parking, 100% of the minimum spaces shown in the table in Sec. 10.3.1A.1, Minimum [Rural, Suburban, and Urban Tiers], shall be used.
2. No use shall provide more than 100% of the minimum spaces shown in the table in Sec. 10.3.1A.1, Minimum [Rural, Suburban, and Urban Tiers].
3. Any change of use within an existing building in the Pedestrian Business district of a Compact Neighborhood Regulating Plan, upon adoption of such district, shall be exempt from off-street parking requirements. New buildings or expansion areas of existing buildings within the Pedestrian Business district shall be required to meet all off-street parking requirements.
4. For every twenty-three (23) contiguous feet of street frontage for which there is adjacent permitted on-street parking, excluding handicapped accessible spaces, minimum required off-street parking shall be reduced by one (1) space. Credit for on-street parking shall only be counted towards one of the uses in any multi-use development. Credit shall not be given for a partial space.

*Commentary: On-street parking used to reduce off-street parking is within the public right-of-way and shall remain available for general use subject to public parking standards.*

*Commentary: Loading zones and taxi stands shall not be considered permitted on-street parking for purposes of Sec. 10.3.1B.4.*

C. Downtown Tier

No minimum parking shall be required. Parking shall not exceed the minimum number required by the base use. Exceptions to this requirement may be granted by the Development Review Board if the additional parking does not negatively impact the pedestrian flow of the area and the following additional findings supporting the decision are made:

1. There is demonstrated need for additional parking;
2. The applicant is employing traffic demand management techniques to minimize parking;
3. Efforts have been made to minimize significant tree cutting; and
4. The ability to share parking with nearby development has been evaluated.

D. Modifications

The Development Review Board may reduce the required number of spaces by up to 20% if for reasons of topography, mixes of uses, ride sharing programs, availability of transit, or other conditions specific to the site, provided the reduction in the required number of parking spaces satisfies the intent of this Article

*Sec. 10.5 Alternative Parking Plans*

*10.5.2 Factors Considered in Alternative Parking Plans*

[Paragraphs A, B, and D are omitted.]

C. Transportation Demand Management (TDM)

1. The Development Review Board may authorize a reduction in the number of required off-street motorized-vehicle parking spaces for developments or uses that institute and commit to maintain a TDM program, considering information the applicant submits that clearly indicates the types of TDM activities and measures proposed.
2. TDM Activities  
There shall be no limitation on the types of TDM activities for which reductions may be granted from otherwise required off-street parking ratios. The following measures shall serve as a guide to eligible transportation management activities.

*Commentary: Suggested TDM activities can be found in the Triangle Region 7-Year Long Range Travel Demand Management Plan, as may be amended, adopted by the Durham-Chapel Hill-Carrboro Metropolitan Planning Organization.*

a. Transportation Coordinator

The occupant of the development or use may appoint an employee to act as Transportation Coordinator with responsibility for disseminating information on ride-sharing and other transportation options that may be

cause for a reduction in otherwise applicable off-street parking requirements. In addition to acting as liaisons, Transportation Coordinators must be available to attend meetings and training sessions with transit providers.

b. Off-Peak Work Hours

Employers that institute off-peak work schedules, allowing employees to arrive at times other than the peak morning commute period, may be eligible for a reduction in otherwise applicable off-street parking requirements. The peak morning commute period is defined as 7:00 a. m. to 9:00 a.m.

c. Preferential Parking

The provision of specially marked spaces for each registered car pool and van pool may be cause for a reduction in otherwise applicable off-street parking requirements.

d. Financial Incentives

The provision of cash or in-kind financial incentives for employees telecommuting or commuting by car pool, van pool and transit may be cause for a reduction in otherwise applicable parking requirements.

## SECTION 2

That the Unified Development Ordinance shall be renumbered as necessary to accommodate these changes and clarifications.

## SECTION 3

That this amendment of the Unified Development Ordinance shall become effective upon adoption.

### **Public Hearing on Coordinated Transportation: FY 2009-2010 Rural Operating Assistance Program (ROAP) Grant—Application Approval**

Delphine Sellars, Cooperative Extension Director, requested that the Board hold a public hearing for the Rural Operating Assistance Program (ROAP) grant and approve the ROAP grant to be submitted to the North Carolina Department of Transportation (NCDOT). The ROAP grant consolidates the Elderly and Disabled Transportation Assistance Program (EDTAP), Rural General Public Program, and the Work First/Employment Program into a single application package. EDTAP provides transportation assistance for the elderly and disabled. Work First/Employment Program is intended to provide operating assistance for transitional Work First. The Rural General Public funds would be used to supplement existing routes that currently serve the county.

Letters were sent requesting input pertaining to the application in June 2009 to over 30 Human Service and non-profit agencies, and a public hearing notice was published in The Herald Sun in July 2009. Letters were translated into Spanish and sent to the Latino and other Limited English Proficiency communities.

The application proposes \$98,978 of governmental revenue to be allocated to support coordinated transportation for Durham County elderly and disabled residents, through the

Elderly and Disabled Transportation Assistance Program (EDTAP), and \$11,212 for Work First Transitional/Employment. These funds require no local match. The \$98,978 represents an increase of \$3,462 from last year's allocation.

The \$38,217 for Rural General Public Transportation (RGP) requires a 10% local match. The majority of the local match is recouped through fares, and the remaining match has been budgeted. These programs help support the transportation needs of citizens residing in the County. The program is administered by Cooperative Extension and Coordinated Transportation.

The NCDOT annually allocates funds for EDTAP, RGP, and Work First. Durham County would receive \$148,407 for FY 2009-2010. The funds have been budgeted for this fiscal year.

Chairman Page opened the public hearing that was properly advertised. As no one signed up to speak, he closed the public hearing and referred the matter back to the Board.

Commissioner Heron moved, seconded by Commissioner Howerton, to approve the ROAP application for submittal to NCDOT.

The motion carried unanimously.

### **Resolution Relative to Falls Lake Nutrient Management Strategy (FLNMS)**

Commissioner Joe Bowser had requested that the Board discuss its August 3, 2009 decision relative to the FLNMS. The Board adopted a resolution that was forwarded to Durham County's legislative delegation to the North Carolina General Assembly on August 3, 2009.

The NC Department of Environment and Natural Resources (NCDENR) uses a process to create, review, and approve nutrient management strategy rules for water bodies that are listed as impaired per the NCDENR Section 303(d) list. The process begins with a stakeholder group that advises NCDENR as to what criteria to use in creating a baseline model to determine the level at which the water body is impaired and develop a strategy to improve water quality. The Stakeholder Group is comprised of a cross-section of interested parties. NCDENR also involves the Stakeholder Group in developing the rules. Once NCDENR has drafted the rules, the rules are presented to the Environmental Management Commission (EMC) for review and approval. After a period of public comment and EMC approval, the rules review committee reviews and approves the rules, after which they are presented to the NC General Assembly.

The current state law, SL 2006-259 requires NCDENR to implement the FLNMS rules by July 1, 2009. Proposed legislation, House Bill (HB) 1099 extends this deadline to January 15, 2011. SB 1020 requires the EMC to give credit for early implementation of the FLNMS. HB 1099 also contains a requirement that interim additional standards for land disturbance activities become effective on January 1, 2010 before the NC General Assembly approves the permanent rules. In early 2009, NCDENR, Division of Water Quality submitted a request to the NC General Assembly to extend the deadline for EMC adoption of the FLNMS to November 2011.

Glen Whisler, P.E., County Engineer, and the Board reviewed Sections 3.(h)(4) and 6.(a) in HB 1099.

Mr. Whisler addressed questions and concerns posed by the Board regarding the following topics:

- Temporary vs. Permanent rules
- HB 1099 sponsors
- 2009-2010 Appointed Bill Conferees
- HB 1099 status
- Staff concerns

County Manager Mike Ruffin agreed to monitor the rule-making process.

### **Clerk to the Board Position Recruitment Process**

Vonda Sessoms, Clerk to the Board, would retire on September 1. The position vacancy has been advertised and the application deadline expired on July 31, 2009. Staff requested direction from the Board regarding the process it desired to employ to fill the position.

Marqueta Welton, Human Resources Director, reviewed the following recruitment plan with the Board:

#### PROPOSED CLERK TO THE BOARD RECRUITMENT PLAN

##### Preliminary Considerations:

The Board of County Commissioners, as the hiring body, should establish characteristics desired in the new Clerk to the Board and consider goals and objectives the Clerk is to accomplish. Some issues to consider include:

- Have needs changed? Has the department kept pace?
- Was the previous director dissatisfied? If so, why?
- Was the board/manager dissatisfied with the previous director? If so, why?

##### TIMELINE:

- | <u>Date</u>         | <u>Action</u>   |
|---------------------|---|
| • 6/22/09 – 6/26/09 | Review job description and ad (completed) <ul style="list-style-type: none"><li>○ BOCC review and approval of job specification and proposed ad</li><li>○ <u>Established minimum qualification:</u> any combination of education and experience equivalent to a bachelor's degree and five years experience in a professional capacity in local government, including six months of supervisory experience.</li></ul> |
| • 6/29/09 – 7/31/09 | Application period (completed) <ul style="list-style-type: none"><li>○ Applications were screened as received by Human Resources to identify applicants meeting the minimum qualifications</li></ul>  |



- 8/03/09 – 8/24/09 BOCC review of applications meeting minimum requirements
- 8/10/09 Establish recruitment process:
  - Establish participants in assessment process (BOCC, County Manager, HR Director, others – e.g. secondary interview panel, if desired)
  - Telephone interviews
  - Writing sample
  - Onsite interviews
  - Other assessment
  - Establish timeline dates
- 8/24/09 Select candidates for assessment based on review of applications:
  - Establish characteristics desired in the new Clerk to the Board
- TBD Review questions for telephone interviews
- TBD Telephone interviews
  - Select candidates desired for in-person interview at the conclusion of the telephone interviews
- TBD Review questions for onsite interviews
- TBD Onsite interviews
  - Panel interview
  - Writing exercise
  - Select finalists for further assessment, if desired, and background checks
- TBD Stakeholders reception (if desired)
  - BOCC, County Manager, Deputy County Managers, Assistant County Managers, Key Department Heads
- TBD Check references
  - Obtain a release and get authorization for a background check (A signed Durham County Government application authorizes the County to conduct some preliminary inquiries. Additional authorization may be needed.)
  - Check former employers, business, peer, and personal references
  - Verify education and academic history
  - Verify training and certifications
- TBD Hiring decision
  - Board deliberation and selection of candidate
  - Criminal background check
  - Additional references check
    - Current supervisor
- TBD Extend offer
  - Time period for negotiations/candidate response: (as determined by board)
- TBD Target start date

Vice-Chairman Reckhow suggested eliminating the Stakeholders' reception and requested that references be checked prior to on-site interviews.

Ms. Welton agreed to check references of finalists prior to on-site interviews.

Vice-Chairman Reckhow explained to Commissioner Bowser that eliminating the Stakeholders' reception may save on costs.

Ms. Welton informed Chairman Page that the Board may choose who would judge the writing exercises.

Chairman Page suggested either including the writing exercise during the on-site interview or designating a panel to administer and judge the exercise to save time.

Commissioner Howerton inquired about telephone and group interviews.

Ms. Welton explicated that using a panel to manage the telephone interviews is at the Board's discretion; group interviews are at the Board's discretion as well. She recommended that the Board select three to five candidates to interview. Interview times depend on the number of applicants.

Commissioner Howerton clarified what she meant by "group interview". She stated that she would prefer the Board as a group to interview each applicant individually.

The Board reached a consensus to: 1) select applicants on August 24 to interview; 2) decide on a date to conduct the interviews and allot 20 minutes each; 3) bring the candidates in for a group interview; and 4) make a decision that day on the candidate.

County Manager Ruffin asked the Commissioners to contact him or Ms. Welton if they need any assistance.

Ms. Welton informed the Board that she would draft sample interview questions for the Board to review. She would email potential interview dates to the Board.

### **Adjournment**

There being no further business, Chairman Page adjourned the meeting at 9:39 p.m.

Respectfully Submitted,

Yvonne R. Jones  
Acting Clerk to the Board