

**REVISED**  
(added Item 8a.)

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

Monday, August 2, 2010

9:00 A.M. Worksession

**AGENDA**

1. **Citizen Comments**

5 min.

Mr. Ralph McKinney has requested time to address the Board of County Commissioners regarding protection for women and minorities.

2. **Recognize Tax Administration Staff for Excellent Collections Year**

10 min.

The Tax Department has achieved a collection rate of 98.88% for fiscal year 09-10 compared to a collection rate from the previous year of 98.62% for the county. They also accomplished a collection percentage of 98.76% for the City of Durham compared to the previous year collection rate of 98.50%.

The contribution of all staff members within the Tax Department has ensured that Durham County and Durham City achieved this outstanding collection rate.

Resource Person(s): Kimberly Simpson, Tax Administrator

County Manager's Recommendation: The Manager recommends that the Board recognize tax staff and congratulate them on a job well done.

3. **Durham Public Schools –City of Medicine**

20 min.

The Board is requested to receive a presentation regarding the design and construction of the City of Medicine Academy and to waive the rules of procedure to approve a proposed Memorandum of Agreement (MOA) that would incorporate this project into the terms and conditions of the existing Interlocal Agreement for Sales Tax Reimbursement between the County and DPS. The proposed MOA as well as a map showing the location of the school is attached.

Background: The 2007 Bond provided for the design and construction of the City of Medicine Academy at a site adjacent to Durham Regional Hospital. The City of Medicine Academy is a high school program that provides a four-year healthcare-oriented curriculum for students interested in pursuing health care careers. The program began at Southern High School in the late 1990's. Currently DPS leases space for the school in a building approximately one half mile north of the proposed site. The new location on Crutchfield is in close proximity to the hospital and will allow CMA

students' greater access to job-shadowing, internships, guest lectures and additional opportunities. The bond budget of \$7,113,220 was developed on the basis of a 400 student facility of approximately 30,000 SF. Tim Carr, Program Director for DPS will present the status of the bids for construction and the overall project budget respective of the program targets. Although the construction bids are within the bond budget, the Board will be asked to consider transferring funds from other completed school projects into this project at its next regular meeting.

Since this property is owned by the County and will be leased to DPS instead of being sold to DPS, the proposed MOA brings the construction administration under the terms and conditions of the Interlocal Agreement regarding Sales Tax Reimbursement. The MOA authorizes DPS to handle this project in the same manner it is handling other school projects for purposes of recouping sales tax reimbursements. The MOA also authorizes the County Manager to execute any required easements and right of way agreements that may be necessary for the construction. Upon completion the County plans to lease the property to DPS for a period of time. A proposed lease will be brought back to the Board at a later date. The proposed lease lines are attached for your consideration.

Resource Person(s): Tim Carr, Program Director for Durham Public Schools, Carol Hammett, Assistant County Attorney

County Manager's Recommendation: The Manager recommends that the Board receive the presentation regarding the City of Medicine Academy and if appropriate, waive the rules of procedure and approve the proposed Memorandum of Agreement regarding the City of Medicine Academy.

4. **Discussion of South Side Revitalization Project and Whitted School Property**

40 min.

At the May 10, 2010 regular meeting, the Board of County Commissioners requested members of the City of Durham Department of Community Development attend the August 2 worksession to discuss the south side revitalization project and potential use of the Whitted School property within development plans.

Resource Person(s): Mike Barros, Director of Department of Community Development; Larry Jarvis, Department of Community Development

County Manager's Recommendation: The Manager recommends that the Board receive the presentation from the Department of Community Development and provide guidance to staff.

5. **Review of June and July BOCC Directives**

10 min.

It was requested that at each month's worksession, the Board of County Commissioners have the opportunity to review the previous month's directives for staff and make

comments as necessary. As there was no worksession in July, the June and July directives are covered in this report.

Resource Person(s): Mike Ruffin, County Manager; Laura Jensen, Budget Analyst

County Manager's Recommendation: The Manager recommends that the Board review the June and July BOCC directives and make comments to staff as necessary.

6. **Present Interlocal Agreement between Department of General Services and ABC Board for the Maintenance Services of ABC Locations**

20 min.

Since 1998 the Department of General Services has partnered with Durham County ABC Board to assist with the building maintenance of owned and operated ABC facilities. General Services provides Ground, Building and Pest Control services at a rate which covers the cost of staffing and materials. This has been a successful partnership which utilizes county resources and provides cost effective maintenance services to the ABC Board.

The Board is requested to authorize General Services to enter into an Interlocal Agreement to provide maintenance services of ABC locations.

Resource Person(s): Deborah Booth, General Services Administrative Officer; Motiryo Keambiroiro, General Services Director; Randy Mills, ABC General Manager; Dewanda Dalrymple, ABC Chief Operating Officer

County Manager's Recommendation: The Manager recommends that the Board authorize the County Manager to enter into an Interlocal agreement with ABC Board to provide maintenance services to ABC locations.

7. **Appointment of ABC Board Members and Board Chair**

20 min.

Michelle Parker-Evans, Clerk to the Board, will distribute ballots to the Board to make appointments to the following board:

- Alcohol Beverage Control Board

The Board is also requested to appoint a Chair to the ABC Board per North Carolina General Statute 18B-700 (attached).

Resource Person(s): Michelle Parker-Evans, Clerk to the Board; Lowell Siler, County Attorney

County Manager's Recommendation: The Manager recommends that the Board of County Commissioners vote to appoint members to the ABC Board and appoint a Chair to said Board as required by North Carolina General Statute 18B-700.

8. **Public Comments Presentation**

20 min.

The Board of Commissioners is requested to hear a presentation on the statutorily required Public Comments Period to be held during Regular Board meetings from the Office of the County Attorney.

Resource Person(s): Lowell Siler, County Attorney; Kathy Everett-Perry, Assistant County Attorney

County Manager's Recommendation: The County Manager recommends that the Board consider the information and possible changes to Durham County's current procedures, if appropriate.

8a. **Review of Rules of Procedure for Public Hearings**

15 min

**Commissioner Reckhow has requested the Board to discuss the Rules of Procedure concerning the amount of time a petitioner is allowed to present.**

Resource Person(s): Ellen Reckhow, Vice Chairman, Board of County Commissioners

County Manager's Recommendation: **The County Manager recommends that the Board discuss the Rules of Procedure and provide directives, if appropriate.**

9. **Closed Session**

45 min.

- The Board is requested to adjourn to Closed Session pursuant to G. S. 143-318.11(a)(4) to discuss matters relating to the location or expansion of a business or industry.
- To consult with the County Attorney in order to preserve the attorney-client privilege and to discuss the case in the matter of *Kendrick Estates Investment Corporation, et al. v. Durham County*, 09 CVS 07684, pursuant to G.S. 143.318.11(a)(3).

Resource Person(s): Lowell Siler, County Attorney; Mike Ruffin, County Manager

County Manager's Recommendation: The County Manager recommends that the Board adjourn to closed session and provide directives as appropriate.

---

**3 hours 25 min.**