

REVISED

(Please see Items 9 & 9a)

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

Monday, June 28, 2010

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.

5:30 P.M. Regular Session

1. **Opening of Regular Session**

5 min.

2. **Closed Session**

60 min.

The Board of Commissioners is requested to adjourn to closed session to consider the following matters:

- a. Qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6);
- b. 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).

7:00 P.M.

3. **Pledge of Allegiance**

5 min.

4. **Agenda Adjustments**

5 min.

5. **Announcements**

5 min.

- “In Touch with Durham County,” the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon daily; 4:00 p.m. on Mondays; and 6:30 p.m. Tuesday-Sundays. Our County Commissioners’ meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.
- Durham County received the Neighborhood Conservation Award from the Historic Preservation Society of Durham for work on the Former East Durham/Holton Junior High School.
- A community meeting on the Triangle Regional Transit Program will be held **June 30, 5:30pm-8:00 pm at the Durham County Main Library**, 300 North Roxboro St. This is an opportunity for citizens to meet, share ideas and discuss future bus and rail transit. For more information contact, Brad Schulz, Triangle Transit at 919-485-7434.
- The Environmental Management Commission will be holding an important public hearing **Wednesday June 30, at 7pm at Neal Middle School**. They will be considering the possible changes to the proposed Falls Lake Rules, which will add considerably to Durham’s tax burden and greatly affect both existing and future development of all kinds. Please consider attending this event and making your voice heard. 7pm, this Wednesday, June 30th, at Neal Middle School at 201 Baptist Church Road here in Durham.
- Beginning **July 12**, applications will be accepted for the 2010 Durham Neighborhood College Term. This nine week program is co-sponsored by the City and County of Durham and helps residents learn about government operations directly from leaders responsible for overseeing key services. Applications will be available on the City or County websites and in the Clerk to the Board’s Office. **The deadline to apply is August 13.** Call 560-0000 for more information.

6. **Minutes**

5 min.

- a. May 25, 2010 Budget Worksession
- b. June 14, 2010 Regular Session

7. **June Anchor Award Winner – Michael Perry**

5 min.

Michael Perry, Deputy Director of Elections, is the winner of the coveted Anchor Award. In the attached nomination letter, Elections Director Mike Ashe detailed the outstanding work

Mr. Perry performed while serving as both Director and Deputy Director during the recent medical absence of Mr. Ashe.

Resource Person: Mike Ashe, Elections Director

County Manager's Recommendation: The Manager recommends that the Board present the June Anchor Award to Michael Perry, along with the sincere congratulations of the entire organization.

8. **Consent Agenda**

10 min.

- a. Consider the appointment of Ms. Simpson to the position of Tax Administrator and approve the purchase of Public Official Bond in the amount of \$250,000. The effective date of the four-year appointment is July 1, 2010;
- b. Accept the ambulance franchise request for modification and approve the change for the addition of Basic Life Support and Advanced Life Support to their Specialty Care Transport Program for transfers between Duke and affiliated facilities;
- c. Authorize the County Manager to execute a one (1) year contract with the Animal Protection Society of Durham, Inc. for the operation of the Durham County Animal Shelter for \$554,063;
- d. Approve Budget Ordinance Amendment No. 10BCC000086 to appropriate \$5,000 in contract funding from the City of Durham to provide an Anti-Gang Information phone line through December 31, 2011;
- e. Accept the property tax release and refund report for May 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- f. Approve the financing with Wells Fargo Bank to cover capital projects in the FY 2011 budget and authorize the Manager and the Finance Director to execute the necessary documents;
- g. Authorize the execution of a project management services contract with Phoenix Business Consulting for the ERP upgrade to SAP ERP 6.0 not to exceed \$352,000 to be paid from the Capital Project Amendment No. 10CPA000015 which appropriated \$2,500,000.00 to the capital project, ERP (Enterprise Resource Planning) Upgrade Project (42001910DC135);
- h. Approve the Home and Community Care Block Grant Funding Plan as presented. Funding for the Plan has been incorporated into the Manager's proposed FY 2011 budget;
- i. Approve the Capital Project Amendment No. 10CPA000016 to officially close multiple completed projects allowing them to become final assets and begin depreciation;
- j. Approve Budget Ordinance Amendment 10BCC000087 to close the Emergency Services Special Revenue fund with the remaining landline surcharge fund balance plus accrued interest earnings to be transferred to the Debt Service Fund for funding of the debt service of the replacement microwave antennae (per the Interlocal Agreement with the City);
- k. Approve Capital Project Amendment No. 10CPA000017 appropriating \$200,000 to create a new capital project for the 2010 Single-Family Rehabilitation Program;

- l. Approve the three-month extension to the Ten Year Plan Contract with Durham Affordable Housing Coalition;
- m. Approve the contract for Assistant District Attorney for Jail Population Management (Bond Hearing Project) in the amount of \$59,029;
- n. Approve a Resolution to Donate vehicle to Animal Protection Society, Inc.;
- o. Appoint Geraldine Robinson, DSS Director, and Georgette Ray O'Mary, Sheriff designee, to the Juvenile Crime Prevention Council as required by the N.C. General Statutes;
- p. Appoint Stephen M. Mihaich, Police designee, to the Criminal Justice Partnership Act Advisory Board as required by the N.C. General Statutes.

9. **Review of Funding Recommendation for Durham Companions**

15 min.

Commissioner Brenda Howerton has requested a board review of the funding recommendation for Durham Companions. Durham Companions requested \$15,775 for Fiscal Year 2011 and received \$4,670 in Fiscal Year 2010. The County Manager recommended no funding for the nonprofit in Fiscal Year 2011.

Resource Person (s): Mike Ruffin, County Manager; Pam Meyer, Budget and Management Services Director; Drew Cummings, Assistant County Manager; Laura Jensen, Assistant to the County Manager

County Manager's Recommendation: The Manager recommends no further action.

9a. **Adoption of FY 2010-2011 Budget Ordinance**

15 min.

The Durham County Manager presents the FY 2010-2011 Annual Budget Ordinance to the Durham County Board of Commissioners for approval. This submission is in accordance with the Local Government Budget and Fiscal Control Act, which requires adoption of the budget ordinance no later than July 1.

Resource Person(s): Mike Ruffin, County Manager; Pam Meyer, Director of Budget and Management Services

County Manager's Recommendation: The County Manager recommends that the Board approve the FY 2010-2011 Budget Ordinance.

10. **Board and Commission Appointments**

10 min.

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

- Criminal Justice Partnership Act Advisory Board
- Durham City-County Appearance Commission
- EMS Advisory Council
- Juvenile Crime Prevention Council

- Women's Commission
- Workforce Development Board

Resource Person(s): Michelle Parker-Evans, Clerk to the Board

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

11. **Reserved for Items Pulled from Consent Agenda**

10 min.

2 hours 30 min.