

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

Monday, October 24, 2011

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, Brenda A. Howerton and Pam Karriker

Absent: None

Presider: Chairman Page

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

**Announcements**

Chairman Page made the following announcements:

- “In Touch with Durham County,” the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon on Mondays; and 8:30 a.m., 12 noon and 6:30 pm on 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.
- The FY2012-2013 Nonprofit Agency Funding process will begin on November 4, 2011 with the opening of the pre-application submission period. All Durham community nonprofits interested in applying for FY2013 nonprofit funding must first submit a Pre-Application Questionnaire no later than midnight EST on December 15, 2011. This initial assessment is used to determine which potential applicants meet the eligibility criteria outlined in the County’s nonprofit policy. Those agencies meeting the eligibility criteria will then be invited to apply for FY2013 funding. The Pre-Application Questionnaire and the Nonprofit Agency Funding Program policy will be available on the County’s website from November 4, 2011 through December 15, 2011. Early submission of the Pre-Application Questionnaire is encouraged. For additional information, please contact Laura Jensen in the Budget and Management Services department at 560-7065.
- The public is invited to join UNC-TV staff for a screening of excerpts from Ken Burns’ newest film, Prohibition. The screening will be held Sunday, October 30 at 3pm at the Southwest Regional Library, located at 3605 Shannon Road. The story of Prohibition is a compelling saga that goes far beyond the familiar tales of gangsters and flappers to reveal a complicated and divided nation in the throes of momentous transformation.

- With your strong input, Durham County has been moving ahead with its Strategic Planning Process. We've heard your voices in community surveys, discussions and interviews as you told us what you want the County to focus on in the years to come. We're using that information to craft our Strategic Plan.

Now, we want you to offer feedback on the early stages of our plan. Please come to one of our four community Town Hall Forums in November to learn more about where we have been in this process and where we are heading.

The Strategic Plan Town Hall Forums will be held at these times and locations:

- Monday, Nov. 7 (NORTH FORUM): Northern High School auditorium, 110 Tom Wilkinson Road – 7 p.m. to 9 p.m.
- Thursday, Nov. 10 (DOWNTOWN FORUM): Durham Convention Center, 301 W. Morgan Street – 1 p.m. to 3 p.m.
- Thursday, Nov. 10 (SOUTH FORUM): Parkwood Elementary School gymnasium, 5207 Revere Road – 7 p.m. to 9 p.m.
- Monday, Nov. 21 (EAST FORUM): East Regional Library meeting room, 211 Lick Creek Lane – 7 p.m. to 9 p.m.

If you have any questions about these forums or the Strategic Planning Process, please contact Michael Davis at 560-0000 or [mdavis@durhamcountync.gov](mailto:mdavis@durhamcountync.gov).

Commissioner Bowser commented about the shooting incident on Driver Avenue that involved two small children. He expressed concern about the need to curb violence in Durham. He asked the Board about their thoughts regarding having a Sheriff's detective assigned to the case to work with the Police Department until its disposal.

Vice Chair Reckhow agreed with Commissioner Bowser's concerns. She stated that the Northeast Children's Initiative was very concerned about the incident.

Commissioner Howerton remarked that the violence was a community issue rather than just a law enforcement issue.

Chairman Page conferred with Attorney Siler since the incident occurred within the City limits. Attorney Siler responded that he was not sure about the Sheriff's willingness to join in with the Police investigation.

Chairman Page suggested that the Crime Cabinet look into the matter.

Vice Chair Reckhow asked about the status of Operation Bulls-Eye.

Chairman Page directed County Manager Ruffin to contact the Crime Cabinet to find out more information. Manager Ruffin stated that he would contact the City Manager and would meet with the Sheriff and Police Chief.

Chairman Page reminded all that we should be concerned about the safety of all communities in Durham. He suggested that the Crime Cabinet could possibly have a formalized meeting on this issue. He further inquired about possible data that might exist that would help to address some of the issues. He asked that staff look into possible data.

### Minutes

Commissioner Howerton moved, seconded by Vice-Chair Reckhow, to approve the October 3, 2011 Worksession, October 10, 2011 Regular Session, and the September 12, 2011 Special Session Minutes of the Board.

The motion carried unanimously.

### Proclamation – National Adoption Month

Chairman Page recognized Janice Williams, Adoption Supervisor; Jovetta Whitfield, Child Placement and Supportive Services Program Manager; and John Holtkamp, Assistant Director of DSS.

Chairman Page read the following proclamation:

**WHEREAS**, the County of Durham recognizes the importance of giving children in foster care permanent, safe and loving families through adoption; and

**WHEREAS**, every child deserves the chance to grow up in a loving, stable family

**WHEREAS**, children of all ages need adoptive homes. Forty percent are five and under (few are infants), another 40 percent are between six and twelve years, and 20 percent are between 13 and 18 years. Many of them are siblings and need to be placed together, and

**WHEREAS**, more than 130,000 children in the United States foster care system are waiting to be adopted; and

**WHEREAS**, more than 10,000 children in North Carolina are waiting for permanent families; and

**WHEREAS**, more than 162 children in Durham County, NC are in foster care and of that number 17 are legally free for adoption but are not currently in an adoptive placement and are waiting for permanent families; and

**WHEREAS**, this effort along with similar celebrations in all 50 states around the country will offer children the chance to live with stable and loving families and encourage other dedicated individuals to make a powerful difference in the lives of a child through adoption;

NOW, THEREFORE, BE IT RESOLVED that I, Michael D. Page, do hereby proclaim November 2011, as

#### **“ADOPTION AWARENESS MONTH”**

I commend this observance to our citizens and urge all citizens to join in raising awareness on behalf of the 17 children in Durham County who are waiting for a loving family. I further encourage communities, businesses, schools, faith-based organizations and families to “answer the call” and honor the special needs of Durham County’s children in hopes of securing a permanent, loving family

for each and every child regardless of race, age, gender, healthy, emotional, or behavioral condition and past distress.

This the 24th day of October, 2011.

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Michael D. Page, Chair  
Durham County Board of Commissioners, North Carolina

Commissioner Karriker applauded the work of DSS, especially as it related to adoption and foster care. She shared her personal experience of being a foster parent and encouraged citizens to become adoptive and foster parents.

Ms. Williams stated that since November 2010, twenty five (25) children had been adopted who were in foster care. She urged citizens to become active in young people's lives.

Ms. Whitfield and Mr. Holtkamp echoed the comments and thanked the Board for continued support.

### **Resolution – Veterans' Day**

Chairman Page recognized Lou Washington, Director of Durham County Veterans Services Department. Chairman Page read the following resolution:

**WHEREAS**, each year, our Nation pauses to pay tribute to the many men and women who have pledged their allegiance to the United States Armed Forces;

**WHEREAS**, their loyalty to the military is evident in their commitment and willingness to make sacrifices to protect our country;

**WHEREAS**, their faithfulness and courage commands respect as many have stood in the face of our country's adversaries to protect our freedom;

**WHEREAS**, the United States Congress passed a concurrent resolution on June 4, 1926, calling for the observance of November 11 with appropriate ceremonies, and later provided in an act approved on May 13, 1938, that the eleventh of November in each year should be a legal holiday celebrated and known as Armistice Day; and

**Whereas**; on June 1, 1954, Congress made an amendment replacing "Armistice" with "Veterans;"

**WHEREAS**, November 11 is Veterans Day and is set aside as a legal state and federal public holiday to honor our Nation's veterans;

**WHEREAS**, it is hoped that we are inspired and our bond as a Nation is strengthened as we gather on Veterans Day to recognize the patriots across our great nation and the nearly 17,000 veterans of Durham County who have defended our rights, values and freedoms;

**NOW, THEREFORE, BE IT RESOLVED THAT WE**, the Durham County Board of Commissioners, do hereby resolve that November 11, 2011 as

**VETERANS DAY**

in Durham County. We urge all citizens in Durham to observe Veterans Day 2011 by displaying respect and gratitude for our veterans, both living and deceased, through appropriate services and ceremonies recognizing their great sacrifice.

October 24, 2011

#### ALL SIGNATURES

Mr. Washington accepted the Resolution. He spoke about the need to be ready when troops return home from Iraq. Currently, there is no program in place for the veterans.

Mr. Washington announced that Durham County would hold the 3<sup>rd</sup> annual Standdown for Vets on November 1, 2011. The event will be held at the National Guard Armory and the Durham Bulls Athletic Park. The focus this year will be on female veterans. More than 500 veterans are expected to show up to receive services including employment opportunities, flu shots, and DD214 forms. DATA will provide free bus service for all veterans attending the Standdown. He encouraged everyone to support the event.

#### **Recognition – 100 Best Communities for Young People**

The Board was requested to recognize Durham's recent award as one of the "100 Best Communities for Young People." Shelly Green, President & CEO of the Durham Convention & Visitors Bureau stated that this is the third time (second year in a row) that the Durham community has received the award, which is given by America's Promise Alliance. The partnership champions five "promises" or supports for young people: Caring Adults, Safe Places, A Healthy Start, An Effective Education, and Opportunities to Help Others.

Three hundred communities nationwide applied in this year's competition, and Durham and Pitt County are the only North Carolina communities to receive the award.

Ms. Green presented a plaque to Durham County and an award of a \$2,500 grant to Student U, a Durham nonprofit that provides academic enrichment opportunities to low-income youth in grades six through 12.

Vice Chair Reckhow congratulated and thanked Shelly Green for her efforts.

#### **Resolution Calling on Congress and President Obama to Bring War Dollars Home to Fund Needs in our Communities**

Chairman Page recognized Betsy Crites, NC Peace Action. He read the following resolution:

**WHEREAS**, our country's economic collapse has exhausted the financial resources at the local, county state and federal levels of the United States; and

**WHEREAS**, the U. S. Government has spent more than 1 trillion dollars nationally on wars in Iraq and Afghanistan since 2001 with North Carolina taxpayers' share of that total at \$30.9 billion; and

**WHEREAS**, more than 6,200 US troops have been killed in Iraq and Afghanistan and more than 40,000 wounded, with thousands more succumbing to trauma or suicide; and

**WHEREAS**, funding for a constructive economy that sustains high level educational services for K - college, job growth, equal access to medical care, low cost housing, infrastructure repair, environmental protections, and family financing throughout North Carolina, especially in cities such as Durham, is urgently needed and the vast amounts of dollars spent on the war effort would help alleviate this problem; and

**WHEREAS**, government leaders have responded to budget deficits by forcing reductions in funding for these essential public services.

**NOW, THEREFORE, BE IT RESOLVED** that we the members of the Board of County Commissioners do hereby call upon the United States Government and President Barack Obama to responsibly end the wars in Iraq and Afghanistan and bring our war dollars home.

This the 24th day of October, 2011.

ALL SIGNATURES

Ms. Crites thanked the Board for their support.

### **Consent Agenda**

Commissioner Howerton moved, seconded by Vice Chair Reckhow to approve the following consent agenda items:

- a. Accept the Property Tax Releases and Refund Report for September 2011 and authorize the Tax Assessor to adjust the records as outlined in the report;
- b. \*Approve Budget Ordinance Amendment No. 12BCC000021 in the amount of \$56,000 from The Durham Center for the Criminal Justice Resource Center to provide substance abuse treatment and supportive services in the Drug Treatment Court Program.
- c. \*Approve Budget Ordinance Amendment No. 12BCC000022 recognizing and appropriating a \$2,000 grant from Target for the Durham County Library;
- d. \*Approve Budget Ordinance Amendment No. 12BCC000023 to appropriate reserved fund balance (e.g., previously classified in prior years as deferred revenue) in the amount \$1,505,283.50;
- e. \*Approve Budget Ordinance Amendment No. 12BCC000024 to appropriate remaining reimbursable grant funding for Fire Marshal grants in the amount of \$309,248.46;
- f. \*Approve the Resolution authorizing an Electronic Public Auction Sale and authorize the County Manager or designee to follow other disposal methods for removal and disposal of surplus furniture and equipment, including the attached list of surplus vehicles;
- g. Approve the refund of \$157.00 for the overpayment of excise tax to Ragsdale and Liggett, PLLC;

- h. Authorize the County Manager to execute the rehabilitation contract Under the County's 2010 Single Family Rehabilitation Grant;
- i. Approve an additional contribution of \$2,886,871 for the Annual Other Post Employment Benefits (OPEB) Contribution so that 100% of the Annual Required Contribution (ARC) can be contributed for FY2011, effective June 30, 2011.

The motion carried unanimously.

\*Document(s) related to this item follow:

Consent Agenda Item No. b.

DURHAM COUNTY, NORTH CAROLINA  
FY 2011-12 Budget Ordinance  
Amendment No. 12BCC000021

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2010-11 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	\$71,129,637	\$56,000	\$71,185,637

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$44,882,198	\$56,000	\$44,938,198

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

This the 24th of October, 2011.

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Consent Agenda Item No. c.

DURHAM COUNTY, NORTH CAROLINA  
FY 2011-12 Budget Ordinance  
Amendment No. 12BCC000022

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2010-11 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	\$71,185,637	\$2,000	\$71,187,637

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Cultural and Recreation	\$10,695,703	\$2,000	\$10,695,703

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

This the 24th of October, 2011.

Consent Agenda Item No. d.

DURHAM COUNTY, NORTH CAROLINA  
 FY 2011-12 Budget Ordinance  
 Amendment No. 12BCC000023

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2010-11 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>SPECIAL REVENUE FUND</u>			
Other Financing Sources	\$16,340,315	\$1,505,284	\$17,845,599

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
General Government	\$77,156,083	\$384,449	\$77,540,532
Public Safety	\$44,938,198	\$447,586	\$45,385,785
Human Services	\$105,232,803	\$653,185	\$105,885,987
Cultural and Recreation	\$10,697,703	\$ 20,063	\$10,717,767

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

This the 24th of October, 2011.

Consent Agenda Item No. e.

DURHAM COUNTY, NORTH CAROLINA  
 FY 2011-12 Budget Ordinance  
 Amendment No. 12BCC000024

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2010-11 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	\$71,187,637	\$309,248	\$71,496,885



Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Public Safety	\$45,385,785	\$309,248	\$45,695,033

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

This the 24th of October, 2011.

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Consent Agenda Item No. f.

**RESOLUTION AUTHORIZING SURPLUS PERSONAL PROPERTY SALE BY  
ELECTRONIC PUBLIC AUCTION**

**WHEREAS**, The County of Durham accumulated surplus personal property consisting of obsolete vehicles, furniture and equipment that are no longer needed for County operational purposes, and

**WHEREAS**, The County of Durham desires to dispose of these items by electronic auction sale as provided by North Carolina General Statute 160A-270, and

**NOW THEREFORE, BE IT RESOLVED** by the Durham County Board of Commissioners that the surplus personal property electronic auction sale at the time, place and conditions set out herein is authorized and directed:

1. The electronic auction for surplus vehicles, furniture and equipment is to take place on **November 4-13, 2011 from 9:00am to 9:00pm** by utilizing GovDeals on-line auction services located on the Durham County's website under Bid Opportunities.
2. Bidders must pay through GovDeals on-line services using Credit Card, PayPal or Wire Transfer payments. Items(s) purchased must be **paid in full no later than five (5) business days** from the time and date of issuance of the Buyer's Certificate.
3. All winning bidders must pay through GovDeals prior to making arrangements with Durham County for removal of the item(s).
4. All items must be removed within **10 business days** from the time and date of issuance of the Buyer's Certificate. Property may be **removed by appointment only** between the hours of **9:00a.m. and 3:00p.m., Monday through Friday**, excluding legal holidays.
5. Successful bidders are responsible for loading and removal of any and all property awarded to them. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will **Durham County** assume responsibility for packing, loading or shipping.
6. A vehicle title or certificate will be issued upon proof of payment receipt. Title processing and notarizing of signatures will be handled in the office of the Purchasing Division located on the 4<sup>th</sup> floor of the Durham County Administration Building. **Open titles cannot be issued.**
7. All items will be sold on an "**AS IS, WHERE IS**" basis. The County will make no guarantees and assumes no responsibility for any of the items.

8. The County reserves the right to reject any and all bids and to withdraw from sale any of the items listed.
9. The County Manager or his designee(s) shall be authorized as the County official in charge of the disposal of the surplus personal property.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be published in the Durham Herald-Sun Newspaper and on the Durham County's website (under Bid Opportunities) at least 10 days prior to the date of the sale.

“BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DURHAM THIS 24th DAY OF October 2011.”

**Award Contract for Human Services Janitorial Services RFP# 11-028 Phase I and Phase II**

Chairman Page recognized Ms. Motiryo Keambiroiro, Director of General Services, and Ms. Jacqueline Boyce, Purchasing Manager.

Ms. Boyce briefed the Board on the process for soliciting proposals for the janitorial services. She explained that 15 firms responded to the Request for Proposal (RFP). She highlighted that the difference between the Invitation to Bid and the RFP process was that the Invitation to Bid only looked at lowest price. The RFP looked at additional factors including green cleaning techniques, experience in cleaning this type of facility, and references. The award was based on all factors. A-Plus Cleaning was the recommended firm for the janitorial contract.

Commissioner Bowser inquired about the references in cleaning green buildings. Ms. Keambiroiro replied that Fayetteville State University gave exemplary references for cleaning the green facilities on the campus.

Commissioner Bowser expressed concern about the existing janitorial firm not being given the opportunity to bid, especially since they had been cleaning the building for the past six months.

Commissioner Howerton moved, seconded by Vice-Chairman Reckhow to authorize the County Manager to enter into a service contract with A-Plus janitorial company for the specified amounts.

AYES: Howerton, Karriker, Page, Reckhow  
NOES: Bowser

**Board and Commission Appointments**

Michelle Parker-Evans, Clerk to the Board, distributed ballots to the Board. The following appointments were made:

- Adult Care Home Community Advisory Committee
  - Kristopher Powell

- Citizens Advisory Committee
  - Dilcy G. Burton
- City-County Appearance Commission
  - Stacey Poston
- EMS Advisory Council
  - Jeff Bartels
  - Winslow Forbes
- Historic Preservation Commission
  - Mark Hough
  - Lynn Richardson
- Public Health Board
  - Teme M. Levbarg
- Triangle J Water Resources Committee
  - Norberto Quezada

The following appointments were made for the Juvenile Crime Prevention Council:

- Olivia S. Marks
- Jennifer Rogers
- Arnold Dennis
- Sandra S. Davis
- Anne L. Mosley
- Herman Scott

A sixth appointment will be made at the Worksession on November 7, 2011 due to a tie vote.

### **Adjournment**

There being no further business, Chairman Page adjourned the meeting at 8:28 pm.

Respectfully submitted,



V. Michelle Parker-Evans  
Clerk to the Board