

REVISED
(added Closed Session)

THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA

Monday, August 22, 2011

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.

4:30 pm – Special Session

The Board will meet in Special Session to discuss the applications and selection process for the vacant Commissioner seat.

6:00 pm – Closed Session

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.

7:00 pm. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcements** 5 min.
 - “In Touch with Durham County,” the Durham County Television show, airs on Cable TV Channel 8 at 8:30 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.
 - What are your biggest health concerns? For you? Your family? Your neighbors? The Board of Health encourages all residents to get involved by sharing their

thoughts at one of six community listening sessions. Residents will hear about and discuss findings from the 2011 Community Health Assessment and select the top health issues for Durham County. All sessions will be from 6 – 7:30pm and dinner will be provided. The next community listening sessions will be held at Lyon Park on Tuesday, August 23; the South Regional Library on Thursday, September 1; the Little River Community Center on Tuesday, September 13; and at the East Regional Library on Monday, September 19. More information is available on the Partnership for a Healthy Durham's website: www.healthydurham.org or by calling 560-7833.

- Durham County Library is sponsoring a 'Love My Library' Video Contest beginning September 5th. Just create an original video up to three minutes long, and compete to win a prize. There are 4 categories: Children, Teens, and Adults 18 and up, and Professional – for marketing firms and professional videographers. The public will pick the winners. Visit the library's website, durhamcountylibrary.org for details.

4. **Minutes**

5 min.

August 1, 2011 Worksession
August 8, 2011 Regular Session

5. **Recognition of Commissioner Brenda A. Howerton**

5 min.

Durham Commissioner Howerton was one of the first class of four county commissioners in the state to achieve Practitioner status in the Local Elected Leaders Academy in 2010. Most recently, she achieved the status of Master. A Master must acquire the Practitioner status plus an additional 12 credits attending workshops/programs and an additional 6 credits attending Associated Sponsored Programs. LELA has three overall goals: to enhance the capacity of elected officials to lead and govern their boards, councils and communities; to equip elected officials with the knowledge and tools to practice and preserve democracy and representative government; and to prepare elected officials to assume future leadership responsibilities within their communities, associations and throughout the state.

Through LELA, the NCACC and School of Government have established for individual county commissioners a three-level recognition program, which will help the Association achieve one of its strategic goals, "strengthen county leadership and board development." Practitioner is the first level of recognition, followed by Master and then Mentor.

Commissioner Howerton was presented the certification during the NCACC annual conference held in Concord, NC last weekend.

Resource Person: Michael D. Page, Chair, Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the entire Board extend congratulations to Commissioner Howerton for her noteworthy achievement.

6. Recognition of County Attorney Lowell L. Siler

5 min.

Durham County Attorney Lowell L. Siler has been elected President of the North Carolina Association of County Attorneys. The election occurred at the 2011 Annual Summer Conference of the group in late July.

The N.C. Association of County Attorneys is an affiliate group of the North Carolina Association of County Commissioners. The purpose of the association is to provide education and training to its members. County Attorneys are appointed legal advisors to Boards of County Commissioners and represent elected officials and jurisdictions in routine legal affairs.

Siler previously served as 1st Vice President of the organization, and has been Durham County Attorney since August 2009.

Resource Person: Michael D. Page, Chair, Board of County Commissioners

County Manager's Recommendation: The County Manager recommends that the Commissioners extend congratulations to County Attorney Siler on his election as President of the North Carolina Association of County Attorneys.

7. Proclamation of September as Mental Illness and Addiction Recovery Month in Durham County

5 min.

The Board is requested to adopt the attached proclamation designating September as Mental Illness and Addiction Recovery Month in Durham County.

Resource Person: Ellen Holliman, Area Director, The Durham Center

County Manager's Recommendation: The Manager recommends that the Board adopt the attached proclamation.

8. Consent Agenda

15 min.

- a. Approve the Liability Claims and Subrogation Recovery Report for FY 09-10;
- b. Approve Budget Ordinance Amendment No. 12BCC000007 Public Health: Recognize Grant Funds from the Wake Electric Care in the amount of \$1,000 for the Pregnancy Care Management Program;
- c. Approve Budget Ordinance Amendment No. 12BCC000008--Durham County Library--Recognize revenue from the America Library Association in the amount of \$3,000 for Humanities Programming;
- d. Authorize the County Manager to execute the Mutual Aid Wastewater Treatment Interlocal Agreement;

- e. Authorize the County Manager to execute Amendment No. 1 to Wastewater Treatment Interlocal Agreement;
- f. Approve Initial Funding for the Phase III Capital Construction Project through an Intrafund Loan from the Sewer Utility Fund;
- g. Approve Budget Ordinance Amendment No. 12BCC000009 to appropriate Special Park District Revenue Fund fund balance in the amount of \$78,172;
- h. Approve the contract between Durham County and the NC Department of Agriculture and Consumer Affairs for the amount of \$139,500; and authorize the County Manager to execute the contract;
- i. Authorize amending the Contract with Tax Management Associates to include Department Outsourcing, Audit and Discovery Services. The contract amount is not to exceed \$107,000.00;
- j. Enter into a Tax Interlocal Agreement for property tax collection with the Town of Morrisville for two years;
- k. Accept the Property Tax Releases and Refund Report for July 2011 and authorize the Tax Assessor to adjust the records as outlined in the report.

9. Public Hearing – Secondary Road Construction

15 min.

Michelle R.F. Gray, Acting District Engineer on behalf of Division 5/District 2 for the North Carolina Department of Transportation, will present the Board with the Annual Secondary Road Construction Program for Durham County (2011- 2012). Division Engineer Wally Bowman, P.E., Division Maintenance Engineer Brandon Jones, P.E., Durham County Maintenance Engineer, Ashley Pilkington and Assistant District Engineer Mike Goodwin will accompany Mrs. Gray.

Resource Persons: J.W. Bowman, P.E., Division Engineer; Brandon Jones, P.E., Division Maintenance Engineer; Ashley Pilkington, Durham County Maintenance Engineer; Michelle R. F. Gray, Acting District Engineer; and Mike Goodwin, Assistant District Engineer

County Manager’s Recommendation: The County Manager recommends that the Board hold the Public Hearing and approve North Carolina Department of Transportation’s 2011-12 Secondary Road Construction Program.

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:

- Adult Care Home Community Advisory Committee
- Alcoholic Beverage Control Board
- Area Mental Health Board
- Bicycle & Pedestrian Advisory Committee
- City-County Appearance Commission
- EMS Council
- Environmental Affairs Board
- Historic Preservation Commission
- Open Space & Trails Commission
- Public Health Board
- Women's Commission

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

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

11. RESERVED FOR ITEMS PULLED FROM CONSENT AGENDA

20 min.

1 hr. 35 min.