

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

Monday, October 25, 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.

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7:00 P.M. 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 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.
  - The FY2011-2012 Nonprofit Agency Funding process will begin on November 5, 2010 with the opening of the pre-application submission period. All Durham community nonprofits interested in applying for FY2012 nonprofit funding **MUST** first submit a Pre-Application Questionnaire **no later than 5:00pm on December 15, 2010**. All nonprofits who meet the eligibility criteria outlined in the County's nonprofit policy will then be invited to apply for FY2012 funding. The Pre-Application Questionnaire and the Nonprofit Agency Funding Program policy will be available on the County's website from November 5, 2010 through December 15, 2010. 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 Sustainability Office will host an Energy Fair with vendors sharing information on how to save energy at home, on the road and at work. The fair will be held tomorrow, Oct. 26 from 11 a.m. to 2 p.m. at the Durham Main Library at 300 N. Roxboro St.

4. **Minutes**

October 4, 2010 Worksession  
October 11, 2010 Regular Session

5 min.

5. **Recognition - 2010 Charles Moore Award Winner from NC Association of Register of Deeds**

The North Carolina Association of Registers of Deeds (NCARD) recently held its 58<sup>th</sup> annual conference in New Bern. At that time, chief assistant Register of Deeds Sharon A. Davis was awarded the 2010 Charles Moore Award by the group. The North Carolina Association of Registers of Deeds is a statewide professional association of the registrars and their assistants and deputies of the state's 100 counties. Mrs. Davis was unanimously nominated for the Charles Moore Award. She was singled out for consideration for this honor based upon her contributions to District IV and to the state association through attendance at events, her leadership role and assistance in organizing district workshops and meetings, as well as her membership on statewide NCARD committees. Charles Moore, in whose honor the award is named, worked tirelessly behind the scenes for the advancement of NCARD and the register of deeds profession.

5 min.

Sharon Davis has been an employee of the Durham County Register of Deeds office for over 20 years. She is a graduate of the University of North Carolina at Chapel Hill and holds a law degree from North Carolina Central University.

Resource Person: Willie Covington, Register of Deeds

County Manager's Recommendation: The Manager recommends that the Board congratulate Mrs. Davis for her outstanding service and for receiving this prestigious honor from her peers.

6. **Report – October 7<sup>th</sup> “Stand Down” for Homeless Veterans**

Lou Washington, Director of Veterans Services will make a report on the recent successful program, “Stand Down” for homeless veterans. The Durham County Veterans Stand Down was designed to increase access to services for homeless veterans. Mr. Washington led this first time ever collaboration with Project Homeless Connect.

5 min.

Hundreds of veterans participated in the daylong event held on October 7<sup>th</sup> at the Durham Bulls Athletic Ballpark. They received help with housing, employment and information about benefits including Veterans Affairs disability claims and the GI bill. In addition, participants were able to receive medical services, free food and haircuts that were available from Project Homeless Connect. Attendees also received backpacks filled with a variety of personal care items.

County Manager's Recommendation: The County Manager recommends that the Board receive the report on the October 7th Stand Down event from Mr. Lou Washington.

**7. Proclamation – 25<sup>th</sup> Anniversary – Threshold, Inc.**

5 min.

Threshold, Inc. was founded in June 1985 as a resource for adults who were addressing their severe and persistent mental illness. The Threshold Clubhouse provides a place where members can freely participate in a structured and purposeful day while remaining in their community at a fraction of the cost of psychiatric hospitalization.

On October 21, the organization held a 25th Anniversary Reception and Fundraiser honoring its unique role as Durham's oldest mental health program. Finally, Threshold works to improve the quality of life for adults with serious mental illness and helps them stay out of the hospital, succeed at work, advance their education, and reach their goals.

Resource Person(s): Susie Deter, Executive Director and Irene Dwinell, Development Director.

County Manager's Recommendation: The County Manager recommends that the Board proclaim October 2010 as "Threshold, Inc. Month" in Durham County and present the proclamation to representatives of Threshold, Inc.

**8. Community Circle Award - Durham Striders Youth Association, Inc.**

5 min.

**The Durham Striders Youth Association, Inc.**, originally the Durham Striders Track Club, is a community track and field program that provides training for children between the ages of 6 to 18 years. The Striders program started in 1975, and was incorporated in 1977, with three founders and 30 children, has grown in size and scope to over 300 children per summer and a staff of approximately 30. The Striders program's focus on health and wellness reaches beyond just athletic training. The program is proud of its impact on fighting childhood obesity, hypertension, lack of supportive nutrition and type II diabetes through the development of an affordable healthy lifestyles model. The program is equally proud that 95% of its participants maintain an A/B average in school.

The successful program has been recognized as an exemplary youth developmental program both locally and nationally. Each year, more than 2500 of the county's most elite athletes flock to Durham when the Striders hosts the Russell E. Blunt East Coast Invitational Track Meet on the campus of Duke University. The BOCC celebrates the Durham Striders Youth Association for their efforts to guide youths as they develop self-discipline required to enhance their own natural physical and mental talents.

Resource Person(s): Frank Davis, President of the Durham Striders Youth Association and Chairman Michael D. Page.

County Manager's Recommendation: The Manager recommends that the Board present the Commissioners Community Circle Award to a representative from the Durham Striders Youth Association.

**9. Consent Agenda**

20 min.

- a. Accept the property tax release and refund report for September 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- b. Approve a resolution in support of the adoption of State rules requiring early implementation of Federal standards for hospital, medical and infectious waste incinerators;
- c. Approve Budget Ordinance Amendment No. 11BCC000020 from the Durham Public Schools in the amount of \$49,000 for the Child and Family Support Team program to establish one grant-funded FTE, a school nurse;
- d. Approve Louisiana Binding Services contract amendment of \$58,591.80, and authorize the Manager to execute any additional amendments as needed, not to exceed the total automation project budget of \$1,195,000.00;
- e. Approve Budget Ordinance Amendment No. 11BCC000021 for the Justice and Mental Health Collaboration Program sub-recipient contract in the amount of \$65,263, and the establishment of one full-time and one part-time position, both provisional for the duration of the contract;
- f. Approve Budget Amendment No. 11BCC000022 to recognize the Second Chance Act Prisoner Reentry Initiative: Local Demonstration grant in the amount of \$137,153; and for the establishment of two full-time positions provisional to the grant;
- g. Approve Budget Amendment No. 11BCC000023 to recognize the 2010 Employee Productivity Award from the NC Association of County Commissioners in the amount of \$500.00;
- h. Approve the stipend request from the ABC Board of \$250 per month for the chairman and \$200 per month for other members;
- i. Approve Capital Project Amendment No. 10CPA000017 moving \$1,039,780 of available 2009 COPS funds from the Creekside Elementary School Addition Project to the Lakewood Montessori Middle School & YMCA Project, making its total budget \$9,289,780;
- j. Approve Budget Ordinance No. 11BCC000024 in the amount of \$434,329 to recognize additional funding in Crisis Intervention Payments;
- k. Approve Budget Ordinance No. 11BCC000025 in the amount of \$4,839,764 to recognize additional child care revenues;
- l. Approve Budget Ordinance No. 11BCC000026 appropriating \$306,717 of HUD grant funds to the Mental Health budget;
- m. Authorize the execution of a contract with Archoustics, LLC for the sound masking system installation at the Durham County Human Services (DCHS) building in the amount of \$94,000.00 (base bid only) and to execute any other related contracts including change orders, if necessary, not to exceed the project budget of \$103,000.00;
- n. Authorize the execution of a contract with EMG Graphic Systems, Inc. for the signage installation at the Durham County Human Services (DCHS) building in the amount of \$206,051.00 (base bid only), and to execute any other related contracts including change orders, if necessary, not to exceed the project budget of \$226,000.00;

- o. Appoint a Sheriff or designee member to the Criminal Justice Partnership Act Advisory Board (CJPAAB), as required by N.C. General Statutes.

**10. Public Hearing – TC0900008 – Riparian Buffers**

15 min.

The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance (UDO) Text Change – Riparian Buffers (TC0900008); and to adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits; Article 6, District Intensity Standards; Article 8, Environmental Protection; Article 15, Enforcement; and Article 16, Definitions.

Resource Person(s): Steven L. Medlin, AICP, City-County Planning Director; Aaron Cain, AICP, Acting Planning Supervisor; Julia Mullen, Planner

County Manager’s Recommendation: The Manager recommends that the Board conduct a public hearing on the proposed UDO text change and, if appropriate based on the comments received during the hearing, approve the changes; and adopt an ordinance amending the UDO, incorporating the revisions.

**11. Board and Commission Appointments**

10 min.

Yvonne Jones, Deputy Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Animal Control Review Board
- Bicycle & Pedestrian Advisory Commission
- Citizens Advisory Committee
- Transportation Advisory Board
- Women’s Commission

Resource Person(s): Yvonne Jones, Deputy Clerk to the Board

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

**12. RESERVED FOR ITEMS PULLED FROM CONSENT AGENDA**

20 min.

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1 hr. 45 min.

2/a

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

Monday, October 4, 2010

9:00 A.M. Worksession

**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

Presider: Chairman Page

**Citizen Comments**

Dr. Harvey McMurray addressed the Commissioners about Durham Companions. He also addressed concerns about the Durham Companions program. He concluded by asking the Board to continue to support programs that help at-risk youth in the community.

Chairman Page thanked Dr. McMurray for his comments.

**Durham Technical Community College - CIP**

Dr. William Ingram, President, Durham Technical Community College, introduced this item. He stated that the Board requested to receive an update from Durham Technical Community College officials regarding its Capital Improvement Program (CIP). In 2007, the County issued General Obligation Bonds for the purposes of expanding and improving the facilities for Durham Technical Community College. The intent of the County and Durham Tech at that time was to renovate an existing building known as the Newton Building. Recent due diligence on the project has brought Durham Tech officials to the conclusion that the project is not financially viable.

Dr. Ingram informed the Commissioners that the County Attorney's Office reviewed the bond issuance, consulted with bond attorneys, and concluded that the bond funds may be used for expanding and improving the facilities for Durham Tech, which includes the renovation or construction of a facility other than the Newton Building. Therefore, Durham Tech is in the process of exploring other solutions to meet their classroom space needs. Durham Tech officials would work with the County Budget Office to devise a plan which would be included in the Board's CIP Update early next year.

The Board suggested that the funds not be spent until the master plan is complete.

Dr. Ingram responded to the following concerns and questions:

- Fatality Reviews: 2008
- Fatalities 2008
- Comparison 2004-2008
- Comparison: Durham to North Carolina
- Highlights

Ms. Guptill explained the reason for waiting a year to do a review. She also informed the Board of the Community Child Protection Team/Child Fatality Prevention Team's meeting date and time. She continued to discuss issues surrounding disparity and infant mortality.

Commissioner Bowser highlighted the natural causes of death for infants.

Ms. Harris and Ms. Guptill responded to questions posed by the Board.

### **Durham Chamber Of Commerce – Update On Workforce Development Initiatives**

Casey Steinbacher, President and CEO, Greater Durham Chamber of Commerce, introduced this item. She stated that the Board requested to receive an update from the Greater Durham Chamber of Commerce on efforts to link Durham citizens to available jobs in the County. She discussed the following:

- Three Innovative Programs
- Durham Chamber's Role In Programs
- Education
- College2Careers
- Straight-Line Program
- Connecting
- Recommendations

Kathy Hoffmeier, Director of Talent and Workforce Development, Greater Durham Chamber of Commerce, discussed the Career Expo and its results.

Per Chairman Page's request, Ms. Steinbacher explained the importance of the Joblink Center at NCCU.

Keith Burns, Morris, Manning & Martin, LLP, continued the presentation, explaining the Straight-Line Program.

In addition to Mr. Burns's presentation, Ms. Steinbacher added highlights regarding the Straight-Line Program and gave a brief synopsis regarding the statistics.

Ms. Steinbacher and staff responded to the following questions:

- Do the applications go through the Joblink Center?
- Is the Chamber of Commerce working with Durham County's Criminal Justice Resource Center?

The Board thanked Ms. Keambiroiro for the update.

Directive

Place on the October 11 consent agenda.

**Follow Up Discussion on Public Comment Period**

Kathy R. Everett-Perry, Assistant County Attorney, introduced this item, stating that the Board of Commissioners requested to hear a follow-up presentation by the Office of the County Attorney from the August 2, 2010 Worksession on the statutorily required public comments period to be held during regular board meetings.

The Board discussed the following:

- The proposed amendment that addresses the public comment period
- Citizens not being able to yield their time
- Citizens being able to discuss personnel matters

Lowell Siler, County Attorney, offered his recommendation as it relates to the public comment period.

Ms. Everett-Perry addressed Vice-Chairman Reckhow's concern regarding public hearings and the amount of time speakers are allowed to address the Board.

Directives

1. Make the necessary changes per the Board's request
2. Include language that encourages citizens to inform the Board in advance about their issues; however, indicate that it is not required.
3. Bring back to the Board at a future regular session.
4. County Attorney Siler to research the issue regarding the revised law that affects the release of information regarding employees.

**Review of August and September BOCC Directives**

County Manager Ruffin, introduced this item stating that 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.

The Board thanked County Manager Ruffin for the updates.

**Closed Session**

Vice-Chairman Reckhow moved, seconded by Commissioner Howerton to adjourn into closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment

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

**Monday, October 11, 2010**

**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 Becky M. Heron, Brenda A. Howerton, and Joe Bowser

Absent: None

Presider: Chairman Page

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

**Agenda Adjustments** – There were no adjustments to the agenda.

**Announcements**

Chairman Page read 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 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 Board of Elections will hold “Early Voting” beginning October 14-October 30. One Stop Early Voting allows citizens to cast their ballots prior to Election Day on November 2nd. Call 560-0700 for locations.
- Durham has been named one of the nation’s 100 Best Communities for Young People by America’s Promise Alliance. The designation recognizes communities that make youth a priority by implementing programs that help keep children in school and prepare them for college and the 21st century workforce. This marks the 2nd time Durham has received this honor.
- Money Magazine has ranked Durham number one on a national list of 25 Best Places to Retire in 2010. The publication honored Durham because its affordable housing, access to world class medical care and four mild seasons as factors attracting many retirees from other areas of the country.

Vice Chair Reckhow announced that the Board of Elections would hold an information session at the Main Library on Tuesday, October from 7-8 pm regarding the new voting system for Court of Appeals.

### Minutes

Commissioner Howerton moved, seconded by Commissioner Heron, to approve the September 27, 2010 Regular Session Minutes, the February 9, 2009 Closed Session Minutes, June 22, 2009 Closed Session Minutes, July 20, 2009 Closed Session Minutes, August 3, 2009 Closed Session Minutes, August 24, 2009 Closed Session Minutes, September 14, 2009 Closed Session Minutes, and the September 28, 2009 Closed Session Minutes.

The motion carried unanimously.

### Resolution – A. J. Howard Clement, III

Chairman Page stated that Mr. Clement was honored by the City for his contributions to the community. A scholarship was established in his honor.

Chairman Page read the following Resolution and congratulated Mr. Clement:

**WHEREAS**, Arthur John Howard Clement, III received both a B. A. degree in Political Science and a Law Degree from Howard University, which launched him into what would become a productive career in corporate law, various civic endeavors, and public service;

**WHEREAS**, Mr. Clement was first appointed to the Durham City Council in 1983 and was selected to serve as Mayor Pro Tem from 1997 – 2001; and

**WHEREAS**, in more than 27 years as a City Council Member, Mr. Clement has garnered a strong reputation as a pioneering leader and statesman who is not afraid to articulate his position on key issues such as economic development, education, reducing crime, adequate and affordable housing, civil rights, and advocacy for those without an effective voice; and

**WHEREAS**, throughout his career, Mr. Clement has been a contributing member of various professional, social, and civic organizations, including the Durham Rotary Club, the Alpha Phi Alpha Fraternity Inc., the Sigma Pi Phi Boule, Durham Public Education Network, and Durham Health Partners to name a few; and

**WHEREAS**, Mr. Clement has devoted his outstanding career to positively impacting the Durham community by providing committed, visionary, innovative, and insightful leadership in politics thereby tirelessly helping to improve the lives of others:

**NOW, THEREFORE, BE IT RESOLVED** that I, Michael D. Page, Chairman of the Durham Board of County Commissioners and on behalf of the Durham County Board of Commissioners, do hereby resolve to pay tribute to

**ARTHUR JOHN HOWARD CLEMENT, III**

a dynamic and phenomenal leader for his numerous and extraordinary accomplishments locally, statewide, and on the national level. I call upon all citizens of Durham County to commend, applaud, and recognize the tremendous positive impact that he has had in service to others.

This the 17<sup>th</sup> day of September, 2010.

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Michael D Page, Chairman

Mr. Clement accepted the Resolution and expressed appreciation for the recognition.

**Proclamation – National Adoption Month**

Chairman Page read the following Proclamation on behalf of National Adoption Month:

**PROCLAMATION  
Durham County Board of Commissioners  
Durham County, North Carolina**

**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; and

**WHEREAS**, children of all ages need adoptive homes. Forty percent are five and under (few are infants), another 40 percent are between six and 12 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 189 children in Durham County, NC are in foster care and of that number 19 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, Chairman of the Durham County Board of Commissioners, do hereby proclaim November 2010, as

**ADOPTION AWARENESS MONTH.**

I commend this observance to our citizens and urge all citizens to join in raising awareness on behalf of the 19 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 11<sup>th</sup> day of October, 2010.

\_\_\_\_\_  
Michael D. Page, Chairman

Ms. Janice Williams and Ms. Montana Swift, DSS supervisors, spoke about events planned to enhance adoption and foster care awareness.

Commissioner Heron encouraged DSS to partner with Cooperative Extension to coordinate services where appropriate.

**Consent Agenda**

Chairman Page asked the Commissioners if they desired to pull any items from the Consent agenda. Commissioner Heron requested to pull item (d).

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

- \*a. Approve Budget Ordinance Amendment No. 11BCC000017 to appropriate \$10,055 in funding from Kids Voting North Carolina to support the Kids Voting Program through December 31, 2011;
- \*b. Approve Budget Ordinance Amendment No. 11BCC000019 recognizing a \$7,000 grant from the US Department of Labor for Durham County Veterans’ Stand Down;
- c. Approve the contract to purchase with Vivian Lowe for 5025 NC Highway 55 for \$33,000, and authorize the Manager to convey conservation easements on the parcel to meet the City’s requirements;
- e. Authorize the County Manager to enter into an Interlocal Agreement with the ABC Board to provide maintenance services to ABC locations.

The motion carried unanimously.

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

Consent Agenda Item No. a. Approve Budget Ordinance Amendment No. 11BCC000017 to appropriate \$10,055 in funding from Kids Voting North Carolina to support the Kids Voting Program through December 31, 2011.

DURHAM COUNTY, NORTH CAROLINA  
FY 2010-11 Budget Ordinance  
Amendment No. 11BCC000017

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	\$72,225,838	\$10,055	\$72,235,893
Other Financing Sources	\$16,944,254	-\$10,055	\$16,934,199

Expenditures:

Function  
GENERAL FUND

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

This the 11th day of October, 2010.

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Consent Agenda Item No. b. Approve Budget Ordinance Amendment No. 11BCC000019 recognizing a \$7,000 grant from the US Department of Labor for Durham County Veterans' Stand Down;

DURHAM COUNTY, NORTH CAROLINA  
FY 2009-10 Budget Ordinance  
Amendment No. 11BCC000019

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	\$72,778,385	\$7,000	\$72,785,385

Expenditures:

GENERAL FUND  
General Government      \$65,949,761              \$7,000              \$65,956,761

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

This the 11th day of October, 2010.

**Public Hearing – North Carolina Department of Transportation’s 2010-2011 Secondary Road Construction Program**

Chairman Page introduced the public hearing and welcomed Ms. Tasha Johnson, District Engineer with NCDOT to provide highlights on the program. Ms. Johnson introduced her colleagues.

Ms. Johnson provided the following account regarding the Secondary Road Construction Program. Her presentation included information for the 2010-2011 program in conjunction with the 2009-2010 program. The roads are rated every four years and were last rated in 2009. Ratings are based on the number of homes, amount of traffic, schools, and businesses in the affected area.

NCDOT has \$1,976,296.86 in combined allocations from 2009-2010 and 2010-2011 for the project. Five rural roads have been identified for paving at an estimated cost of \$1,054,500. Scheer Avenue was identified as the subdivision paving priority at an estimated cost of \$110,000. The remainder of the funds will be used for paved road improvements, surveying, and other safety improvements.

Chairman Page asked how the roads were prioritized and selected. Ms. Johnson responded that NCDOT goes by the highest numbers on the rating list. Although some other roads may have a higher rating, the first 10 roads are frozen once rated, and they can't be shifted once they are rated.

Vice Chair Reckhow asked if there were other projects at the top of the list that have been completed. Ms. Johnson replied that Angier Avenue and Rigsbee Road have been completed. She added that Valley Springs has an unavailable right of way. There are seven roads with unavailable rights of way.

Commissioner Heron expressed concern about piles of asphalt left on the sides of the roads after paving. She stated that the asphalt could cause safety problems, especially at night. Ms. Johnson agreed to bring the matter to the attention of the resident engineer.

Chairman Page thanked Ms. Johnson and NCDOT for the work completed on Southview Road. He indicated that the residents had concerns that were satisfactorily taken care of by NCDOT.

Commissioner Heron asked if there would be money for the bridge replacement in Northern Durham. Ms. Johnson responded that she had not received information on bridge replacements and deferred to Mr. Wally Bowman for more information.

Vice Chairman Reckhow had questions regarding the cost allocations. Ms. Johnson explained that the 2009-2010 and 2010-2011 allocations were combined. She indicated that any money left would be used in case of unexpected expenses or used for the next item on the list.

Chairman Page opened the public hearing. The following individuals signed up to speak on the matter:

Norman Glenn, 6100 Maple Leaf Drive; James W. Dodson, Jr, NCSU College of Natural Resource; Kate Busa, 8106 Willardsville Station Road; and Len Needham, Bahama Fire Department Chief, all spoke about the safety issues regarding the bridge. The forest is used for recreational and educational purposes. There are two sides of the bridge, and the general public may not be able to tell emergency personnel where the emergency is located. If the emergency personnel end up on the opposite side of the bridge, the incident could become catastrophic waiting for help. Response time for emergency vehicles would be deeply impeded by the bridge in case of an emergency. Each of the speakers requested that the bridge be replaced for safety reasons and public concerns.

Chief Needham expounded on the safety issues. He indicated that the bridge is located at State Road 1614 and crosses the Flat River. There are two ways for emergency vehicles to get there. Using Wilkins Road, the bridge is 4.5 miles from the Bahama Fire Department. If the vehicle is on the wrong side of the bridge, travel is 7.8 miles to the south. Because of the "First Responder" method of addressing emergencies, there may be personal vehicles as well as fire trucks on the dirt road that all have to be turned around. This causes a major problem. Cell phone reception is very sporadic and may not work for locating the crisis. He urged the Board to recommend replacing the bridge from an emergency standpoint. He concluded that it could take up to 30 minutes to get emergency help.

Victoria Peterson spoke about employment opportunities for residents. She stated that the Board needs to make sure that local young men and women may be employed in this project.

Chairman Page closed the public hearing.

Ms. Johnson responded that most of the projects would be completed by NCDOT forces (in house personnel).

Mr. Wally Bowman, Division Engineer, responded to concerns about the bridge replacement. He stated that DOT is very sensitive to the emergency response time. He did not recommend replacing the bridge. He added that there were about 4000 bridges in North Carolina that are timber structures that need to be replaced. Funding would be an issue, according to Mr. Bowman. The money should be going to secondary road construction. A request has been made to the Attorney General to determine if it would be legal to use monies set aside for road construction on bridge replacement. He indicated that if it was found to be legal to use the monies for the road construction on bridge replacement, he would look at the project for next year. The cost would be approximately \$450,000 to replace the bridge.

The time frame would be 18-24 months before construction could begin if there was funding in place for the bridge replacement. It would take another two years before the bridge could be reopened for traffic.

Commissioner Bowser expressed his concern about the safety. He added that the Board and NCDOT would be responsible if something catastrophic happened.

Mr. Bowman replied that one of NCDOT's main goals is to provide safety. Safety in this case regards time. Based on the 4000 bridges, there are conditions with longer response times that will not be replaced.

Commissioner Bowser encouraged NCDOT to use the money for the bridge if the Attorney General says it is legal. Safety should be the first consideration. He urged Mr. Bowman to use money from the current allocations on the bridge replacement.

Mr. Bowman further explained that there would be enough money in this year's program to begin the project and actually not use this year's allocations until the bridge is under construction.

Vice Chairman Reckhow reminded the Board that they wrote the State back in Spring 2009 asking for the bridge to be replaced. She thought the project should come to the top of the list. She agreed that funds from next year's allocation should be used for the bridge if determined to be legal.

Mr. Bowman concurred. He reiterated that he did not desire to tie up funds until permitting is done. He indicated that permitting could take up to two years, and the monies would be tied up. Preparation would be extensive and require a hydraulic analysis. The bulk of the money would not be needed until construction began.

County Manager Ruffin recommended approaching the legislative delegation to use contingency funds for the bridge if necessary. The Manager clarified that a letter was actually written in early 2010 regarding the bridge replacement.

Chairman Page asked what position the Board should take in making the request. Mr. Bowman suggested that the Board write NCDOT another letter indicating response time and other specifics shared tonight. He stated that he was not aware of the response times before tonight.

County Manager asked if the Board would support a letter to the legislative delegation in support of the bridge replacement.

Chairman Page asked if the Board should write the Attorney General. Mr. Bowman indicated he did not think it was necessary. Mr. Bowman will continue to check to see if the funds can be used for the bridge replacement. If that is not possible, the Board would need to seek support in using contingency funds.

Commissioner Howerton asked about a timeline in knowing whether the request to the Attorney General was approved. Mr. Bowman responded that he had hoped to have a response by this meeting, but he should have a response within the next two weeks.

Vice Chair Reckhow moved, seconded by Commissioner Heron that if the Board does not get approval to use secondary road funds for the bridge, that the Board write a letter to the legislative delegation to request to use contingency funds. Once approved, proceed with the design and permitting as soon as possible.

Commissioner Bowser reiterated his concerns about waiting until next year to start on the project. He requested to move forward with this year's funds.

Mr. Bowman indicated that he needed a funding source and design before beginning the permitting process. The permitting process could take a full year to get the design and permit. Money from the current allocation can be used for the design and permitting.

Mr. Bowser requested to look at some of the projects already completed to review the permitting process.

The motion passed unanimously.

Vice Chair Reckhow moved, seconded by Commissioner Heron to approve the NCDOT's 2010-2011 Secondary Road Construction Program with the caveat that funds from Category 4 be used for design and permitting of the bridge if it is deemed legal.

The motion passed with the following vote:

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

**Continuation Public Hearing – Fifth Annual Evaluation and Assessment Report of the Durham Comprehensive Plan (A1000004)**

Chairman Page stated that this case was a continuation from the September 27, 2010 meeting. He recognized the Planning Department staff.

Mr. Aaron Cain, Sr. Planner reminded the Board that the purpose of this item was to give an update of current progress with the Comprehensive Plan and its completion; a rectification of four plan amendments adopted by City Council in 2009; and policy changes to the Comprehensive Plan.

Chairman Page opened the public hearing. No one signed up to speak. Chairman Page closed the public hearing.

Vice Chair Reckhow moved by Commissioner Howerton to approve the Annual Evaluation and Assessment Report of the Durham Comprehensive Plan.

The motion passed unanimously.

**Budget Ordinance Amendment No. 11BCC000018 – Recognizing and Appropriating A \$542,492 Grant Award from The Substance Abuse And Mental Health Administration (SAMSHA) for the Building Every Chance of Making It Now And Grown Up Project (BECOMING) Project And Approving Five New Positions Related To The Grant**

Chairman Page recognized and congratulated Ms. Ann Oshel, System of Care Director. Ms. Oshel gave a brief overview of the plan. SAMSHA is a large Federal fund system of care grant.

Ms. Oshel gave the following account. \$5.4 million was requested and allocated. The grant requires a dollar-for-dollar match. It is a six-year grant. In years 2-6, the Durham Center will enroll 800 high risk children.

The target population includes youth between the ages of 16-21. Criteria for enrolling include serious mental illness, exhibit significant impairment in relationships, and disconnected from services that assist them into the successful transition to adulthood.

Disconnected youth was the caveat used by the Durham Center. The qualifiers for disconnected youth include unmarried mother, no diploma and not in school, incarceration, and long term unemployment. The Durham Center has “cast a wide net” to make the program accessible.

Commissioner Howerton asked whether the mental health treatment record would follow youth into the work environment. Ms. Oshel responded that there is lots of confidentiality in the program, and the records won't be public.

Ms. Oshel highlighted some of the partners. Durham Technical Community College, Durham Public Schools, the Durham Police Department, fraternities who will do outreach, and the faith community. There will be a full time employment coordinator. The criminal justice needs will be addressed by care coordinators in the Police Department. Outreach coordinators will be placed throughout the community, including the Hispanic neighborhood. There will be extensive training for volunteers and community partners. Youth will devise their own plan for becoming an adult. Mentors are assigned at the end of the program, but will be a career specialist instead of a social worker.

The Durham Center Area Board will govern the project. Federal dollars were only requested for items that could be sustained once funding ended. The program will assist 18 year olds with reapplying for Medicaid as an adult without a break in service.

Commissioner Heron expressed concern about why the Sheriff's Department was not listed as a partner. Ms. Oshel indicated that the Sheriff's Department has not been involved up to this point. Commissioner Heron hopes that the Sheriff's Department will become involved.

Chairman Page commented that the project happened on a fast track. Ms. Oshel will continue to work with the Sheriff's Department to encourage their participation.

Commissioner Howerton congratulated the Durham Center on receiving the grant.

Chairman Page spoke about the need to have the programs in spaces in the City where youth can access the services. He added that he would like to see people engaged in the Holton Resource Center as a community center.

Commissioner Reckhow asked the Manager to follow up on a concern regarding the Holton Resource Center. According to information she received, the Durham Center was told there was no available space in the building. The group was also denied access to the gym at Holton. She expressed concern about the use of the building.

Manager Ruffin will follow up with Dr. Becoats and the City Manager.

Ms. Oshel would like to have representation from the Board of County Commissioners on the advisory group and any other work group as appropriate. There will only be three positions that will be in an office space. The remainder of the positions will be out in the community.

Commissioner Howerton moved, seconded by Vice Chair Reckhow to approve Budget Ordinance Amendment No. 11BCC000018 – recognizing and appropriating a \$542,492 grant award from SAMSHA and approving five new positions related to the grant.

The motion carried unanimously.

DURHAM COUNTY, NORTH CAROLINA  
FY 2009-10 Budget Ordinance  
Amendment No. 11BCC000018

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	\$72,235,893	\$542,492	\$72,778,385

Expenditures:

<u>GENERAL FUND</u>			
Human Services	\$105,629,033	\$542,492	\$106,171,525

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

This the 11<sup>th</sup> day of October, 2010.

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**Item Pulled from Consent Agenda**

Commissioner Heron requested that the item below be pulled from the Consent Agenda:

(d) Approve the request to authorize the Planning Director to seek approval from the NC Environmental Management Commission for interpretations of the Falls/Jordan Critical Area boundary in northeast Durham County.

Chairman Page recognized Mr. Steve Medlin, City/County Planning Director to address the issue.

Mr. Medlin stated that the Planning Department received requests from Mr. Jay Hardison and Mr. Gene Goss for the Planning Director to interpret the water supply watershed protection overlay boundaries in northeast Durham pursuant to the UDO /Section 4.11.5, Rules for Interpretation of Overlay Boundaries. Any property bisected by the arc may make a request for the Planning Director to define the arc.

The State requires the Board of County Commissioners to authorize the information to be sent to the Division of Water Quality when any adjustments to watershed boundaries are made. Planning staff has evaluated the information and believes that it is correct and accurate. The Planning Director requests the Board's approval to forward the information to the Division of Water Quality.

Commissioner Heron requested that the Board be kept informed of the requests. Mr. Medlin concurred and assured Ms. Heron that the requests must come before the Board.

Vice Chairman Reckhow clarified that this request does not involve the lake, but it involves the property around the lake or critical area.

Mr. Medlin indicated that other similar requests may be forthcoming that were previously approved by his predecessors.

Commissioner Heron moved, seconded by Commissioner Howerton to approve the request to authorize the Planning Director to seek approval from the NC Environmental Management Commission for interpretations of the Falls/Jordan Critical Area boundary in northeast Durham County.

The motion passed unanimously.

Chairman Page reminded the Commissioners that the November 1 Worksession will be an all day meeting.

**Adjournment**

There being no further business, Chairman Page adjourned the meeting at 9:20 p.m.

Respectfully submitted,



V. Michelle Parker-Evans  
Clerk to the Board



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: 2010 Charles Moore Award winner from NC Association of Register of Deeds—  
Mrs. Sharon A. Davis**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The North Carolina Association of Registers of Deeds (NCARD) recently held its 58<sup>th</sup> annual conference in New Bern. At that time, chief assistant Register of Deeds Sharon A. Davis was awarded the 2010 Charles Moore Award by the group. The North Carolina Association of Registers of Deeds is a statewide professional association of the registrars and their assistants and deputies of the state's 100 counties. Mrs. Davis was unanimously nominated for the Charles Moore Award. She was singled out for consideration for this honor based upon her contributions to District IV and to the state association through attendance at events, her leadership role and assistance in organizing district workshops and meetings, as well as her membership on statewide NCARD committees. Charles Moore, in whose honor the award is named, worked tirelessly behind the scenes for the advancement of NCARD and the register of deeds profession.

Sharon Davis has been an employee of the Durham County Register of Deeds office for over 20 years. She is a graduate of the University of North Carolina at Chapel Hill and holds a law degree from North Carolina Central University.

**RESOURCE PERSON:** Willie Covington, Register of Deeds

**COUNTY MANAGER'S RECOMMENDATION:** The Manager recommends that the Board congratulate Mrs. Davis for her outstanding service and for receiving this prestigious honor from her peers.

County Manager: *Richard M. Reppin*

	Motion	Yes	No
<input type="checkbox"/> Approved			
<input type="checkbox"/> Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



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**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Report on October 7<sup>th</sup> "Stand Down" for Homeless Veterans**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

Lou Washington, Director of Veterans Services will make a report on the recent successful program, "Stand Down" for homeless veterans. The Durham County Veterans Stand Down was designed to increase access to services for homeless veterans. Mr. Washington led this first time ever collaboration with Project Homeless Connect.

Hundreds of veterans participated in the daylong event held on October 7<sup>th</sup> at the Durham Bulls Athletic Ballpark. They received help with housing, employment and information about benefits including Veterans Affairs disability claims and the GI bill. In addition, participants were able to receive medical services, free food and haircuts that were available from Project Homeless Connect. Attendees also received backpacks filled with a variety of personal care items.

**COUNTY MANAGER'S RECOMMENDATION:** The County Manager recommends that the Board receive the report on the October 7th Stand Down event from Mr. Lou Washington.

County Manager: *Richard M. Ruffin*

	Motion	Yes	No
<input type="checkbox"/> Approved			
<input type="checkbox"/> Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Proclamation Honoring 25<sup>th</sup> Anniversary of Threshold, Inc.**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

Threshold, Inc. was founded in June 1985 as a resource for adults who are addressing their severe and persistent mental illness. The Threshold Clubhouse provides a place where members can freely participate in a structured and purposeful day while remaining in their community at a fraction of the cost of psychiatric hospitalization.

On October 21, the organization held a 25th Anniversary Reception and Fundraiser honoring its unique role as Durham's oldest mental health program. Finally, Threshold works to improve the quality of life for adults with serious mental illness and helps them stay out of the hospital, succeed at work, advance their education, and reach their goals.

**RESOURCE PERSON(S):** Susie Deter, Executive Director and Irene Dwinell, Development Director.

**COUNTY MANAGER'S RECOMMENDATION:** The County Manager recommends that the Board proclaim October 2010 as "Threshold, Inc. Month" in Durham County and present the proclamation to representatives of Threshold, Inc.

County Manager: *Richard M. Reppin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____

## **Proclamation**

**WHEREAS**, Threshold has worked for 25 years to improve the quality of life for adults with serious mental illness in Durham; and

**WHEREAS**, Threshold continues to successfully address the vocational, educational, social, recreational and residential needs of those they serve; and in the process has provided a steady, dependable labor pool to employers in Durham; and

**WHEREAS**, Threshold is the only Clubhouse model program in Durham County and the only Clubhouse in North Carolina that is open 365 days of the year and has helped more than 500 adults in Durham; and

**WHEREAS**, Threshold members, at a rate of 93% in 2009 did not require psychiatric hospitalization and were able to successfully remain in their community thus saving the State of North Carolina \$1,370 dollars per day; and

**WHEREAS**, Threshold has played a key role in providing adults in Durham with severe and persistent mental illness a meaningful, productive and necessary alternative to psychiatric hospitalization, homelessness and lack of productivity while positively impacting our Durham during the last 25 years.

**NOW, THEREFORE, I**, Michael D. Page, Chairman of the Durham County Board of Commissioners, do hereby proclaim October, 2010 as

### **THRESHOLD, INC. MONTH**

in Durham County in observance of the organization's 25-year commitment of delivering compassionate and valuable service to adults with severe mental illnesses the Durham community.

This the 25<sup>th</sup> day of October, 2010

Michael D. Page,  
Chair, County Commissioners



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM:** Presentation of the Commissioners Community Circle Award to the Durham Striders Youth Association, Inc.

**DATE OF BOCC MEETING:** October 25, 2010

**REQUEST FOR BOARD ACTION:**

The Commissioners Community Circle Award, created by the Durham Board of County Commissioners (BOCC), recognizes community organizations and county departments for the extraordinary services they provide to the citizens of Durham.

**The Durham Striders Youth Association, Inc.**, originally the Durham Striders Track Club, is a community track and field program that provides training for children between the ages of 6 to 18 years. The Striders program started in 1975, and was incorporated in 1977, with three founders and 30 children, has grown in size and scope to over 300 children per summer and a staff of approximately 30. The Striders program's focus on health and wellness reaches beyond just athletic training. The program is proud of its impact on fighting childhood obesity, hypertension, lack of supportive nutrition and type II diabetes through the development of an affordable healthy lifestyles model. The program is equally proud that 95% of its participants maintain an A/B average in school.

The successful program has been recognized as an exemplary youth developmental program both locally and nationally. Each year, more than 2500 of the county's most elite athletes flock to Durham when the Striders hosts the Russell E. Blunt East Coast Invitational Track Meet on the campus of Duke University. The BOCC celebrates The Durham Striders Youth Association for their efforts to guide youths as they develop self-discipline required to enhance their own natural physical and mental talents.

**RESOURCE PERSON(S):** Frank Davis, President of The Durham Striders Youth Association and Chairman Michael D. Page.

**COUNTY MANAGER'S RECOMMENDATION:** The Manager recommends that the Board present the Commissioners Community Circle Award to a representative from The Durham Striders Youth Association.

County Manager: *Richard M. Rappin*

- ( ) Approved
- ( ) Denied

	Motion	Yes	No
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____

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**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Property Tax Releases and Refunds for Fiscal Year 2010-2011**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

Due to property valuation adjustments for over assessments, listing discrepancies, duplicate listings, and clerical errors, etc., the attached report details releases and refunds for the month of September 2010.

Releases & Refunds for 2010 Taxes:

Real	\$161,759.31
Personal	\$ 85,534.26
Motor Vehicles	\$ 20,008.36
Vehicle Fees	\$ 670.00
Solid Waste Fees	\$ 95.00
<b>Total for 2010 Taxes and Fees</b>	<b>\$268,066.93</b>

Prior years' (2006-2009) releases and refunds for September 2010 are in the amount of \$66,247.99. The total current year and prior years' releases and refunds amount to \$334,314.92.

**RESOURCE PERSON(S):** Kimberly H. Simpson, Tax Administrator

**COUNTY MANAGER'S RECOMMENDATION:** The Manager recommends that the Board accept the property tax release and refund report for September 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report.

County Manager: *Richard M. Reppin*

	Motion	Yes	No
( ) Approved	_____	_____	_____
( ) Denied	_____	_____	_____
Bowser	_____	_____	_____
Howerton	_____	_____	_____
Heron	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



# COUNTY OF DURHAM, NORTH CAROLINA BOARD OF COUNTY COMMISSIONERS

## Agenda Action Form

**ITEM:** A Resolution Requesting the Adoption of State Rules Requiring Early Implementation of Federal Standards for Hospital, Medical and Infectious Waste Incinerators

**DATE OF BOCC MEETING:** October 25, 2010

**REQUEST FOR BOARD ACTION:**

The Board is requested to approve a resolution in support of the Adoption of State Rules Requiring Early Implementation of Federal Standards for Hospital, Medical and Infectious Waste Incinerators.

The Durham Environmental Affairs Board (EAB) recommends the 2012 adoption of stricter emission standards for medical waste incinerators. The EAB supports the City Council resolution requesting that the State of North Carolina require compliance with these standards by 2012 instead of 2014. The sooner that the atmospheric loadings of toxic pollutants released from medical waste incinerators are decreased, the better it will be for the public health of Durham residents.

**RESOURCE PERSON(S):** Heather Bjork, Clean Air Now (CAN)

**COUNTY MANAGER'S RECOMMENDATION:** The Manager recommends that the Board approve a resolution in support of the adoption of State rules requiring early implementation of Federal standards for hospital, medical, and infectious waste incinerators.

County Manager: *Richard M. Reppin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____



D U R H A M

## Environmental Affairs Board

Durham City-County Planning Department ▪ 101 City Hall Plaza ▪ Durham, NC 27701

October 12, 2010

**Chair**  
Deborah Luecken

**Vice Chair**  
Brian Miles

**Secretary**  
Wanona Satcher

**Members**  
Robert Rosenthal  
Matthew Hanchey  
Angela Brehmer

**Ex-Officio Members**

Donald Long  
City Solid Waste  
Management

Steve Medlin  
City-County Planning

Director  
City Public Works

Brian Letourneau  
County Health Department

Don Greeley  
City Water Management

Glen Whisler  
County Engineering

Eddie Culberson  
Soil & Water Conservation  
District

Durham City Council  
101 City Hall Plaza  
Durham, NC 27701

Re: Resolution for Medical Waste Incinerators

Dear Member of the Durham City Council,

The Durham Environmental Affairs Board (EAB) recommends the 2012 adoption of stricter emission standards for medical waste incinerators. The EAB supports the City Council resolution requesting that the State of North Carolina require compliance with these standards by 2012 instead of 2014. The sooner that the atmospheric loadings of toxic pollutants released from medical waste incinerators are decreased, the better it will be for the public health of Durham residents.

Mercury pollution is a serious problem in the environment of North Carolina. Fish consumption advisories for mercury have long been posted in Durham and statewide. Children are especially vulnerable to mercury exposure and the adverse developmental effects last a lifetime. In addition to mercury, medical incinerators emit a host of other hazardous air pollutants, which the U.S. Environmental Protection Agency has classified as known or suspected carcinogens. These air pollutants may cause asthma, reproductive damage, circulatory damage, neurological damage and other health adverse effects. The toxic pollutants, dioxins, lead, cadmium, and hydrogen chloride will all be greatly reduced with the implementation of these rules. Implementing the rules will cause co-reductions of criteria pollutants and particulate matter.

We are impressed by the thorough and careful analysis that the Mecklenburg County Air Quality Director has done, and by Mecklenburg County's reasons for requesting a 2012 implementation date. Their analysis of the low economic impact of early implementation makes it likely that the health benefits of early implementation will easily outweigh the costs.

For these reasons, the EAB supports the Durham City Council resolution to request that the State of North Carolina require implementation of medical

waste incineration rules by 2012. We believe it is in the best interests to the environment and public health of Durham that these rules be implemented as soon as possible.

Best regards,

A handwritten signature in cursive script, appearing to read "Deborah Luecken".

Deborah Luecken  
Chair, Durham Environmental Affairs Board

cc: Thomas J. Bonfield, Durham City Manager  
EAB Members  
Steven L. Medlin, City – County Planning Director

## **Durham Board of County Commissioners**

### **A RESOLUTION REQUESTING THE ADOPTION OF STATE RULES REQUIRING EARLY IMPLEMENTATION OF FEDERAL STANDARDS FOR HOSPITAL, MEDICAL AND INFECTIOUS WASTE INCINERATORS**

**Resolution No. 156/2009-10**

**WHEREAS, on October 6, 2009 the United States Environmental Protection Agency (“USEPA”) adopted federal regulations in 40 CFR 60 Subpart Ce, entitled “Emission Guidelines and Compliance Times for Hospital/Medical/Infectious Waste Incinerators” for existing medical waste incinerators (“new federal standards”); and**

**WHEREAS, the new federal standards establish lower emission rates and additional operating conditions than existing state and prior federal regulation; and**

**WHEREAS, the new federal standards require states to promulgate new state rules that will require existing medical waste incinerators to comply with the new federal standards no later than October 6, 2014 and to obtain USEPA approval of the new state rules within two years after October 6, 2009; and**

**WHEREAS, two public hearings were held in April and May, 2010, for the “Title V” permit renewals for two medical waste facilities, Stericycle Inc., located in Graham, Alamance County, NC, and BMWNC located in Matthews, Mecklenburg County, NC; and**

**WHEREAS, air pollutants from medical waste incineration are known to cause cancer, and have been linked with breast cancer, prostate cancer, and liver and kidney damage; impairment of the immune system, nervous system and endocrine system; reproductive disorders, asthma, chronic bronchitis, pulmonary emphysema, heart disease, diabetes, and endometriosis; and in children, childhood asthma, birth defects, behavioral and neurological problems, digestive disorders, hyperactivity, memory problems, and diminished learning abilities, among other diseases; and**

**WHEREAS, Stericycle’s annual waste incineration at its facility was reported as over 27 million pounds of medical waste received from 22 states last year with the potential for prevailing westerly winds to carry emissions into communities in Durham County; and**

**WHEREAS, Stericycle’s two medical waste incinerators, while in compliance with the “old” or current standards, are releasing mercury 10.6 times the new EPA standards and lead 5.6 times the new EPA standards; and**

**WHEREAS, BMWNC’s medical waste incinerator, while in compliance with the “old” or current standards, is releasing dioxins and furans 6 times the new EPA standards, dioxins and furans toxic equivalency 12.6 times the new EPA standards, mercury 3.5 times the new EPA standards, hydrogen chloride 11.5 times the new EPA standards, and nitrogen oxide 110% above the new EPA standards; and**

**WHEREAS, public concerns regarding medical waste incineration have been recently expressed by other local governments, specifically Mecklenburg County, Chatham County, Union County, and Orange County; the Town of Stallings, the Town of Matthews, the Town of Carrboro, the Town of Chapel Hill, the City of Mebane, the Town of Hillsborough, the Town of Haw River, the Town of Green Level, and the Town of Gibsonville; the Haw River Assembly; members of the public; parents with children; the elderly; environmental groups; and**

**WHEREAS, the USEPA's action effectively provided notice that emission rates and other requirements would change; and**

**WHEREAS, a three-year advance notice period for compliance would be consistent with USEPA's approach in regulating existing affected sources under the Maximum Available Control Technology (MACT) program; and**

**WHEREAS, the timing of this permit renewal is such that renewal will occur prior to implementation of the new USEPA rules by the North Carolina Environmental Management Commission; and**

**WHEREAS, since the North Carolina Division of Air Quality has already initiated the rulemaking process to incorporate the new federal standards into the North Carolina rules, it would be more efficient for the State to adopt a statewide rule as required by USEPA and pursue statewide implementation of the new federal standards.**

**NOW, THEREFORE BE IT RESOLVED BY DURHAM COUNTY:**

**Section 1. The Durham Board of County Commissioners respectfully request that the N.C. Environmental Management Commission adopt State rules implementing the October 6, 2009 federal guidelines (40 CFE 60 subpart Ce Emission Guidelines and Compliance Times for Hospital/ Medical/ Infectious Waste Incinerators), with an effective compliance date for existing medical waste incinerators of no later than October 6, 2012, to include new operating conditions, completing modifications, beginning operations and demonstrating compliance by stack test by that date.**

**Section 2. This resolution shall become effective upon adoption.**

**The following resolution having been submitted to a vote received the following vote and was duly adopted this \_\_\_\_\_ day of October, 2010:**

**Ayes:**

**Noes:**

**Absent or Excused:**

## **EXECUTIVE SUMMARY**

NC is the Medical Waste Incineration Capital in the nation (NC has 3 commercial incinerators out of 56 remaining today). In the last 20 years, the US has closed 99% of its medical waste incinerators, going from over 6,000 in 1988 to fewer than 60 at the end of 2008.<sup>1</sup> Two of these incinerators are located in Graham (owned by Stericycle Inc.) and one in Matthews. **34.2 million pounds of medical waste was incinerated last year in NC at these two facilities. Last year (2009-2010), Stericycle received and incinerated 27,241,760 pounds of medical waste from 22 states including medical waste from NC.**<sup>2</sup> NC facilities send 53 to 66% of the total waste burned at Stericycle (yearly average = 62%).<sup>3</sup> **Last year Stericycle burned 172.4 pounds of medical waste for every man, woman and child in Alamance County. Per person per day this amounts to approx. ½ lb (0.47 pounds).**<sup>4</sup> Last year, 9,863,740 pounds of ash were produced by Stericycle at this location, the equivalent of 62.41 lbs. of ash per person.<sup>5</sup> **Every week Stericycle sends 189,700 lbs of ash waste to Person County. Stericycle has spent \$ 3 M on technological upgrades in 11 years**<sup>6</sup>

In 2009 the Environmental Protection Agency (EPA) issued new rules that require all medical waste incinerators to come into compliance with more protective standards for air pollutants by 2014 at the latest. To date, thirteen local governments (cities, towns and counties) in NC have adopted a resolution requesting that the NC Environmental Commission require ALL medical waste incinerators in the state come into compliance by 2012 (see list below). **The reduction of emissions at Stericycle under the new EPA limits will be significant – 98% reduction in dioxins/furans toxic equivalency, 97% reduction in lead, 97% reduction in mercury, 94% reduction in cadmium, 93% reduction in hydrogen chloride & others.** (see attachment – Stericycle Table Analysis of Air Standards) Currently, Stericycle releases levels of mercury that are **10.6 times higher than the new EPA's level for mercury emissions** and releases lead at the level of **5.6 times higher than the new EPA's acceptable emissions levels.**

Late Oct./early Nov., the state will decide whether to move EPA compliance up by 2 years to 2012, how to handle bypass events, and whether they will strengthen the rules on segregating plastics, paper and metals from incineration.

## **BACKGROUND MEDICAL WASTE INCINERATION**

- The Medical Waste tracking Act of 1988 defines medical waste as "any solid waste that is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals."<sup>7</sup>
- Heavy metals, mercury, lead and cadmium are present after incineration, only concentrated in the ash and released into the air from the stack. Approx. 30% of all waste that is incinerated remains as ash at the end of the process. This potentially toxic ash, which is shipped to Person County, has the potential to pollute groundwater.
- Medical waste incinerators release over 25 dangerous air pollutants, including mercury, particulate matter, carbon monoxide, lead, and other heavy metals.<sup>8</sup> In addition to polluting the air, these toxins pollute NC citizen's gardens, farmlands, rivers, lakes and streams and pose a threat to wildlife.
- **Nationally, over 30% of mercury emitted from combustion point sources comes from medical waste incinerators.**<sup>9</sup> Emissions from medical waste incinerators are the second

largest source of mercury pollution in the country.<sup>10</sup> Medical waste incinerators are the third largest source of mercury pollution in the State of NC.<sup>11</sup> One gram of mercury per year is enough to contaminate all the fish in a lake with surface area of 20 acres that the fish are unsafe to eat.<sup>12</sup>

- NC is a medical waste importer; NC imports waste from 22 other states incl. "international garbage" to be incinerated.
- **Nationally, medical waste incineration is the third largest source of dioxin emissions.**<sup>13</sup>
- "Medical waste incinerators produce more dioxins than all paper mill boilers, industrial furnaces and boilers, cars and trucks, hazardous waste incinerators, and coal and oil burning power plants combined," according to the Boston Chemical Data Corp.<sup>14</sup>
- A stack test is scheduled ONCE/YEAR. The company does self-reporting on their emissions throughout the year. When bypass events occur (the pollution controls fail), the company does not measure (and is not required to) nor communicate what toxins are released or the quantity of toxins.
- "The truth of the matter is that 90 to 95 percent of the waste that goes to an incinerator doesn't need to go there," said Bill Patrakis, a N.C. Division of Waste Management official who interprets the state's medical-waste rules.<sup>15</sup>
- NC medical waste treatment rules requires pathological waste and the carcasses of infected animals to be incinerated.
- "According to the Centers for Disease Control, no more than 2 percent of a typical hospital's waste stream must be incinerated to protect public safety. That 2 percent is mainly pathological waste, such as body parts."<sup>16</sup> Many hospitals routinely end up having 75 to 100 percent of their waste incinerated which creates dioxins and other contaminants.
- **NC does not need to rely on incineration to disinfect regulated medical waste.** Alternative disposal methods can sterilize waste without producing the dangerous emissions that come from incinerators.
  - Alternatives to incineration of medical waste include:<sup>17</sup>
    - Thermal treatment, such as microwave technologies;
    - Steam sterilization, such as autoclaving;
    - Electropyrolysis; and
    - Chemical mechanical systems, among others.
  - Autoclaves use steam and high pressure to kill microorganisms. Shredding and microwave disinfection heats the water present in waste to destroy pathogens. Shredding and treating with chemical disinfectant is a third option.
  - None of these method heats waste to high enough temperatures to **create and release dioxin**. These are safe and acceptable alternatives to incineration which are less costly and can be accomplished on hospital grounds
  - There is a new type of treatment methodology recently approved in NC for treating medical waste – the Ozonator.
  - Mercury emissions from autoclaves, microwaves, and incinerators depend on the amount of mercury present in the waste. Separating mercury waste beforehand reduces mercury emissions.

## **HAZARDOUS EFFECTS OF MEDICAL WASTE INCINERATION EMISSIONS & ASH**

- **Medical waste incineration create dioxins.** Dioxins are a class of 75 chemicals which are created by heating organic material, such as paper products, in the presence of chlorine. **The EPA classifies dioxins as a CLASS 1 HUMAN CARCINOGEN.** <sup>18</sup>
- "In the past, incineration was the technology of choice but it inevitably produces **dioxin, one of the most toxic and persistent pollutants known to science** — and most industrialized countries insist on complex and costly control measures to capture it. The resulting waste — such as fly ash — then has to be disposed of as hazardous waste. The scale of the problem is amply illustrated by the fact that, in 1994, the US Environmental Protection Agency announced that **medical waste incinerators were responsible for 40% of the entire country's air dioxin pollution.**" <sup>19</sup>
- **The EPA estimates the cancer risk from dioxin in levels already present in the general public is 1 case per 1,000 - far higher than EPA's acceptable risk level of 1 in 1 million. Any exposure to dioxin, even a dose as low as one thousandth of one millionth of a gram can be hazardous. The EPA has stated that there is no safe level of exposure to dioxin.** <sup>20</sup>
- Dioxins and furans are some of the most toxic chemicals known to science. A draft report released for public comment in September 1994 by the US Environmental Protection Agency clearly describes dioxin as a serious public health threat. The public health impact of dioxin may rival the impact that DDT (dichlorodiphenyltrichloroethane, one of the most well-known synthetic pesticides) had on public health in the 1960's. According to the EPA report, not only does there appear to be no "safe" level of exposure to dioxin, but levels of dioxin and dioxin-like chemicals have been found in the general US population that are "at or near levels associated with adverse health effects." <sup>21</sup>
- **Dioxins are bioaccumulative in the human body.** Dioxin increases the risk of endometriosis & failed pregnancies & lowers sperm count (causing reproductive issues). Children exposed to dioxin may suffer from delayed development, learning disabilities & IQ deficits. Particularly severe effects when exposure occurs in UTERO or DURING CHILDHOOD.
- **Mercury is a highly toxic, bioaccumulative metal.** Reactive mercury is released during medical waste incineration & once in the air is deposited into the soil or water hours or MONTHS later, impacting communities for thousands of miles. Particularly lethal when enters the water & transforms into *methylmercury* (why we can't eat our fish throughout NC).
- Stericycle's two large smoke stacks have scrubbers which are rinsed with City of Graham water and the used water is pretreated and then goes to the Graham wastewater treatment facility and ultimately discharged into the Haw River.

## **CHILDREN & FETUSES ARE MORE SUSCEPTIBLE TO AIR POLLUTANTS & DIOXINS**

- In 2004, EPA scientist found 1 in 6 women of reproductive age had levels of mercury that **EXCEEDED** levels that could damage a developing fetus and put their newborns at risk of irreversible neurological and developmental damage. <sup>22</sup> Fetal exposure to mercury can cause mental retardation, learning disabilities, attention deficit, gait disturbances and impairments of language, memory and central nervous system. <sup>23</sup>
- **The highest concentration of dioxins are in human breast milk whereby nursing infants take in 10-20 times as much dioxin daily as does the average adult.** <sup>24</sup> Half of the dioxins present in a nursing mother's body are passed to the nursing infant during six months of breast feeding.

- **Children are at a greater risk to air pollution** because they: 1) spend more time outdoors more hours per day than most adults; 2) exert themselves to a greater degree while they are outside than most adults; and 3) participate in more organized activities than adults.
- "Children take in more air per unit body weight at a given level of exertion than do adults. When a child is exercising at maximum levels, such as during a soccer game or other sports event, they may take in 20 percent to 50 percent more air -- and more air pollution -- than would an adult in comparable activity."<sup>25</sup>
- Fetuses, infants and small children are more sensitive to mercury because their brains are still developing. Vaccines with mercury have been considered to contribute to autism, learning disabilities, Alzheimer's Disease, and other neurological conditions.
- "For children, levels of nitrogen dioxide, carbon monoxide, and sulfur dioxide were associated with increased numbers of medical consultations."<sup>26</sup> Stericycle Inc. releases all of these substances through their two smoke stacks. Under the new EPA Pollution Standards, nitrogen dioxide emissions will be reduced by 44%, carbon monoxide emissions by 73% and sulfur dioxide emissions by 84% than current allowable limits.
- Particulate matter (Alamance County is rated a "C") is of particular concern to children. "The American Thoracic Society's Environmental and Occupational Health Assembly reviewed current health effects literature. They report that daily fluctuations in PM10 levels have been related to: • acute respiratory hospital admissions in children; • school and kindergarten absences; • decreases in peak lung air flow rates in normal children; and • increased medication use in children and adults with asthma."<sup>27</sup> Note: particulate matter with aerodynamic diameters less than or equal to 10 microns (µm) are collected by scientists. Ambient air quality standards were developed for this material, which is called PM10.
- Even low levels of lead in the blood of children aged 6 to 7 are linked to measurable changes in intelligence quotient and certain perceptual-motor skills.

## **ALAMANCE COUNTY DATA**

- **Stericycle had more than 5 hours of bypass events in the first 6 months in 2010 where NO POLLUTION CONTROLS were in effect because equipment malfunctioned.**<sup>28</sup> Currently, the company does not have to tell citizens of Alamance County what they were exposed to or how much of the toxic chemicals were released.
- **Stericycle has had multiple permit violations, including:**
  - 2006 – Two incidents of bypass stacks in open position (excess emissions)
  - 2004 – Exceeded the mercury emissions standard. Civil penalty of \$ 10,352
  - 2002 – Exceeding the particulate matter standard. Another violation for exceeding the mercury emissions standard. Civil penalty of \$ 8,518
  - 2001 – Exceeding the particulate matter standard (Failed Stack Test) Civil penalty of \$ 4,666
  - 2000 – Five violations for exceeding the maximum amount of waste allowed to be burned per hour, for multiple hours (waste charge rate), overloading the incinerator.
- For a Fortune 500 company with \$ 1.1 B in revenues, these fees have not impacted management's decisions in any shape or form regarding upgrading pollution controls, equipment and technology.
- **Current releases of mercury at the Graham location are 10.6 times the new EPA standards & lead releases are 5.6 times the new EPA standards.**

- According to the North Carolina Criteria and Toxic Air Pollutant Point Source Emissions Report, Stericycle reported releasing 37 pounds of mercury in 2008. <sup>29</sup>
- **Alamance County is in the 2<sup>nd</sup> Highest Quantile Interval (Age Adjusted Annual Incidence Rate Cases per 100,000 which was 476.0-492.4) for Incidence Rates for North Carolina (2003-2007), All Cancer Sites, All Races (Includes Hispanic), Both Sexes, All Ages** <sup>30</sup>
- **2008 NORTH CAROLINA HOSPITAL DISCHARGES\*\* WITH A PRIMARY DIAGNOSIS OF ASTHMA NUMBERS AND RATES PER 100,000 BY COUNTY OF RESIDENCE: 59 children AGES 0-14 rate of 209.8 per 100,000 (14<sup>th</sup> highest rate of all counties & higher than the average for NC which was 151.9)** <sup>31</sup>
- High mercury levels have been found in blackfish (bowfin), catfish, jack fish (chain pickerel), warmouth, and yellow perch caught south and east of Interstate 85. <sup>32</sup> All surface waters in NC are classified as "impaired" due to mercury, among other pollutants. According to the Draft 2010 303 d list "All Waters in NC are in Category 5-303(d) List for Mercury due to statewide fish consumption advice for several fish species."
- Local laws ban burning garbage yet Stericycle is allowed to burn garbage. Stericycle burns paper & garbage to save money on fuel for the incinerator.
- While a health analysis of Alamance County residents residing within a 15 mile radius of the incinerator has not been conducted, "other communities with have experienced negative health impacts. To cite just a couple of examples: *Residents living <1 km from municipal waste incinerators in England were found to have higher rates of stomach, colon, liver and lung cancer than those living further away.* <sup>33</sup> Another study in England showed *greater rates of stillbirths, spina bifida and heart defects in babies born to mothers that lived near incinerators.* <sup>34</sup> In Columbus, OH, *children who had lived near an incinerator for at least two years were found to have significantly higher cadmium levels in their hair and increased learning and behavioral problems.* <sup>35</sup> Several studies in Japan and Korea have shown that *incinerator workers and nearby residents had much higher levels of dioxin in their blood than citizens who worked or lived elsewhere.* <sup>36</sup> Unfortunately, similar studies have not been conducted in NC.
- **Alamance County has received a "C" rating by the American Lung Association for "Particulate Matter" for 2010. Out of the 30 counties being rated, only Wake County received a lower rating ("D") than Alamance County which was in the same grouping as Guilford, Forsyth, Mecklenburg & Pitt (all "C" ratings).** <sup>37</sup>
- **A total of 1539 students with parent-reported asthma were enrolled in the Alamance Burlington School System for the 2008-2009 school year.** <sup>38</sup>
- **Alamance County was ranked 20<sup>th</sup> highest out of 100 counties in NC for Percentage (9.19) of Surface Waters with Impaired or Threatened Uses** <sup>39</sup>
- **Alamance County was ranked 19<sup>th</sup> highest out of 100 counties in NC for Volatile Organic Compound Emissions (8,508 tons).** <sup>40</sup>

## IN CONCLUSION

- Stericycle has an autoclave (non-incineration used) in Concord that could handle much of the waste being incinerated in Graham currently as stated by reps from company
- Even if Stericycle opted not to send the medical waste to its dual incinerators in Graham, the Division of Air Quality for Mecklenburg County stated that to upgrade Stericycle's plan would be \$ 100-150 K/year which is well within the financial budget of Stericycle (averaged a 30%

annual return over the past decade, \$ 1.1 B in revenue, earnings \$ 175-179 M)<sup>41</sup> and would not put the company out of business or create financial hardship.

- Don Willard's letter (attachment) states that medical waste incinerators have known about the new rules since 2009, and 2012 is a reasonable date for medical waste incinerators to become compliant. In his letter Mr. Willard states, "MCAQ believes that two years is adequate time for planning, designing, purchasing and installing new equipment. Requiring compliance by October 2012 gives three years – one more than practically needed." He continues to say, "There is no reason to delay implementation beyond meeting a realistic timetable."
- The CDC states that only 2% of a hospital's waste stream needs to be incinerated to protect public safety. There are four non-incineration technologies for medical waste disposal readily available. NONE of these technologies create DIOXINS!
- Medical waste incinerators are the third largest source of dioxin (a known human carcinogen) emissions.
- Children and fetuses are at a greater risk and the impacts more harmful from exposure to dioxins, mercury, lead and other emissions and the closer the proximity to the incinerator, the more concentrated the emissions. There are 13 schools and 23 daycares within a 5 mile radius of the medical waste incinerators in Graham.

## **WHY ARE WE & OUR FAMILIES IN ALAMANCE COUNTY BEING NEEDLESSLY PUT AT RISK?**

**Based on this data, I am asking each of you to support the resolution for adoption of the stricter emission standards for medical waste incinerators for adoption by 2012 instead of 2014.**

**Heather Bjork**  
**[bjork@triad.rr.com](mailto:bjork@triad.rr.com)**  
**(336) 270-6307 Work, (336) 585-0185 Home**

**Visit [www.bredl-medwaste.org](http://www.bredl-medwaste.org) for additional information**

<sup>1</sup> Healthcare without harm - <http://www.noharm.org/seasia/issues/waste/alternatives.php>

<sup>2</sup> State of NC DENR Division of Waste Management Incinerator Facility Annual Report for Stericycle Inc., July 1, 2009-June 30, 2010.

<sup>3</sup> State of NC DENR Division of Waste Management Incinerator Facility Annual Report for Stericycle Inc., June 1, 2000 – June 30, 2008.

<sup>4</sup> Based on 27,241,760 pounds/year incinerated in 2009 and an estimated 158,053 population in 2009 (U.S. Census Bureau)

<sup>5</sup> State of NC DENR Division of Waste Management Incinerator Facility Annual Report for Stericycle Inc., July 1, 2009-June 30, 2010.

- <sup>6</sup> Selin Hoboy, Stericycle Vice President for Legislative and Regulatory Issues; May 25, 2010 Hearing at Alamance Community College.
- <sup>7</sup> EPA - <http://www.epa.gov/osw/nonhaz/industrial/medical/index.htm>
- <sup>8</sup> Medical Waste Treatment Technologies: Evaluating Non-Incineration Alternatives, Health Care Without Harm, May 2000; and Jorge Emmanuel, personal communication, 4 October 2004.
- <sup>9</sup>[http://www.newmoa.org/prevention/topichub/22/mercury\\_pollution\\_prevention\\_in\\_healthcare\\_nwf.htm](http://www.newmoa.org/prevention/topichub/22/mercury_pollution_prevention_in_healthcare_nwf.htm)
- <sup>10</sup> <http://www.ens-newswire.com/ens/jan2010/2010-01-07-093.html> - Environs in Court to Defend EPA Medical Waste Incinerator Role
- <sup>11</sup> NC Division of Air Quality: Mercury: Emission Sources and Atmospheric Behavior - <http://daq.state.nc.us/quick/mercury/top50pie.shtml>
- <sup>12</sup> EPA – <http://www.epa.gov/glnpo/bnsdocs/hg/thermfaq.html>
- <sup>13</sup> Environment News Service - <http://www.ens-newswire.com/ens/jan2010/2010-01-07-093.html>
- <sup>14</sup> Environment News Service - <http://www.ens-newswire.com/ens/jan2010/2010-01-07-093.html>
- <sup>15</sup> Charlotte News & Observer – “Incineration overused for Medical Waste”, April 9, 2010, <http://www.charlotteobserver.com/2010/04/09/1365463/incineration-overused-for-medical.html>
- <sup>16</sup> Medical Waste Incineration is poisoning communities by Susan Forsyth, RN [http://www.myhouseisyourhouse.org/new\\_green\\_pdf/revolution.pdf](http://www.myhouseisyourhouse.org/new_green_pdf/revolution.pdf)
- <sup>17</sup> EPA - <http://www.epa.gov/osw/nonhaz/industrial/medical/mwfaq.htm#6>
- <sup>18</sup> EPA - <http://www.epa.gov/pbt/pubs/dioxins.htm>
- <sup>19</sup> Healthcare Without Harm - <http://www.noharm.org/seasia/issues/waste/alternatives.php>
- <sup>20</sup> Healthcare Without Harm - <http://www.noharm.org/seasia/issues/waste/alternatives.php>
- <sup>21</sup> Dioxin Homepage - <http://www.ejnet.org/dioxin/>
- <sup>22</sup> Kathryn Mahaffey, U.S. Environmental Protection Agency, *Methylmercury: Epidemiology Update*, presentation before the Fish Forum, San Diego, January 2004.
- <sup>23</sup> In Harm’s Way: Toxic Threats to Child Development, A Report by Greater Boston Physicians for Social Responsibility, Jan. 2001, pg. 61
- <sup>24</sup> Public Health Reports, Hospitals and Plastics: Dioxin Prevention and Medical Waste Incinerators, Vol. 3, July/Aug. 1996

- <sup>25</sup> [http://www.aqmd.gov/forstudents/health\\_effects\\_on\\_children.html](http://www.aqmd.gov/forstudents/health_effects_on_children.html) The Health Effects of Air Pollution on Children
- <sup>26</sup> [http://www.aqmd.gov/forstudents/health\\_effects\\_on\\_children.html](http://www.aqmd.gov/forstudents/health_effects_on_children.html) The Health Effects of Air Pollution on Children
- <sup>27</sup> [http://www.aqmd.gov/forstudents/health\\_effects\\_on\\_children.html](http://www.aqmd.gov/forstudents/health_effects_on_children.html) The Health Effects of Air Pollution on Children
- <sup>28</sup> State of NC DENR Division of Waste Management Incinerator Facility Annual Report for Stericycle Inc., July 1, 2009-June 30, 2010.
- <sup>29</sup> [http://xapps.enr.state.nc.us/aq/ToxicsReport/ToxicsReportFacility.jsp?ibeam=true&year=2008&county\\_code=001&findfacility=3619](http://xapps.enr.state.nc.us/aq/ToxicsReport/ToxicsReportFacility.jsp?ibeam=true&year=2008&county_code=001&findfacility=3619)
- <sup>30</sup> <http://statecancerprofiles.cancer.gov/map/printable.map.php?37&001&001&00&0&1&0&1&6&0> Incidence Rates for North Carolina (2003-2007), All Cancer Sites, All Races (includes Hispanic), Both Sexes, All Ages
- <sup>31</sup> <http://www.schs.state.nc.us/SCHS/data/databook/CD18%20Asthma%20hospitalizations%20by%20county.html>
- <sup>32</sup> Fish Consumption Advisories: Mercury in fish <http://www.epi.state.nc.us/epi/fish/safefish.html>
- <sup>33</sup> Elliott P. et al. (1996) Cancer incidence near municipal solid waste incinerators in Great Britain. *British Journal of Cancer*. 1996 Mar; 73(5):702-10
- <sup>34</sup> Dummer TJ, Dickinson HO, Parker L (2003) Adverse pregnancy outcomes around incinerators and crematoriums in Cumbria, north west England, 1956-93. *Journal of Epidemiology and Community Health*. 2003 Jun;57(6):456-61
- <sup>35</sup> Stewart-Pinkham SM. (1989) The effect of ambient cadmium air pollution on the hair mineral content of children. *The Science of the Total Environment*. 1989 Jan;78:289-96
- <sup>36</sup> Takata T. (2003) Survey on the health effects of chronic exposure to dioxins and its accumulation on workers of a municipal solid waste incinerator, rural part of Osaka Prefecture, and the results
- <sup>37</sup> American Lung Association - <http://www.stateoftheair.org/2010/states/north-carolina/>
- <sup>38</sup> State of the County Health Report, Ongoing Public Health Work, pg. 5
- <sup>39</sup> Scorecard Home - <http://www.scorecard.org/>
- <sup>40</sup> Scorecard Home - <http://www.scorecard.org/>
- <sup>41</sup> Barron's - <http://online.barrons.com/article/SB123578853328199033.html>

**The following is a (current) list of local governments and state representatives who have committed to supporting the 2012 resolution:**

**Senator Tony Foriest  
Representative Alice Bordsen  
Representative Pricey Harrison  
Senator Ellie Kinnaird  
Representative Verla Insko  
Alamance Board of Education Tom Manning  
Alamance County Commissioner Eddie Boswell  
Mecklenburg County Board of Commissioners  
Chatham County Board of Commissioners  
Orange County Board of Commissioners  
Union County Board of Commissioners  
Town of Haw River  
Town of Green Level  
City of Mebane  
Town of Hillsborough  
Town of Carrboro  
Town of Chapel Hill  
Town of Stallings  
Town of Gibsonville  
Town of Swepsonville**

# Blue Ridge Environmental Defense League

www.BREDL.org PO Box 88 Glendale Springs, North Carolina 28629 BREDL@skybest.com (336) 982-2691



## Reductions of emissions at Stericycle under the new EPA limits

Table A compares the US Environmental Protection Agency's new Emission Guidelines with proposed North Carolina emission limits permitted under applicable regulations, NCAC 2D .1206 Limits for Hospital, Medical, and Infectious Waste Incinerators, for Stericycle's Permit No. 05896T18.

**Table A. Comparison EPA and NC Pollution Standards**

	Units	NC 2D .1206 (old)	EPA EG (new)	Percent (%) reduction under new EPA standards
<b>Particulate matter</b>	mg/dscm	34	25	27%
<b>Carbon monoxide</b>	ppmv	40	11	73%
<b>Dioxins/furans</b>	ng/dscm	125	9.3	93%
<b>Dioxins/furans toxic equivalency</b>	ng/dscm	2.3	0.054	98%
<b>Hydrogen chloride</b>	ppmv	100	6.6	93%
<b>Sulfur dioxide</b>	ppmv	55	9.0	84%
<b>Nitrogen dioxide</b>	ppmv	250	140	44%
<b>Lead</b>	mg/dscm	1.2	0.036	97%
<b>Cadmium</b>	mg/dscm	0.16	0.0092	94%
<b>Mercury</b>	mg/dscm	0.55	0.018	97%
<b>Visible Emissions</b>	percent	10%	6%	40%

The percentage column compares the two standards; in every case, the EPA's new standards for existing incinerators would be stricter than the proposed NC standards as applied to the Stericycle permit, and would result in decreased emissions of toxic air pollutants.

9c



COUNTY OF DURHAM, NORTH CAROLINA
BOARD OF COUNTY COMMISSIONERS
Agenda Action Form

ITEM: Budget Ordinance Amendment No. 11BCC000020 Public Health to Add Funds to the School Health Budget from Durham Public Schools in the Amount of \$49,000 and Re-establish an Additional PHN II Position for the CFST Program

DATE OF BOCC MEETING: Monday, October 25, 2010

REQUEST FOR BOARD ACTION:

The Health Department requests approval of a Budget Ordinance Amendment to add \$49,000 to the School Health Budget from Durham Public Schools (DPS). This is additional funding that has been made available to DPS from the state to establish a sixth provisional School Nurse in the Child and Family Support Team program. (In previous years, there have been seven funded positions. DPS was advised to expect that two positions would be cut for the upcoming school year; however, they did receive an allocation that would allow one of the positions to be returned to the program). The entire \$49,000 will be used to hire one nurse in a temporary, 10-month position.

All funds will be added to personnel expenditure lines.

Revenue line: 5100623600-4300330200

The Board of Health has approved this amendment. County funds will not be required to support this position.

RESOURCE PERSONS: Gayle Harris, RN, MPH, Health Director

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board approve Budget Ordinance Amendment No. 11BCC000020 from the Durham Public Schools in the amount of \$49,000 for the Child and Family Support Team program to establish one grant-funded FTE, a school nurse.

County Manager: [Signature]

Table with 4 columns: Motion, Yes, No, and Commissioner Name (Bowser, Heron, Howerton, Page, Reckhow). Includes checkboxes for Approved and Denied.

**Durham County, North Carolina**

**2010-2011 Budget Ordinance**

**Amendment Number 11BCC000020**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

<b>Revenue</b>			
<b>Category</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
<b>GENERAL FUND</b>			
Intergovernmental	\$72,785,385	\$49,000	\$72,834,385

<b>Expenditures</b>			
<b>Function</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
<b>GENERAL FUND</b>			
Human Services	\$106,171,525	\$49,000	\$106,220,525

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

Approved October 25, 2010

9d



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Contract Amendment To The Capital Project DC96-ROD — Preservation, Restoration, Conservation, and Digitizing of Vital Records.**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION**

On March 22, 2010, the Board authorized the County Manager to enter into a contract with Louisiana Binding Services, Inc, (LBS), for the Restoration, Conservation, and Digitizing of Vital Records (RFP 10-007) in the amount of \$926,107.10.

The initial Capital Project fund did not cover the restoration and conservation of the 32,551 marriage records that exist in the office of the Register of Deeds for the years 1991-2009. We requested that the contractor provide a quote for providing the same services to process these records. LBS responded with a quote of \$58,591.80.

The Office of the Register of Deeds respectfully requests that the Board authorize the County Manager to enter into a contract amendment in the amount of \$58,591.80, which will increase the contract to \$984,698.90, and to execute any additional amendments as needed, not to exceed the total project budget of \$1,195,000.00 as shown below. Funding for the additional \$58,591.80 will come from already approved Automation Project funds budgeted in the Register of Deeds General Fund budget.

FY 10 Approved Capital Project Budget	\$945,000.00
FY 11 Approved Automation Project Budget	\$250,000.00
Total Project Budget	\$1,195,999.00

**RESOURCE PERSON(S):** Willie L. Covington, Register of Deeds

**COUNTY MANAGER'S RECOMMENDATION:** The Manager recommends that the Board approve Louisiana Binding Services contract amendment of \$58,591.80, and authorize the Manager to execute any additional amendments as needed, not to exceed the total automation project budget of \$1,195,000.00.

County Manager: *Richard M. Reppin*

	Motion	Yes	No
( ) Approved	Bowser	_____	_____
( ) Denied	Heron	_____	_____
	Howerton	_____	_____
	Page	_____	_____
	Reckhow	_____	_____

9e



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Budget Amendment No 11BCC000021 – Appropriating \$65,263 to the Criminal Justice Resource Center Budget as a Sub-Recipient of a City of Durham Police Department Grant and Approval To Establish 1.45 Positions**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Durham Police Department has applied for and been awarded a grant from the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, for a Justice and Mental Health Collaboration Program (JMHCPC): Planning and Implementation.

The Bureau of Justice Assistance’s (BJA) Justice and Mental Health Collaboration Program (JMHCPC) is funded through the Mentally III Offender Treatment and Crime Reduction Act of 2004. The primary purpose of JMHCPC is to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, and mental health and substance abuse treatment systems to increase access to mental health and other treatment services for those individuals with mental illness or co-occurring mental health and substance use disorders.

The Criminal Justice Resource Center collaborated with the Police Department in the grant application process along with Durham’s System of Care, Duke University and The Center for Child and Family Health. The City of Durham has awarded a sub-recipient contract to the Criminal Justice Resource Center in the total amount of \$166,986 to hire 1.45 FTE Mental Health Specialists who will work in conjunction with the Durham Police Department to identify and engage individuals in crisis and/ or need of mental health services. The term of this contract is from October 1, 2010 to September 30, 2012 or until such time as all grant funds are expended. The Budget Amendment covers expenditures anticipated in FY11 in the amount of \$65,263.

**RESOURCE PERSON(S):** Gudrun Parmer, Director, Criminal Justice Resource Center

**COUNTY MANAGER’S RECOMMENDATION:** The County Manager recommends that the board approve Budget Amendment No 11BCC000021 for the Justice and Mental Health Collaboration Program sub-recipient contract in the amount of \$65,263, and the establishment of one full-time and one part-time position, both provisional for the duration of the contract.

County Manager: *Richard M. Ruffin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____

9e

**Durham County, North Carolina**

2010-2011 Budget Ordinance

Amendment Number 11BCC000021

**Revised**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

<b>Revenue</b>			
Category	Current Budget	Increase/Decrease	Revised Budget
<b>GENERAL FUND</b>			
Intergovernmental	\$72,834,385	\$65,263	\$72,899,648

<b>Expenditures</b>			
Function	Current Budget	Increase/Decrease	Revised Budget
<b>GENERAL FUND</b>			
Public Safety	\$44,352,121	\$65,263	\$44,417,384

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

Approved October 25, 2010

af



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Budget Amendment No 11BCC000022 - Appropriating \$137,153 to the Criminal Justice Resource Center Budget for the Second Chance Act Prisoner Reentry Initiative: Local Demonstration Grant and Approval to Establish Two Temporary Positions**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Office of Justice Programs of the US Department of Justice recently approved the Criminal Justice Resource Center's application for funding under the FY10 in the total amount of \$200,303.

The Second Chance Act of 2007 provides a comprehensive response to the increasing number of people who are released from prison and jail into communities and the subsequent challenges communities face as offenders attempt to reintegrate into society.

The Criminal Justice Resource Center's application proposed to use the grant funds to provide pre- and post-release services to individuals released from the NC prison system after serving a sentence as a Habitual Felon. A Reentry Counselor and Peer Support Specialist will be hired to provide enhanced pre-release services and long-term support to Habitual Felons. The grant period is October 1, 2010 to September 30, 2011. The Budget Amendment covers expenditures anticipated in FY11 in the amount of \$137,153.

**RESOURCE PERSON(S): Gudrun Parmer, Director, Criminal Justice Resource Center**

**COUNTY MANAGER'S RECOMMENDATION:** The County Manager recommends that the Board approve Budget Amendment No 11BCC000022 to recognize the Second Chance Act Prisoner Reentry Initiative: Local Demonstration grant in the amount of \$137,153. Approval is also recommended for the establishment of two full-time positions provisional to the grant.

County Manager: *Richard M. Ruffin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____

9f

**Durham County, North Carolina**  
**2010-2011 Budget Ordinance**  
**Amendment Number 11BCC000022**

**Revised**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

<b>Revenue</b>
----------------

Category	Current Budget	Increase/Decrease	Revised Budget
<b>GENERAL FUND</b>			
Intergovernmental	\$72,899,648	\$137,153	\$73,036,801

<b>Expenditures</b>
---------------------

Function	Current Budget	Increase/Decrease	Revised Budget
<b>GENERAL FUND</b>			
Public Safety	\$44,417,384	\$137,153	\$44,554,537

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

Approved October 25, 2010



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**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Budget Amendment No 11BCC000023 – Appropriating \$500 to Criminal Justice Resource Center Budget for the 2010 Employee Productivity Award from the NC Association of County Commissioners for the implementation of the Durham Assessment Team**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Criminal Justice Resource Center, along with The Durham Center, recently received a 2010 Employee Productivity Award from the NC Association of County Commissioners for the implementation of the Durham Assessment Team.

The Employee Productivity Awards Program recognizes innovative county employees who develop successful productivity improvements in county government and carries a cash award in the amount of \$1,000. This award was equally divided between the two departments. The Criminal Justice Resource Center intends to use the \$500 towards urgent client needs.

**RESOURCE PERSON(S):** Gudrun Parmer, Director, Criminal Justice Resource Center

**COUNTY MANAGER’S RECOMMENDATION:** The County Manager recommends that the board approve Budget Amendment No 11BCC000023 to recognize the 2010 Employee Productivity Award from the NC Association of County Commissioners in the amount of \$500.

County Manager: *Richard M. Reppin*

		Motion	Yes	No
( ) Approved	Bowser	_____	_____	_____
( ) Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
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Durham County, North Carolina

2010-2011 Budget Ordinance

Amendment Number 11BCC000023

9g

Revised

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

Revenue

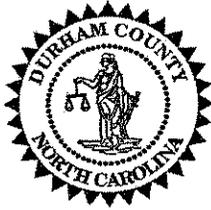
Category	Current Budget	Increase/Decrease	Revised Budget
<b>GENERAL FUND</b>			
Intergovernmental	\$73,036,801	\$500	\$73,037,301

Expenditures

Function	Current Budget	Increase/Decrease	Revised Budget
<b>GENERAL FUND</b>			
Public Safety	\$44,554,537	\$500	\$44,555,037

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

Approved October 25, 2010



9h

**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: ABC Board Stipend Request**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Board of County Commissioners previously approved a Board and Commission Stipend for the ABC Board of \$250 per month for the chairman; \$200 per month for other members, effective January 1, 2007. The law on ABC board members' compensation changed on October 1, 2010, and by state law, the pay at that time became \$150 per meeting unless the commissioners act to increase it.

Therefore, we are requesting that the previous Board and Commission Stipend for the ABC Board of \$250 per month for the chairman; \$200 per month for other members be reapproved in keeping with the newly enacted state law.

**RESOURCE PERSONS:** Emily Page, ABC Chair

**COUNTY MANAGER'S RECOMMENDATION:** The Manager recommends that the Board approve the stipend request.

County Manager: *Richard M. Reppin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____

Durham County Alcoholic Beverage Control Board

3620 Durham Chapel Hill Blvd, Durham, NC 27707



**Board Chairperson:**

*Emily A. Page*

**Board Members:**

*Michael "Kevin" Nelson*

*Erroll Reese*

*Kimberly D. Shaw*

*Connie J. White*

**General Manager:**

*Randolph Mills, Jr.*

September 28, 2010

Honorable Michael Page, Chairman  
Durham County Board of County Commissioners  
200 East Main Street  
Durham, NC

Dear Chairman Page:

In my position as Chair, Durham County ABC Board, I wish to request action by the Board of County Commissioners in order to be in compliance with recent changes to North Carolina ABC legislation.

As of October 1, 2010, the State of North Carolina ABC Commission requires that the Board of Commissioners, as the appointing authority to the Durham County ABC Board, reaffirm its prior approval for compensation of Two Hundred Dollars (\$200) per month for Board Members and Two Hundred Fifty Dollars (\$250) per month for the Chair of the Board.

I am requesting that the Board of County Commissioners communicate this approval directly to the State ABC Commission at the following address:

State of North Carolina  
Alcoholic Beverage Control Commission  
4307 Mail Service Center  
Raleigh, NC 27699-4307

Please let me know if you have any questions regarding this request. If you will copy me on your communication to the ABC Commission, I will be greatly appreciative. Thank you in advance for your attention to this matter.

Sincerely,

Emily A. Page, Chair  
Durham County ABC Board

Phone: (919) 419-6217

Fax: (919) 489-0933

[www.durhamabc.com](http://www.durhamabc.com)



9i

**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Capital Project Amendment No. 11CPA000004 – Moving 2009 Certificates Of Participation Funds (COPS) From Durham Public Schools Creekside Elementary School Project (SH154) To Durham Public Schools Lakewood YMCA/Montessori School Project (SH153)**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

Pursuant to the Interlocal Agreement with the Durham Public Schools, as amended, the Board is requested to consider and approve the transfer of 2009 Certificates of Participation (COPS) funds between two DPS projects. One construction project requires additional funding to ensure a successful completion. The 2009 COPS funding provided for the renovation of the Lakewood YMCA building to become a Montessori Middle School and YMCA Fitness Center and for classroom additions at Creekside Elementary School.

Durham County funded the purchase of the Lakewood YMCA facility to enable Durham Public Schools to create a Montessori middle school program while leaving the YMCA active in a reduced portion of the building. The project is being completed in several phases; a contract for Abatement and Demolition was approved by the Board of Education in April 2010 and for General Renovation in June 2010.

The original budget (\$8,250,000) was developed based on a facility assessment completed in 2007. The pre-design assessment completed in 2009 to define the renovation scope of work determined much of the existing infrastructure (windows, interior walls, ceilings, doors, finishes, plumbing, HVAC, fire alarm, and electrical) needed to be replaced. Architectural modifications to provide separate school and YMCA entrances plus structural repairs have impacted the overall budget. Lastly, unforeseen stormwater regulatory requirements have impacted the Sitework scope.

The current budget of \$1,300,000 for the addition at Creekside Elementary School was funded from the 2009 COPS funds. These funds supplemented the addition project at this school when the overall construction estimate exceeded the 2007 Bond funds due to unplanned construction of a driveway required by the NCDOT. The project was rebid and the 2007 Bond project funds covered most of the driveway cost; a small portion was covered by the 2009 COPS funds.

<b>Project</b>	<b>Current Project Budget</b>	<b>Inc/Dec</b>	<b>Revised Project Budget</b>
Creekside Elementary School (SH154)	\$1,300,000	(\$1,039,780)	\$260,220
Lakewood Montessori MS/YMCA (SH153)	\$8,250,000	\$1,039,780	\$9,289,780

**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 approve Capital Project Amendment No. 10CPA000017 moving \$1,039,780 of available 2009 COPS funds from the Creekside Elementary School Addition Project to the Lakewood Montessori Middle School & YMCA Project, making its total budget \$9,289,780.

County Manager: *Richard M. Reppin*

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	Motion	Yes	No
( ) Approved	Bowser	_____	_____
( ) Denied	Heron	_____	_____
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**DURHAM COUNTY, NORTH CAROLINA**  
**2010 - 2011 Capital Project Ordinance**  
**Amendment Number 11CPA000004**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-11 capital project ordinance is hereby amended to reflect budget adjustments for the following projects.

<b>Expenditures</b>	<b>Current Budget</b>	<b>Inc./Dec.</b>	<b>Revised Budget</b>
Creekside Elementary School (SH154)	\$1,300,000	(\$1,039,780)	\$260,220
Lakewood Montessori MS/YMCA (SH153)	\$8,250,000	\$1,039,780	\$9,289,780

Adopted this the 25<sup>th</sup> day of October, 2010.



9j

**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Budget Ordinance Amendment No. 11BCC000024 – Social Services to Recognize Crisis Intervention Program (CIP) Revenue in the amount of \$434,329**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Department of Social Services requests its budget be amended to recognize additional revenue subsequent to adoption of the FY2010-2011 budget. The revenue represents a funding change in the following program:

**Crisis Intervention Payments (CIP):** The Crisis Intervention Program (CIP) is a federally funded program that provides assistance to low-income households that are in a heating or cooling related emergency. The goal of the CIP program is to help families stay warm in the winter and cool in the summer. The department recognizes \$434,329 which is the difference between the adopted budget and the actual allocation. Attached is a copy of the funding authorization.

**RESOURCE PERSONS:** Antonia Pedroza, Assistant Director.

**COUNTY MANAGER'S RECOMMENDATION:** The County Manager recommends the Commissioners approve Budget Amendment No. 11BCC000024 in the amount of \$434,329 in additional funds.

County Manager: *Richard M. Rappin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
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**Durham County, North Carolina**  
**2010-2011 Budget Ordinance**  
**Amendment Number 11BCC000024**

**Revised**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

<b>Revenue</b>			
<b>Category</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
<b>GENERAL FUND</b>			
Intergovernmental	\$73,037,301	\$434,329	\$73,471,630

<b>Expenditures</b>			
<b>Function</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
<b>GENERAL FUND</b>			
Human Services	\$106,220,525	\$434,329	\$106,654,854

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

Approved October 25, 2010



**DIVISION OF SOCIAL SERVICES**

**FUNDING SOURCE: CRISIS INTERVENTION PAYMENT**

**EFFECTIVE DATE: 07/01/2010**

**AUTHORIZATION NUMBER: 3**

**ALLOCATION PERIOD**

**FROM JUNE 2010 THRU MAY 2011 SERVICE MONTHS**

**FROM JULY 2010 THRU JUNE 2011 PAYMENT MONTHS**

Co. No.	COUNTY	Initial Allocation		Additional Allocation		Grand Total Allocation	
		Federal	Total	Federal	Total	Federal	Total
01	ALAMANCE	297,519	297,519	216,655	216,655	514,174	514,174
02	ALEXANDER	71,610	71,610	52,147	52,147	123,757	123,757
03	ALLEGHANY	27,179	27,179	19,792	19,792	46,971	46,971
04	ANSON	91,590	91,590	66,697	66,697	158,287	158,287
05	ASHE	60,734	60,734	44,227	44,227	104,961	104,961
06	AVERY	38,956	38,956	28,368	28,368	67,324	67,324
07	BEAUFORT	129,801	129,801	94,522	94,522	224,323	224,323
08	BERTIE	87,148	87,148	63,462	63,462	150,610	150,610
09	BLADEN	123,752	123,752	90,117	90,117	213,869	213,869
10	BRUNSWICK	202,065	202,065	147,145	147,145	349,210	349,210
11	BUNCOMBE	496,321	496,321	361,424	361,424	857,745	857,745
12	BURKE	209,812	209,812	152,786	152,786	362,598	362,598
13	CABARRUS	298,306	298,306	217,228	217,228	515,534	515,534
14	CALDWELL	200,998	200,998	146,368	146,368	347,366	347,366
15	CAMDEN	12,889	12,889	9,386	9,386	22,275	22,275
16	CARTERET	115,045	115,045	83,776	83,776	198,821	198,821
17	CASWELL	69,026	69,026	50,265	50,265	119,291	119,291
18	CATAWBA	332,427	332,427	242,075	242,075	574,502	574,502
19	CHATHAM	93,304	93,304	67,944	67,944	161,248	161,248
20	CHEROKEE	68,209	68,209	49,670	49,670	117,879	117,879
21	CHOWAN	46,870	46,870	34,131	34,131	81,001	81,001
22	CLAY	26,650	26,650	19,406	19,406	46,056	46,056
23	CLEVELAND	317,516	317,516	231,217	231,217	548,733	548,733
24	COLUMBUS	188,888	188,888	137,549	137,549	326,437	326,437
25	CRAVEN	206,684	206,684	150,508	150,508	357,192	357,192
26	CUMBERLAND	842,856	842,856	613,773	613,773	1,456,629	1,456,629
27	CURRITUCK	35,298	35,298	25,704	25,704	61,002	61,002
28	DARE	43,204	43,204	31,462	31,462	74,666	74,666
29	DAVIDSON	390,909	390,909	284,662	284,662	675,571	675,571
30	DAVIE	61,637	61,637	44,884	44,884	106,521	106,521
31	DUPLIN	148,182	148,182	107,907	107,907	256,089	256,089
*32	DURHAM	581,916	581,916	423,755	423,755	1,005,671	1,005,671
33	EDGECOMBE	221,240	221,240	161,109	161,109	382,349	382,349
34	FORSYTH	706,314	706,314	514,342	514,342	1,220,656	1,220,656
35	FRANKLIN	132,797	132,797	96,703	96,703	229,500	229,500
36	GASTON	520,476	520,476	379,014	379,014	899,490	899,490
37	GATES	27,756	27,756	20,212	20,212	47,968	47,968
38	GRAHAM	25,618	25,618	18,656	18,656	44,274	44,274
39	GRANVILLE	105,300	105,300	76,680	76,680	181,980	181,980
40	GREENE	66,158	66,158	48,177	48,177	114,335	114,335
41	GUILFORD	1,131,580	1,131,580	824,022	824,022	1,955,602	1,955,602
42	HALIFAX	258,960	258,960	188,576	188,576	447,536	447,536
43	HARNETT	270,223	270,223	196,778	196,778	467,001	467,001
44	HAYWOOD	133,709	133,709	97,368	97,368	231,077	231,077
45	HENDERSON	159,421	159,421	116,092	116,092	275,513	275,513
46	HERTFORD	93,812	93,812	68,314	68,314	162,126	162,126
47	HOKE	116,702	116,702	84,983	84,983	201,685	201,685

9k



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Budget Ordinance Amendment 11BCC000025 for the Department of Social Services Recognizing Additional Child Care Revenue in the amount of \$4,839,764**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Department of Social Services requests its budget be amended to recognize additional revenue subsequent to adoption of the FY2010-2011 budget. The revenue represents a funding change in the program described below:

**Child Care Funds:** The Department will receive an additional \$4,810,408 in child care subsidy provider payment funds (direct services) and \$29,356 in services support funds. Total funding for direct services is \$16,861,844 and total funding for services support is \$769,485 for a total combined funding of \$17,631,329. These funds are restricted for direct child care subsidy provider payments and services support. Funds will be expended in compliance with all state laws, rules, policies and procedures. The department recognizes \$4,839,764 which is the difference between the adopted budget and the actual allocation. Attached is a copy of the funding authorization.

**RESOURCE PERSONS:** Antonia V. Pedroza, Assistant Director.

**COUNTY MANAGER'S RECOMMENDATION:** The County Manager recommends that the Commissioners approve Budget Amendment No. 11BCC000025 in the amount of \$4,839,764 to recognize additional child care revenue.

County Manager: *Richard M. Reagin*

		Motion	Yes	No
( ) Approved	Bowser	_____	_____	_____
( ) Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
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**Durham County, North Carolina**  
**2010-2011 Budget Ordinance**  
**Amendment Number 11BCC000025**

**Revised**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

<b>Revenue</b>			
<b>Category</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
<b>GENERAL FUND</b>			
Intergovernmental	\$73,471,630	\$4,839,764	\$78,311,394

<b>Expenditures</b>			
<b>Function</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
<b>GENERAL FUND</b>			
Human Services	\$106,654,854	\$4,839,764	\$111,494,618

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

Approved October 25, 2010

Division of Child Dev. Child Care Funding Authorization September 15, 2010

County	Smart Start Direct Services Adjustments 09/15/10	Smart Start Services Support Adjustments 09/15/10	Total Smart Start Adjustments 09/15/10	Total Smart Start Direct Services 09/15/10	Total Smart Start Services Support 09/15/10	Total Smart Start 09/15/10	Non Smart Start Direct Services Adjustments 09/15/10	Non Smart Start Services Support Adjustments 09/15/10	Total Non Smart Start Adjustments 09/15/10	Total Non Smart Start Direct Services 09/15/10	Total Non Smart Start Services Support 09/15/10	Total Non Smart Start 09/15/10	Total Combined Direct Services	Total Combined Funding Services Support	Total Combined Funding Total
ALABAMA	\$0	\$0	\$0	\$207,162	\$20,083	\$227,225	\$0	\$0	\$227,225	\$0	\$0	\$227,225	\$5,827,171	\$302,045	\$6,085,356
ALEXANDER	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ALLEGANY	\$40,314	\$3,000	\$43,314	\$37,000	\$3,000	\$40,000	\$0	\$0	\$40,000	\$0	\$0	\$40,000	\$1,125,130	\$85,000	\$1,210,130
ANSON	\$0	\$0	\$0	\$45,371	\$3,000	\$48,371	\$0	\$0	\$48,371	\$0	\$0	\$48,371	\$484,458	\$83,000	\$567,458
ASHE	\$60,308	\$0	\$60,308	\$138,387	\$0	\$138,387	\$0	\$0	\$138,387	\$0	\$0	\$138,387	\$1,004,683	\$80,000	\$1,084,683
AVERY	\$223,335	\$0	\$223,335	\$300,956	\$0	\$300,956	\$0	\$0	\$300,956	\$0	\$0	\$300,956	\$1,353,717	\$80,000	\$1,433,717
BEAUFORT	\$105,878	\$23,750	\$129,628	\$34,591	\$3,008	\$37,599	\$0	\$0	\$37,599	\$0	\$0	\$37,599	\$474,683	\$80,000	\$554,683
BLADEN	\$429,008	\$0	\$429,008	\$619,110	\$32,500	\$651,618	\$0	\$0	\$651,618	\$0	\$0	\$651,618	\$2,191,164	\$104,035	\$2,295,199
BRUNSWICK	\$782,146	\$0	\$782,146	\$939,000	\$0	\$939,000	\$0	\$0	\$939,000	\$0	\$0	\$939,000	\$1,468,781	\$83,008	\$1,551,789
BURKE	\$0	\$0	\$0	\$768,801	\$0	\$768,801	\$0	\$0	\$768,801	\$0	\$0	\$768,801	\$4,871,930	\$5,271,325	\$10,143,255
CABARRUS	\$0	\$0	\$0	\$198,303	\$35,000	\$233,303	\$0	\$0	\$233,303	\$0	\$0	\$233,303	\$9,985,533	\$10,493,721	\$20,479,254
CALDWELL	\$0	\$0	\$0	\$178,753	\$0	\$178,753	\$0	\$0	\$178,753	\$0	\$0	\$178,753	\$2,378,095	\$3,028,505	\$5,406,600
CARTERET	\$0	\$0	\$0	\$0	\$659	\$659	\$0	\$0	\$659	\$0	\$0	\$659	\$5,996,001	\$5,996,001	\$11,992,002
CASWELL	\$72,607	\$0	\$72,607	\$101,643	\$0	\$101,643	\$0	\$0	\$101,643	\$0	\$0	\$101,643	\$3,066,504	\$3,101,267	\$6,167,771
CATAWBA	\$52,092	\$137,058	\$189,150	\$151,245	\$185,183	\$336,428	\$0	\$0	\$336,428	\$0	\$0	\$336,428	\$1,181,835	\$1,181,835	\$2,548,663
CHATHAM	\$214,356	\$0	\$214,356	\$296,304	\$0	\$296,304	\$0	\$0	\$296,304	\$0	\$0	\$296,304	\$1,992,560	\$2,002,766	\$4,000,000
CHEROKEE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$795,752	\$80,000	\$875,752
CHowan	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,720,079	\$48,280	\$5,768,359
CLAY	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,453,397	\$114,284	\$2,567,681
CLEVELAND	\$0	\$0	\$0	\$186,534	\$33,644	\$220,178	\$0	\$0	\$220,178	\$0	\$0	\$220,178	\$727,869	\$80,000	\$807,869
COLUMBUS	\$214,096	\$295,724	\$509,820	\$381,913	\$30,233	\$412,146	\$0	\$0	\$412,146	\$0	\$0	\$412,146	\$3,997,741	\$228,411	\$4,226,152
GRAVEN	\$0	\$0	\$0	\$501,674	\$0	\$501,674	\$0	\$0	\$501,674	\$0	\$0	\$501,674	\$2,854,928	\$1,566,288	\$4,421,216
CUMBERLAND	\$0	\$0	\$0	\$847,997	\$68,215	\$916,212	\$0	\$0	\$916,212	\$0	\$0	\$916,212	\$5,616,719	\$2,894,555	\$8,511,274
CURRITUCK	\$0	\$0	\$0	\$28,003	\$2,435	\$30,438	\$0	\$0	\$30,438	\$0	\$0	\$30,438	\$16,308,834	\$793,238	\$17,102,073
DARE	\$119,597	\$28,001	\$147,598	\$160,415	\$38,406	\$198,821	\$0	\$0	\$198,821	\$0	\$0	\$198,821	\$761,215	\$82,435	\$843,650
DAVISON	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,337,520	\$1,418,335	\$2,755,855
DAVIE	\$0	\$0	\$0	\$165,938	\$0	\$165,938	\$0	\$0	\$165,938	\$0	\$0	\$165,938	\$5,994,417	\$2,988,115	\$8,982,532
DUPLIN	\$281,873	\$98,073	\$380,000	\$384,545	\$46,831	\$431,376	\$0	\$0	\$431,376	\$0	\$0	\$431,376	\$3,359,770	\$80,000	\$3,439,770
DURHAM	\$0	\$0	\$0	\$0	\$25,812	\$25,812	\$0	\$0	\$25,812	\$0	\$0	\$25,812	\$16,861,844	\$3,283,275	\$20,145,119
EDGECOMBE	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$17,681,844	\$1,645,597	\$19,327,441
FORSYTH	\$0	\$0	\$0	\$71,303	\$8,468	\$79,771	\$0	\$0	\$79,771	\$0	\$0	\$79,771	\$2,830,137	\$2,861,184	\$5,691,321
FRANKLIN	\$0	\$0	\$0	\$400,404	\$100,000	\$500,404	\$0	\$0	\$500,404	\$0	\$0	\$500,404	\$14,381,435	\$13,741,034	\$28,125,469
GASTON	\$319,182	\$81,222	\$400,404	\$16,114	\$0	\$16,114	\$0	\$0	\$16,114	\$0	\$0	\$16,114	\$2,281,310	\$111,202	\$2,392,512
GATES	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,100,825	\$499,103	\$5,599,928
GRAHAM	\$0	\$0	\$0	\$84,857	\$7,578	\$92,435	\$0	\$0	\$92,435	\$0	\$0	\$92,435	\$434,116	\$80,000	\$514,116
GRANVILLE	\$20,000	\$0	\$20,000	\$89,369	\$0	\$89,369	\$0	\$0	\$89,369	\$0	\$0	\$89,369	\$1,809,766	\$1,861,363	\$1,950,732
GREENE	\$1,122,712	\$72,750	\$1,195,462	\$1,491,651	\$100,000	\$1,591,651	\$0	\$0	\$1,591,651	\$0	\$0	\$1,591,651	\$959,692	\$80,000	\$1,039,692
HAUFORD	\$333,868	\$22,800	\$356,668	\$447,408	\$47,806	\$495,214	\$0	\$0	\$495,214	\$0	\$0	\$495,214	\$2,082,105	\$1,060,881	\$3,142,986
HARNETT	\$0	\$0	\$0	\$170,000	\$14,603	\$184,603	\$0	\$0	\$184,603	\$0	\$0	\$184,603	\$15,914	\$2,678,485	\$2,694,399
HAYWOOD	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,989,516	\$361,266	\$5,350,782
HENDERSON	\$333,457	\$55,295	\$388,752	\$472,163	\$13,727	\$485,890	\$0	\$0	\$485,890	\$0	\$0	\$485,890	\$3,873,866	\$4,165,148	\$8,039,014
HERTFORD	\$0	\$0	\$0	\$42,297	\$3,750	\$46,047	\$0	\$0	\$46,047	\$0	\$0	\$46,047	\$1,068,600	\$1,020,897	\$2,089,497
Hoke	\$0	\$0	\$0	\$49,492	\$11,956	\$61,448	\$0	\$0	\$61,448	\$0	\$0	\$61,448	\$83,750	\$83,750	\$167,500
HOYE	\$10,458	\$0	\$10,458	\$14,122	\$0	\$14,122	\$0	\$0	\$14,122	\$0	\$0	\$14,122	\$2,333,569	\$2,268,838	\$4,602,407
IREDELL	\$523,290	\$41,684	\$564,974	\$736,514	\$55,000	\$791,514	\$0	\$0	\$791,514	\$0	\$0	\$791,514	\$2,617,111	\$261,711	\$2,878,822
JACKSON	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,748,559	\$271,386	\$6,020,145
JOHNSTON	\$0	\$0	\$0	\$394,667	\$32,500	\$427,167	\$0	\$0	\$427,167	\$0	\$0	\$427,167	\$6,448,270	\$332,951	\$6,781,221
JONES	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$495,896	\$35,451	\$531,347
LEE	\$0	\$0	\$0	\$92,965	\$0	\$92,965	\$0	\$0	\$92,965	\$0	\$0	\$92,965	\$75,659	\$80,000	\$152,969
LENOIR	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,528,205	\$116,331	\$2,644,536
LINCOLN	\$185,270	\$55,895	\$241,165	\$280,000	\$70,000	\$350,000	\$0	\$0	\$350,000	\$0	\$0	\$350,000	\$2,608,935	\$135,907	\$2,744,842
Macon	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,836,764	\$2,013,341	\$3,850,105
MADISON	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$80,000	\$80,000	\$160,000
MARTIN	\$0	\$0	\$0	\$56,446	\$0	\$56,446	\$0	\$0	\$56,446	\$0	\$0	\$56,446	\$810,413	\$80,000	\$890,413
MCWELL	\$113,906	\$36,232	\$150,138	\$182,777	\$47,395	\$230,172	\$0	\$0	\$230,172	\$0	\$0	\$230,172	\$890,413	\$80,000	\$970,413
WELLS	\$5,157,919	\$185,000	\$5,342,919	\$6,980,122	\$250,000	\$7,230,122	\$0	\$0	\$7,230,122	\$0	\$0	\$7,230,122	\$1,737,324	\$1,060,881	\$2,800,000
MITCHELL	\$66,441	\$0	\$66,441	\$116,057	\$0	\$116,057	\$0	\$0	\$116,057	\$0	\$0	\$116,057	\$46,607,645	\$2,144,423	\$48,752,068
MONTGOMERY	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$57,165	\$80,000	\$137,165
				\$80,268	\$0	\$80,268			\$80,268			\$80,268	\$680,268	\$80,000	\$760,268

Division of Child Dev. Child Care Funding Authorization September 15, 2010

County	Smart Start Direct Services Adjustments 09/15/10	Smart Start Services Support Adjustments 09/15/10	Total Smart Start Adjustments 09/15/10	Total Smart Start Direct Services 09/15/10	Total Smart Start Services Support 09/15/10	Total Smart Start Adjustments 09/15/10	Total Smart Start Direct Services Adjustments 09/15/10	Total Smart Start Services Support Adjustments 09/15/10	Total Non Smart Start Direct Services 09/15/10	Total Non Smart Start Services Support 09/15/10	Total Non Smart Start Adjustments 09/15/10	Total Combined Direct Services 09/15/10	Total Combined Services Support 09/15/10	Total Combined Funding Services 09/15/10	Total Combined Funding Support 09/15/10	Total Combined Funding Allocation 09/15/10
MOORE	\$207,000	\$32,895	\$239,895	\$276,000	\$43,980	\$319,980	\$0	\$0	\$0	\$0	\$0	\$276,000	\$43,980	\$319,980	\$0	\$283,971
NASH	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
NEW HANOVER	\$559,686	\$0	\$559,686	\$747,812	\$23,912	\$771,724	\$0	\$0	\$2,511,248	\$149,413	\$2,513,759	\$2,513,759	\$149,413	\$2,663,172	\$184,542	\$2,847,714
NORTHAMPTON	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ORANGE	\$848,000	\$55,047	\$903,047	\$948,000	\$250,560	\$1,198,560	\$0	\$0	\$946,135	\$89,000	\$1,035,135	\$946,135	\$89,000	\$1,035,135	\$1,035,135	\$1,035,135
PAMLICO	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$4,132,871	\$193,790	\$4,326,661	\$4,132,871	\$193,790	\$4,326,661	\$4,326,661	\$4,326,661
PASQUOTANK	\$0	\$0	\$0	\$17,040	\$0	\$17,040	\$0	\$0	\$486,143	\$80,000	\$566,143	\$486,143	\$80,000	\$566,143	\$566,143	\$566,143
PENDER	\$187,999	\$34,784	\$222,783	\$271,419	\$6,732	\$278,151	\$0	\$0	\$1,734,470	\$80,000	\$1,814,470	\$1,734,470	\$80,000	\$1,814,470	\$1,814,470	\$1,814,470
PERQUIMANS	\$0	\$0	\$0	\$71,332	\$46,253	\$117,585	\$0	\$0	\$1,732,979	\$82,913	\$1,815,892	\$1,732,979	\$82,913	\$1,815,892	\$1,815,892	\$1,815,892
PERSON	\$137,500	\$15,000	\$152,500	\$219,000	\$20,000	\$239,000	\$0	\$0	\$351,306	\$80,000	\$431,306	\$351,306	\$80,000	\$431,306	\$431,306	\$431,306
PITT	\$0	\$0	\$0	\$175,336	\$0	\$175,336	\$0	\$0	\$1,303,975	\$337,317	\$1,641,292	\$1,303,975	\$337,317	\$1,641,292	\$1,641,292	\$1,641,292
ROCK	\$0	\$0	\$0	\$15,000	\$0	\$15,000	\$0	\$0	\$502,730	\$80,000	\$582,730	\$502,730	\$80,000	\$582,730	\$582,730	\$582,730
SANDHURST	\$0	\$0	\$0	\$206,823	\$28,750	\$235,573	\$0	\$0	\$5,245,769	\$251,872	\$5,497,641	\$5,245,769	\$251,872	\$5,497,641	\$5,497,641	\$5,497,641
ROBESON	\$0	\$0	\$0	\$88,000	\$0	\$88,000	\$0	\$0	\$2,020,740	\$97,836	\$2,118,576	\$2,020,740	\$97,836	\$2,118,576	\$2,118,576	\$2,118,576
ROCKINGHAM	\$0	\$0	\$0	\$128,636	\$11,186	\$139,822	\$0	\$0	\$7,189,602	\$343,007	\$7,532,609	\$7,189,602	\$343,007	\$7,532,609	\$7,532,609	\$7,532,609
ROWAN	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,958,295	\$151,085	\$3,109,380	\$2,958,295	\$151,085	\$3,109,380	\$3,109,380	\$3,109,380
RUTHERFORD	\$0	\$0	\$0	\$146,122	\$10,000	\$156,122	\$0	\$0	\$5,007,763	\$231,206	\$5,238,969	\$5,007,763	\$231,206	\$5,238,969	\$5,238,969	\$5,238,969
SAMPSON	\$0	\$0	\$0	\$70,297	\$6,009	\$76,306	\$0	\$0	\$4,776,577	\$237,206	\$4,993,783	\$4,776,577	\$237,206	\$4,993,783	\$4,993,783	\$4,993,783
SCOTLAND	\$148,455	\$12,000	\$160,455	\$201,590	\$16,000	\$217,590	\$0	\$0	\$2,614,519	\$127,951	\$2,742,470	\$2,614,519	\$127,951	\$2,742,470	\$2,742,470	\$2,742,470
STANLY	\$347,972	\$37,780	\$385,752	\$470,654	\$51,000	\$521,654	\$0	\$0	\$1,690,718	\$80,000	\$1,770,718	\$1,690,718	\$80,000	\$1,770,718	\$1,770,718	\$1,770,718
STOKES	\$0	\$0	\$0	\$79,574	\$8,444	\$88,018	\$0	\$0	\$2,187,322	\$104,370	\$2,291,692	\$2,187,322	\$104,370	\$2,291,692	\$2,291,692	\$2,291,692
SURRY	\$0	\$0	\$0	\$220,794	\$6,828	\$227,622	\$0	\$0	\$1,125,669	\$80,000	\$1,205,669	\$1,125,669	\$80,000	\$1,205,669	\$1,205,669	\$1,205,669
SWAIN	\$87,832	\$0	\$87,832	\$120,000	\$0	\$120,000	\$0	\$0	\$844,973	\$111,501	\$956,474	\$844,973	\$111,501	\$956,474	\$956,474	\$956,474
TRANSYLVANIA	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$113,302	\$80,000	\$193,302	\$113,302	\$80,000	\$193,302	\$193,302	\$193,302
TYRRELL	\$0	\$0	\$0	\$314,895	\$48,686	\$363,581	\$0	\$0	\$5,838,545	\$288,055	\$6,126,600	\$5,838,545	\$288,055	\$6,126,600	\$6,126,600	\$6,126,600
UNION	\$0	\$0	\$0	\$25,903	\$3,255	\$29,158	\$0	\$0	\$1,971,043	\$102,920	\$2,073,963	\$1,971,043	\$102,920	\$2,073,963	\$2,073,963	\$2,073,963
VANCE	\$0	\$0	\$0	\$7,414,433	\$82,225	\$7,496,658	\$0	\$0	\$31,066,693	\$1,416,098	\$32,482,791	\$31,066,693	\$1,416,098	\$32,482,791	\$32,482,791	\$32,482,791
WARREN	\$113,932	\$7,800	\$121,732	\$152,702	\$10,400	\$163,102	\$0	\$0	\$931,573	\$80,000	\$1,011,573	\$931,573	\$80,000	\$1,011,573	\$1,011,573	\$1,011,573
WASHINGTON	\$111,375	\$0	\$111,375	\$147,999	\$0	\$147,999	\$0	\$0	\$626,274	\$80,000	\$706,274	\$626,274	\$80,000	\$706,274	\$706,274	\$706,274
WATAUGA	\$53,800	\$52,300	\$106,100	\$95,778	\$42,300	\$138,078	\$0	\$0	\$888,274	\$80,000	\$968,274	\$888,274	\$80,000	\$968,274	\$968,274	\$968,274
WAYNE	\$410,705	\$51,672	\$462,377	\$715,848	\$17,250	\$733,098	\$0	\$0	\$4,325,534	\$223,028	\$4,548,562	\$4,325,534	\$223,028	\$4,548,562	\$4,548,562	\$4,548,562
WILKES	\$0	\$0	\$0	\$95,778	\$0	\$95,778	\$0	\$0	\$1,950,920	\$80,000	\$2,030,920	\$1,950,920	\$80,000	\$2,030,920	\$2,030,920	\$2,030,920
WILSON	\$0	\$0	\$0	\$95,778	\$44,602	\$140,380	\$0	\$0	\$4,308,406	\$206,111	\$4,514,517	\$4,308,406	\$206,111	\$4,514,517	\$4,514,517	\$4,514,517
YADKIN	\$0	\$0	\$0	\$62,310	\$14,400	\$76,710	\$0	\$0	\$93,840	\$80,000	\$173,840	\$93,840	\$80,000	\$173,840	\$173,840	\$173,840
YAMHOUB	\$25,093	\$0	\$25,093	\$39,446	\$0	\$39,446	\$0	\$0	\$53,042	\$80,000	\$133,042	\$39,446	\$80,000	\$119,446	\$133,042	\$133,042
SOUTHWESTERN	\$0	\$0	\$0	\$224,383	\$17,951	\$242,334	\$0	\$0	\$9,141,721	\$535,624	\$9,677,345	\$9,141,721	\$535,624	\$9,677,345	\$9,677,345	\$9,677,345
Total	\$14,896,040	\$941,855	\$15,837,895	\$34,425,000	\$2,523,865	\$36,948,865	\$0	\$0	\$368,673,267	\$19,656,787	\$388,330,054	\$368,673,267	\$19,656,787	\$388,330,054	\$388,330,054	\$388,330,054

Total Non-Smart Start funding includes funding from the following sources: CDDF, SSBG, TANF, and state appropriations.

Challenges incurred and expenditures made under this table will be subject to limitations published by Federal and State Agencies as to the availability of funds.

AUTHORIZED SIGNATURES

*Deborah J. Cassidy, Ph.D.*  
Deborah J. Cassidy Ph.D., Director  
Division of Child Development

*Shari Bryant*  
Shari Bryant, Budget Officer  
Division of Child Development

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**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Budget Ordinance Amendment No. 11BCC000026 – Recognizing US Department Of Housing and Urban Development 2009 McKinney-Vento Homeless Assistance Program Grant Award & Appropriating \$306,717 To The Mental Health Budget**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Durham Center requests that the fiscal year 10-11 Mental Health budget be increased by \$306,717. The Durham Center was recently awarded a grant by the U.S. Department of Housing and Urban Development for the 2009 McKinney-Vento Homeless Assistance Program (HAP). The HAP will improve the lives of homeless men, women, and children through local planning efforts, direct housing, and service programs.

Embrace Durham plans to provide rental assistance and supportive services to help seven families headed by an adult with a disability with children move from homelessness to permanent affordable rental housing scattered throughout residential neighborhoods over a 2 year period. In this project, families will receive crisis intervention, needs assessment, housing resources, and intensive case management services. Support services will be provided as it relates to placing families in permanent housing-to include assistance with application fees, housing deposits, utility deposits, rental assistance, small furnishing, cookware, bed linens, and towels as when families experience an episode of homelessness often times they have nothing at all to move into housing, making it nearly impossible and unlivable especially when there are small children involved.

This project methodology is designed to integrate housing, treatment, and services to promote a holistic approach to move families toward economic and social self sufficiency. Once a family moves into housing, the case manager will help each family set and monitor progress towards goals, improve decision-making skills, make community connections, and provide crisis intervention.

This increase was approved by The Durham Center Area Board on October 7, 2010.

**RESOURCE PERSONS:** Ellen Holliman, Area Director

**COUNTY MANAGER’S RECOMMENDATION:** The County Manager recommends that the Board recognize the HUD grant award and approve Budget Ordinance Amendment No. 11BCC000026 appropriating \$306,717 of HUD grant funds to the Mental Health budget.

County Manager: *Richard M. Rappin*

	Motion	Yes	No
( ) Approved	Bowser	_____	_____
( ) Denied	Heron	_____	_____
	Howerton	_____	_____
	Page	_____	_____
	Reckhow	_____	_____

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**Durham County, North Carolina**  
**2010-2011 Budget Ordinance**  
**Amendment Number 11BCC000026**

**Revised**

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY:

That the 2010-2011 budget ordinance is hereby amended to reflect budget adjustments.

<b>Revenue</b>			
<b>Category</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
<b>GENERAL FUND</b>			
Intergovernmental	\$78,311,394	\$306,717	\$78,618,111

<b>Expenditures</b>			
<b>Function</b>	<b>Current Budget</b>	<b>Increase/Decrease</b>	<b>Revised Budget</b>
<b>GENERAL FUND</b>			
Human Services	\$111,494,618	\$306,717	\$111,801,335

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

Approved October 25, 2010

9m



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Execution of the Sound Masking System Installation Contract for the New Durham County Human Services Building. Project No.: DC070, IFB No: 11-006**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Board is hereby requested to authorize the County Manager to enter into a contract with Archoustics, LLC. for the sound masking system installation at the Durham County Human Services (DCHS) building located at 414 East Main St. Durham, North Carolina in the amount of \$94,000.00 (Base Bid only), and to execute any other related contracts including change orders, if necessary, not to exceed the project budget of \$103,000.00 (See Attachment 1, Page 1 - 4).

Solicitation for bids for the DCHS building sound masking system was advertised on August 27, 2010. A public opening and reading of bids was held on September 28, 2010. Three (3) bids were received with Archoustics, LLC submitting the lowest base price in the amount of \$94,000.00 (Base Bid Only). The basis of design for the sound masking system provides adherence to the Health Information Protection Act (HIPA) which is designed to improve the privacy of people's health information while ensuring adequate sharing of information is possible to provide health services. Development of the Act started in 1997 and was proclaimed in force by September 1, 2003. New regulations created under the authority of this Act called the Health Information Protection Regulations came into force on July 22, 2005. The installation of this system will minimize sound transmission between offices/workstations in areas within the facility where vocal interaction is required between staff and patients.

Durham County established the following goals for the expenditure of funds with M/WBEs:

Ethnicity/Race/Gender Industry	African American	Asian American	Hispanic American	Native American	Women-Owned
Goods/Supplies	N/A	N/A	N/A	N/A	12.05%

In review of the M/WBE participation, there were no participation goals achieved on this project. Archoustics, LLC will be utilizing their own workforce to provide the goods/supplies for this project, and they have provided a responsive bid.

The Engineering Department has reviewed the bid proposals with the Purchasing Department and The Freelon Group Architects, P.A., and recommends that the County proceed with base bid work and award the contract to Archoustics, LLC. Funding for this project is available in the Durham County Human Services Capital Project account. Completion of this project would provide the installation of a sound masking system in the facility. This will provide adherence to the current HIPA guidelines which improves privacy and allows adequate sharing of information between staff and clients within the facility. The construction of Phase I of the DCHS Building is currently scheduled for substantial completion in January 2011 and the Phase II in April 2012.

**RESOURCE PERSONS:** Glen Whisler, P.E., County Engineer; Ademola Shobande, Assoc. AIA, Sr. Project Manager, Peri Manns, ASLA, Project Manager Engineering Department; Pamela Gales, Assistant Purchasing Manager and Zena Howard, AIA, The Freelon Group Architects, P.A.

**COUNTY MANAGER'S RECOMMENDATION:** The County Manager recommends that the Board authorize the execution of a contract with Archoustics, LLC. for the sound masking system installation at the Durham County Human Services (DCHS) building in the amount \$94,000.00 (Base Bid Only) and to execute any other related contracts including change orders, if necessary, not to exceed the project budget of \$103,000.00.

County Manager: *Richard M. Reppin*

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		Motion	Yes	No
( ) Approved	Bowser	_____	_____	_____
( ) Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
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# FRELON

October 07, 2010

Glen Whisler  
County Engineer  
120 E. Parrish St., 1<sup>st</sup> Floor  
Durham, NC 27701-3809

RE: Durham County Human Services Complex  
Sound Masking Bid Recommendation

Mr. Whisler:

We have reviewed all Sound Masking bids received on September 28, 2010 with our acoustical designer, The Sextant Group, and offer the following recommendation:

We recommend that the County award the bid to Archoustics LLC based upon their bid dated September 27, 2010. The bid offered by Archoustics, LLC is the apparent low bidder and represents the product used as a basis of design on the Human Services project. The Archoustics bid is in line with the expected costs and we see no reason in their proposal to question their ability to successfully complete the job.

If there is any additional information we can provide or questions we can answer, please do not hesitate to ask.

Sincerely,

**THE FREELON GROUP, INC.**



C. Todd Case, AIA, LEED® AP  
Project Architect

### Acoustical Contractors

Company Name	Archoustics, LLC	Lencore Acoustics Corp.	Premier Office Acoustics
Location (City/State)	Charlotte, North Carolina	Woodbury, New York	Duluth, Georgia
Bid Form	Yes	No	Yes
Non Collusion Affidavit	Yes	No	Yes
Bid Deposit	Yes	No	No
M/WBE Appendices	Yes	No	No
Vendor Application/Bidder's Profile	Yes	No	Yes
Addendum #1 (Acknowledgement)	Yes	No	Yes
No Bid/Reply Form	N/A	N/A	N/A
Base Bid: (Item 1)	\$94,000.00	\$121,956.70	\$544,500.00

The Freelon Group, P.A.

Design Consultant



I certify that the above is a true and accurate tabulation of the bids received and opened at 2:00 p.m. on September 28, 2010

## BID PROPOSAL FORM

### Sound Masking System for Durham County Human Services (IFB No. 11-006)

The County of Durham invites your sealed bid for the South Masking System for Durham County Human Services (IFB No. 11- 006) to be opened at 2:00 P.M., on September 28, 2010, in the Purchasing Division, Durham County Administrative Complex, 4th Floor, 200 East Main Street, Durham, North Carolina 27701.

In accordance with the attached Instructions to Bidders and Specifications, we submit the following bid to the County of Durham.

**BIDDERS NAME:** Archoustics, LLC

#### BASE BID PROPOSAL

The undersigned, as Bidder, hereby declares that the only person or persons interested in this Bid Proposal as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this Bid Proposal or in the Contract to be entered into; that this Bid Proposal is made without connection with any other person, company or parties making a Bid or Proposal; and that it is in all respects fair and in good faith without collusion or fraud.

The Bidder further declares that he has examined the site of the work and informed himself fully in regard to all conditions pertaining to the place where the work is to be done; that he has examined the specifications for the work and the Contract Documents relative thereto, including Addenda, if any, and has read all special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed.

The Bidder proposes and agrees if this Bid Proposal is accepted to contract with the County of Durham with a definite understanding that no money will be allowed for extra work except as set forth in the General Conditions and Contract Documents, for the sum of:

**BASE BID: Dollars** (\$ 94,000.00 )

**In words** ninety-four thousand dollars

Accompanying this Proposal is a Bid Deposit for \$ 4,700, which may take the form of cash, a cashier's check, or a certified check on some bank or trust company insured by the Federal Deposit Insurance Corporation, or a bond and must be in an amount equal to not less than five percent (5%) of the bid. **Each bid/contract requires a separate Bid Deposit.** The bond must be "executed by a corporate surety licensed under the laws of North Carolina to execute such bonds, conditioned that the surety will upon demand forthwith make payment to the obligee upon said bond if the bidder fails to execute the Contract in accordance with the Bid Bond, and

upon failure to forthwith make payment to the surety shall pay to the obligee an amount equal to the amount of said bond" G.S. 143-129). Power of Attorney must accompany Bond. Bid Deposit of unsuccessful bidders will be returned as soon as the Contract is awarded.

The Bidder further proposes and agrees hereby to commence work under his Contract on a date to be specified in a written order of Durham County and shall fully complete all installation work there under within ten (10) consecutive calendar days. Applicable liquidated damages shall be as stated in General Conditions.

I certify that no one knows the contents of this bid outside the undersigned, and to the best of my knowledge all requirements have been complied with.

Date September 27, 2010

Authorized  
Signature *Kristin Johnson*

Archoustics, LLC  
Name of Company

Address  
605 Phillip Davis Drive, Suite 5

Charlotte, NC 28217

Phone No. 704-525-2024

Fax No.: 704-525-2040



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Execution of the Signage Installation Contract for the New Durham County Human Services Project Building. Project No.: DC070, IFB No: 11-007**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Board is hereby requested to authorize the County Manager to enter into a contract with EMG Graphic Systems, Inc. (EMG) for the signage installation at the Durham County Human Services (DCHS) building located at 414 East Main St. Durham, North Carolina in the amount of \$206,051.00 (Base Bid only), and to execute any other related contracts including change orders, if necessary, not to exceed the project budget of \$226,000.00 (See Attachment 1, Page 1 - 7).

Solicitation for bids for the DCHS building signage installation was advertised on August 27, 2010. A public opening and reading of bids was held on October 7, 2010. Ten (10) bids were received with EMG submitting the lowest base price in the amount of \$206,051.00 (Base Bid Only). The design concept for the building signage is to integrate into the building architecture and develop a user way finding interface. This was achieved by developing signage design solutions that are based upon and aligned to the building modular system and by creating an intuitive and legible system that provides the necessary information in a consistent manner so that the user may rely upon it to find their way. The signage package installation will improve way finding for the public/clients utilizing the facility. This is critical to the operation to the facility as three agencies including Public Health, The Durham Center and Social Services will occupy the facility upon construction completion. Typical signage in this package will include but is not limited to; building directories, restroom markers, room plates, elevator directory plates, destination markers and information/directional signage.

Durham County established the following goals for the expenditure of funds with M/WBEs:

Ethnicity/Race/Gender Industry	African American	Asian American	Hispanic American	Native American	Women-Owned
Goods/Supplies	N/A	N/A	N/A	N/A	12.05%

In review of the M/WBE participation for this project, EMG Graphic Systems, Inc. will be utilizing 5% Woman-Owned (WBE) for goods/supplies on this project, and they have provided a responsive bid.

The Engineering Department has reviewed the bid proposals with the Purchasing Department and The Freelon Group Architects, P.A., and recommends that the County proceed with base bid work and award the contract to EMG. Funding for this project is available in the Durham County Human Services Capital Project account. Completion of this portion of the project will improve way finding for the public/clients utilizing the facility. The construction of Phase I of the DCHS

Building is currently scheduled for substantial completion in January 2011 and the Phase II in April 2012.

**RESOURCE PERSONS:** Glen Whisler, P.E., County Engineer; Ademola Shobande, Assoc. AIA, Sr. Project Manager, Peri Manns, ASLA, Project Manager Engineering Department; Pamela Gales, Assistant Purchasing Manager and Zena Howard, AIA, The Freelon Group Architects, P.A.

**COUNTY MANAGER'S RECOMMENDATION:** The County Manager recommends that the Board authorize the execution of a contract with EMG Graphic Systems, Inc. for the signage installation at the Durham County Human Services (DCHS) building in the amount \$206,051.00 (Base Bid Only), and to execute any other related contracts including change orders, if necessary, not to exceed the project budget of \$226,000.00.

County Manager: *Richard M. Reppin*

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	Motion	Yes	No
( ) Approved	Bowser	_____	_____
( ) Denied	Heron	_____	_____
	Howerton	_____	_____
	Page	_____	_____
	Reckhow	_____	_____

# FREELON

October 13, 2010

Glen Whisler  
County Engineer  
120 E. Parrish St., 1<sup>st</sup> Floor  
Durham, NC 27701-3809

RE: Durham County Human Services Complex  
Project Signage Bid Recommendation

Mr. Whisler:

We have reviewed all Signage bids received on October 07, 2010 with our signage designer, The Design Made, and offer the following recommendation:

We recommend that the County award the bid to EMG Graphics Systems, Inc. based upon their bid received October 07, 2010. EMG Graphics Systems is deemed to be the lowest responsible bidder on the project and their bid is in line with the expected costs. We see no reason in their proposal to question their ability to successfully complete the job.

If there is any additional information we can provide or questions we can answer, please do not hesitate to ask.

Sincerely,

**THE FREELON GROUP, INC.**



C. Todd Case, AIA, LEED® AP  
Project Architect

# Signage Contractors

Company Name	ADA - Adelpia Graphic Systems	Archer Sign	Architectural Graphics	Architectural Signing	Atlanta Creative Graphics	ASI Modulex Signs	Big Apple Visual Group
Location (City/State)			Virginia Beach, VA	Norcross, GA			New York, NY
Bid Form			Yes	Yes			Yes
Non Collusion Affidavit			Yes	Yes			Yes
Bid Deposit			Yes	Yes			Yes
Power of Attorney			N/A	Yes			Yes
M/WBE Appendices			Yes	Yes			Yes
Vendor Application/W-9 Form			Yes	Yes			Yes
Addendums # 1-3 Acknowledgement			Yes	Yes			Yes
No Bid/Proposal Reply Form			N/A	N/A			N/A
<b>Base Bid: (Item 1)</b>			<b>\$243,121.00</b>	<b>\$235,286.20</b>			<b>\$267,643.00</b>
<b>TOTAL</b>			<b>\$243,121.00</b>	<b>\$235,286.20</b>			<b>\$267,643.00</b>

I certify that the above is a true and accurate tabulation of the bids received and opened at 2:00 p.m. on October 7, 2010.

The Freelon Group, P.A.  
 Design Consultant

Signature

# Signage Contractors

Company Name	DeNyse Co.	EMG Graphic Systems	Encore Signs	Geograph Industries, Inc.	Henry Graphics, Inc.	J.S. Mention Corporation	L & H Signs
Location (City/State)	Douglasville, GA	Tulsa, OK			Buford, GA		
Bid Form	Yes	Yes			Yes		
Non Collusion Affidavit	Yes	Yes			Yes		
Bid Deposit	Yes	Yes			Yes		
Power of Attorney	N/A	Yes			Yes		
M/WBE Appendices	Yes	Yes			Yes		
Vendor Application/W-9 Form	Yes	Yes			No		
Addendums # 1-3 Acknowledgement	Yes	Yes			Yes		
No Bid/Proposal Reply Form	N/A	N/A			N/A		
<b>Base Bid: (Item 1)</b>	<b>\$313,308.00</b>	<b>\$206,051.00</b>			<b>\$236,641.00</b>		
<b>TOTAL</b>	<b>\$313,308.00</b>	<b>\$206,051.00</b>			<b>\$236,641.00</b>		

I certify that the above is a true and accurate tabulation of the bids received and opened at 2:00 p.m. on October 7, 2010.

The Freelon Group, P.A.  
 Design Consultant  
  
 Signature

# Signage Contractors

Company Name	Poblocki Sign Company, LLC	Presidio Networked	RiteLite Signs, Inc.	Rodney's Custom Cut Signs	RTP Sign & Graphics	Signage Industries	Sign Art
Location (City/State)			Concord, NC	Holly Springs, NC			
Bid Form			Yes	Yes			
Non Collusion Affidavit			Yes	Yes			
Bid Deposit			Yes	Yes			
Power of Attorney			Yes	Yes			
M/WBE Appendices			Yes	Yes			
Vendor Application/W-9 Form			Yes	Yes			
Addendums # 1-3 Acknowledgement			Yes	Yes			
No Bid/Proposal Reply Form			N/A	N/A			
<b>Base Bid: (Item 1)</b>			<b>\$444,791.00</b>	<b>698,640.75</b>			
<b>TOTAL</b>			<b>\$444,791.00</b>	<b>698,640.75</b>			

I certify that the above is a true and accurate tabulation of the bids received and opened at 2:00 p.m. on October 7, 2010.

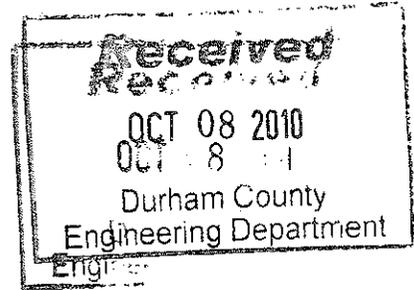
The Freelon Group, P.A.  
 Design Consultant

Signature



Addendum No. 3

**REVISED**



**BID PROPOSAL FORM**

**Signage for Durham County Human Services  
(IFB No. 11-007)**

In accordance with the attached Instructions to Bidders and Specifications, we submit the following bid to the County of Durham.

**BIDDERS NAME:** EMG Graphic Systems, Inc.

The undersigned, as Bidder, hereby declares that the only person or persons interested in this Bid Proposal as principal or principals is or are named herein and that no other person than herein mentioned has any interest in this Bid Proposal or in the Contract to be entered into; that this Bid Proposal is made without connection with any other person, company or parties making a Bid or Proposal; and that it is in all respects fair and in good faith without collusion or fraud.

The Bidder further declares that he has examined the site of the work and informed himself fully in regard to all conditions pertaining to the place where the work is to be done; that he has examined the specifications for the work and the Contract Documents relative thereto, including Addenda, if any, and has read all special provisions furnished prior to the opening of bids; that he has satisfied himself relative to the work to be performed.

The Bidder proposes and agrees if this Bid Proposal is accepted to contract with the County of Durham with a definite understanding that no money will be allowed for extra work except as set forth in the General Conditions and Contract Documents, for the sum of:

**BASE BID: Dollars (\$ 206,051.00 )**

**In words Two Hundred Six Thousand Fifty-One Dollars\*\*\*\*\***

**Bid Breakout 1:** Of the Total Base Bid (above) provide the sum of all costs associated with Sign Type B – Staff Facing Signs [*again, this cost is included in the Base Bid amount above*].

**Dollars (\$ 2,044.00 ) Type B4**

**In words Two Thousand Forty-Four Dollars\*\*\*\*\***

**Bid Breakout 2:** Of the Total Base Bid (above) provide the sum of all costs associated with the Temporary Phase 1 Occupancy Signs, which were issued as a package with Addendum 1 [*again, this cost is included in the Base Bid amount above*].

Dollars (\$ 1,320.00 )

In words One Thousand Three Hundred Twenty Dollars\*\*\*\*\*

Accompanying this Bid is a Bid Deposit for \$ 10,302.55 , which may take the form of cash, a cashier's check, or a certified check on some bank or trust company insured by the Federal Deposit Insurance Corporation, or a bond and must be in an amount equal to not less than five percent (5%) of the bid. The bond must be "executed by a corporate surety licensed under the laws of North Carolina to execute such bonds, conditioned that the surety will upon demand forthwith make payment to the obligee upon said bond if the bidder fails to execute the Contract in accordance with the Bid Bond, and upon failure to forthwith make payment to the surety shall pay to the obligee an amount equal to the amount of said bond" G.S. 143-129). Power of Attorney must accompany Bond. Bid Deposit of unsuccessful bidders will be returned as soon as the Contract is awarded.

I certify that no one knows the contents of this bid outside the undersigned, and to the best of my knowledge all requirements have been complied with.

Date October 6, 2010

Authorized  
Signature James L. Millpaugh

EMG Graphic Systems, Inc.

Name of Company

Address

1110 North Iroquois Avenue

Tulsa, Oklahoma 74106-5901

Phone No. (918) 835-5300

Fax No.: (866) 295-4383



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Board and Commission Appointment (CJPAAB)**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

By N.C. General Statutes, authority positions are required to serve on Criminal Justice Partnership Act Advisory Board (CJPAAB). The authority to make recommendations for these positions to the Board of County Commissioners lies with the person currently employed in the position named in the Statute. He/she can either nominate/herself or recommend a designee. The CJPAAB has requested that the following recommended designee be appointed to the council:

- Rickey Padgett—Sheriff or Designee

**RESOURCE PERSON(S):** Yvonne Jones, Deputy Clerk to the Board

**COUNTY MANAGER'S RECOMMENDATION:**

The County Manager recommends that the Board of County Commissioners vote to appoint a Sheriff or designee member to the above-mentioned Board.

County Manager: *Richard M. Ruffin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COMMISSIONERS  
Agenda Action Form**

**ITEM: Public Hearing - TC0900008 – Riparian Buffers**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

The Board is requested to conduct a public hearing and receive public comments on the Unified Development Ordinance (UDO) Text Change – Riparian Buffers (TC0900008); and to adopt an ordinance amending the Unified Development Ordinance, incorporating revisions to Article 3, Applications and Permits; Article 6, District Intensity Standards; Article 8, Environmental Protection; Article 15, Enforcement; and Article 16, Definitions.

**RESOURCE PERSON(S):** Steven L. Medlin, AICP, City-County Planning Director; Aaron Cain, AICP, Acting Planning Supervisor; Julia Mullen, Planner

**COUNTY MANAGER’S RECOMMENDATION:** The Manager recommends that the Board conduct a public hearing on the proposed UDO text change and, if appropriate based on the comments received during the hearing, approve the changes; and adopt an ordinance amending the UDO, incorporating the revisions.

County Manager: *Richard M. Reppin*

	Motion	Yes	No
( ) Approved			
( ) Denied			
Bowser	_____	_____	_____
Heron	_____	_____	_____
Howerton	_____	_____	_____
Page	_____	_____	_____
Reckhow	_____	_____	_____



**COUNTY OF DURHAM, NORTH CAROLINA  
BOARD OF COUNTY COMMISSIONERS  
Agenda Action Form**

**ITEM: Board and Commission Appointments**

**DATE OF BOCC MEETING: October 25, 2010**

**REQUEST FOR BOARD ACTION:**

Yvonne Jones, Deputy Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Animal Control Review Board
- Bicycle & Pedestrian Advisory Commission
- Citizens Advisory Committee
- Transportation Advisory Board
- Women's Commission

**RESOURCE PERSON(S):** Yvonne Jones, Deputy Clerk to the Board

**COUNTY MANAGER'S RECOMMENDATION:**

The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

County Manager: *Frank M. Reppin*

		Motion	Yes	No
<input type="checkbox"/> Approved	Bowser	_____	_____	_____
<input type="checkbox"/> Denied	Heron	_____	_____	_____
	Howerton	_____	_____	_____
	Page	_____	_____	_____
	Reckhow	_____	_____	_____