

REVISED
(added Item #10)

THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA

Monday, May 24, 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.

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.
 - Tomorrow, May 25th, the Durham City-County Planning Department will host an “Open House” to discuss the land use plan for the area along the Fayetteville Street corridor, south of the Durham Freeway, and the area surrounding North Carolina Central University. The meeting will be held from 6pm until 8pm at the Hayti Heritage Center on 804 Old Fayetteville Street. For more information contact, Aaron Cain, senior planner at 560-4137, ext. 28226.
4. **Minutes**

5 min.

- a. May 3, 2010 Worksession
- b. May 10, 2010 Regular Session

5. **Presentation of the NC Envirothon Winning Team**

10 min.

The Durham Soil and Water Conservation District asks that the Durham County Board of Commissioners recognize the 'Vicious Vipers,' a Durham County home school team, for their outstanding dedication and achievement at the NC Envirothon competition on April 23-24, 2010. The 'Vicious Vipers' placed 1st in the high school division, beating out 48 other teams from across the state. The Envirothon is a hands-on team competition that tests student's knowledge of the environment and natural resources. The 'Vicious Vipers' will be representing North Carolina in this summer's North American Canon Envirothon event in Fresno, California.

Resource Person(s): Jennifer Brooks, Soil Conservationist/Education Specialist, Durham SWCD; Eddie Culberson, Director of Soil and Water Conservation District

County Manager's Recommendation: The County Manager recommends that the Board recognize the 'Vicious Vipers' achievement for winning the NC Envirothon and representing NC at the North American Canon Envirothon this summer.

6. **County Manager's Recommended Budget Presentation**

45 min.

Durham County Manager Michael M. Ruffin will formally present the Recommended Budget for FY2010-2011 to the Board of County Commissioners. This is in accordance with N.C.G.S. 159-12 of The Local Government Budget & Fiscal Control Act.

Resource Person(s): County Manager Michael M. Ruffin

County Manager's Recommendation: The Manager recommends that the Board receive the presentation of the FY2010-2011 Recommended Budget.

7. **Consent Agenda**

20 min.

- a. Approve the Interlocal Cooperation Agreement for Inspections between the City and County which is up for renewal. The City and County Managers' and Attorneys' Offices made minor technical changes to the current Agreement, but the Agreement is in substance the same as the current Agreement;
- b. Receive and accept the City-County Planning Commission Annual Report for 2009;
- c. Accept the property tax release and refund report for April 2010 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- d. Amend the contract with Turner Business Appraisers for property value discoveries and approve Budget Ordinance Amendment No.10BCC000080 in the amount of \$172,000. Payment is made to TBA only after the County has collected the tax, at a rate of 30% of

the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;

- e. Amend the contract with Tax Management Associates Inc. for property value discoveries and approve Budget Ordinance Amendment No.10BCC000081 in the amount of \$440,000.00. Payment is made to TMA only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;
- f. Amend the contract with Evans & Associates Consulting Group for property value discoveries and approve Budget Ordinance Amendment No. 10BCC000082 in the amount of \$40,000. Payment is made to EACG only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;
- g. Amend the contract with County Tax Services for property value discoveries and approve Budget Ordinance Amendment No. 10BCC000083 in the amount of \$246,000. Payment is made to CTSI only after the County has collected the tax, at a rate of 30% of the amount collected. There is no additional cost to the County whereas this fee is deducted from new revenue collected;
- h. Approve Budget Ordinance Amendment No.10BCC000084 to accept the \$16,311 grant from Reading Is Fundamental for the library's literacy services;
- i. Authorize the County Manager to enter into a service contract with Southern Elevator Company, Inc. in an amount not to exceed \$72,218.52;
- j. Approve the financing for vehicle and equipment replacement with Wells Fargo Bank, N. A. and authorize the Manager to execute the appropriate documents to close the transaction;
- k. Approve the dedication of a 20' private storm drain easement and agreement for the benefit of Doctors Fleming, Harrell and Moore, and authorize the Manager to execute the easement agreement and Plat.

8. **Durham Public Schools – Six State Lottery Funds Applications for Durham Public Schools Capital Projects**

10 min.

The North Carolina Education Lottery provides funds for Durham Public Schools based on lottery revenue. The Board of Education has approved six (6) applications for high priority projects at existing facilities totaling \$1,252,000.

Location	Project	Estimated Value
Hillside High School	Asphalt Repairs	\$188,000
Fayetteville Street Elementary	Gym Roof Replacement	\$145,000
Southern High School	Asphalt Repairs	\$148,000
Durham School of the Arts	Track Resurfacing	\$325,000
Jordan High School	Asphalt Repairs	\$207,000
Riverside High School	HVAC Controls Upgrade	\$239,000
	Totals	\$1,252,000

The Durham County Board of County Commissioners is requested to approve these applications for appropriation of Lottery funds to the projects listed above, and to allow the Chairman of the Board of County Commissioners, Michael D. Page, to sign the six applications on behalf of the Board of County Commissioners.

Resource Person(s): Tim Carr, Program Director for Durham Public Schools

County Manager's Recommendation: The County Manager recommends that the Board approve six applications for use of Lottery funds by the Durham Public Schools Board of Education for various Durham Public School capital projects, and the signing of these applications by the Chairman of the Board of County Commissioners, Michael D. Page, on behalf of the Board of County Commissioners. Once the funds are approved by the State for these projects, Durham Public Schools will ask the Board of County Commissioners to appropriate the funds to the capital projects.

9. **Board and Commission Appointments**

10 min.

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

- Adult Care Home Community Advisory Committee
- City-County Appearance Commission
- Criminal Justice Partnership Act Advisory Board
- Durham County Hospital Corporation
- Memorial Stadium Authority
- Nursing Home Community Advisory Committee
- Workforce Development Board

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

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

10. **Closed Session**

The Board is requested to adjourn to closed session to discuss the *Board of Adjustment Appeal, In Re: Melissa Rooney*, to preserve the attorney-client privilege pursuant to G.S. § 143-318.11(a)(3).

2 hrs. 40 min.