

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

Tuesday, May 29, 2012

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 pm. Regular Session**

1. **Opening of Regular Session - Pledge of Allegiance (5 min)**
2. **Agenda Adjustments (5 min)**
3. **Announcements (5 min)**

"In Touch with Durham County," the Durham County Television show, airs on Cable TV Channel 8 at 8:30 a.m. and 12 noon on Mondays; and 8:30 a.m., 12 noon and 6:30 pm on Tuesday - Sundays. Our County Commissioners' meetings are also rebroadcast on Thursdays at 2:00 p.m., Saturdays at 9:00 p.m., and Sundays at 9:00 p.m.

4. **Minutes (5 min)**
  - a) May 7, 2012 Worksession
  - b) May 14, 2012 Regular Session
5. **Resolution – Dr. Leroy Walker (5 min)**

A resolution has been prepared honoring the life of Dr. LeRoy T. Walker Sr., Chancellor Emeritus of North Carolina Central University who passed on April 23. Dr. Walker was an internationally known men's track and field coach who became the first African American to serve as President of the United States Olympic Committee. He is being remembered for his amazing career leading and training collegiate athletes to realize their potential, and for being a positive ambassador for Durham.

**Resource Persons:** Chairman Michael D. Page

**County Manager's Recommendation:** The County Manager recommends that the Board approve the resolution and present to the family of Dr. LeRoy T. Walker, Sr.

**6. Proclamation – Hunger Awareness Month (5 min)**

The Board is requested to proclaim June as Hunger Awareness Month. This recognition is an opportunity to educate the community about hunger throughout the world and in Durham County.

In the United States, hunger is, generally, less severe than in developing nations. This is in part because established programs – like Food and Nutrition Services (Food Stamps) and the Food Bank – help to provide a safety net for many low-income families.

Despite the good work of those programs, too many Americans and Durhamites are hungry. Hunger occurs when people are unable to obtain sufficient food for their household. Hungry children struggle in school. Hunger in elderly adults can lead to serious health care problems.

More than 43, 724 people in Durham have food on their tables thanks to the Food and Nutrition Services program. Many more receive meals and non-perishable food from local non-profit organizations.

To raise awareness about hunger in our community, the Food and Nutrition Services staff at DSS will distribute food bags on June 7 to 200 clients. Staff is also conducting outreach to help more families get connected to the Food and Nutrition Services program.

**Resource Persons:** Pinky Davis-Boyd, FNS Program Manager; Rhonda Stevens, Assistance Director, FEI Division; and Gail Perry, Interim Director, Department of Social Services.

**County Manager's Recommendation:** The County Manager recommends that the Board approves the proclamation recognizing June as Hunger Awareness Month.

**7. Presentation of a Certificate of Appreciation from the NC Division of Parks and Recreation for Durham County's Participation in Completion of the Mountains-to-Sea Trail at Falls Lake (5 min)**

Durham County assisted with the completion of a 23 mile segment of North Carolina's Mountains-to-Sea Trail that connects Penny's Bend nature Preserve to the Rollingview Section of the Falls Lake State Recreation Area. Durham County provided a matching grant through the open space and trails matching grants program to the Friends of the Mountains to Sea Trail to help construct a bridge over Little Lick Creek which was a critical link in the trail near Falls Lake. The grant provided \$55,611 for the construction of a 100 foot steel truss bridge in the location of an old bridge that burned down years ago.

The Board is requested to receive the Certificate of Appreciation.

**Resource Persons:** Ellen Reckhow, Vice Chair, Board of County Commissioners; and Jane Korest, Open Space/Real Estate Manager

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation.

**8. FY2012-2013 Recommended Budget Presentation (45 min)**

Durham County Manager Michael M. Ruffin will formally present the Recommended Budget for FY2012-2013 to the Durham County Board of Commissioners. This is in accordance with N.C.G.S. 159-12 of The Local Government Budget & Fiscal Control Act.

**Resource Persons:** County Manager Michael M. Ruffin

**County Manager's Recommendation:** The County Manager recommends that the Board receive the presentation of the FY2012-2013 Recommended Budget.

**9. Consent Agenda (15 min)**

- a. Approve Budget Ordinance Amendment No. 12BCC000081 to transfer \$60,000 from non-departmental to EMS for up fit cost to the City's main fleet garage;
- b. Approve the refund of \$558.00 for the overpayment of excise tax to Law firm of Brock, Payne, and Meece, P.A.;
- c. Amend the contract with TBA for the property value discoveries and approve Budget Ordinance Amendment No. 12BCC000082 in the amount of \$120,000. 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;
- d. Accept the property tax release and refund report for April, 2012 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- e. Approve the FY2012-2013 Warrant Control Office Interlocal Agreement with the City of Durham and authorize him to execute the agreement;
- f. Approve Budget Ordinance Amendment No. 12BCC000083 recognizing and appropriating a \$10,299 grant from Reading Is Fundamental to the Durham County Library;
- g. Approve to officially close the Public Improvement Bonds, Series 2002A&B, Fund, Capital Project Amendment No. 12CPA000011 decreasing several project budgets'

phases, and Budget Ordinance Amendment No. 12BCC000084 transferring the net equity to the Debt Service Fund for funding of the retirement of debt effective March 31, 2012.;

- h. Approve Budget Ordinance Amendment No. 12BCC000085 for the GO Bond Refunding;
- i. Approve Budget Ordinance Amendment No. 12BCC000086 for the transfer of funds to the debt service fund for the payout of the BANs debt;
- j. Approve the resolution authorizing a REDUCTION in the interest rate on the \$60,000,000 Bond Anticipation Note with Bank of America, N.A and authorize the Finance Director to execute the necessary documents to make the change.

**10. Relocation of Animal Control from General Services to the Sheriff's Office ( 15 min)**

The Board is requested to relinquish control over the Animal Control Division of the General Services department to allow the Office of the Sheriff to assume responsibility and control of the division and enforcement of the Animal Ordinance effective July 1, 2012. On December 25, 2011, the Sheriff's Office began assisting in day-to-day operation of Animal Control and has assessed the feasibility of relocating the division to supervision under the Sheriff's Office. The Sheriff's Office has determined that the Animal Control division is well aligned to fit the mission of the Sheriff's Office and the Sheriff will accept responsibility for enforcement of the animal control ordinance.

This change in responsibility will require modifications to the Animal Ordinance, Chapter 4, of the Durham County Code of Ordinances. Amendments to the Ordinance will be brought back before the Board at the June 4 work session.

**Resource Persons:** Mike Ruffin, County Manager; Sheriff Michael D. Andrews

**County Manager's Recommendation:** The Manager recommends that the Board of County Commissioners relinquish control of Animal Control to the Office of the Sheriff.

**11. Board 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
- Animal Control Review Board
- Bicycle & Pedestrian Advisory Commission
- Board of Adjustment
- City-County Appearance Commission
- Criminal Justice Advisory Committee
- Design District Review Team

- Nursing Home Community Advisory Committee
- Planning Commission

**Resource Person:** Michelle Parker-Evans, 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)**