

(REVISED – REMOVED ITEM 8H)

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

Monday, March 26, 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.

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.

February 28, 2012 DPS School Board Tours
March 12, 2012 Regular Session
5. **Recognition of Stephanie Williams of The Durham Center for Award-Winning Housing Efforts** 5 min.

The Board is requested to recognize Stephanie Williams, Housing Specialist for The Durham Center, who was recently presented with a Human Relations Award by the City of Durham.

The Fair Housing Award cites Stephanie's positive attitude and outstanding, sustained efforts to promote and establish housing options for individuals with behavioral health needs. She played a key role in the successful application for a \$300,000 U.S. Department of Housing and Urban Development (HUD) grant which established two programs in Durham to house homeless individuals and families in fair-market housing.

Under Stephanie's leadership, The Durham Center provided assertive homeless outreach or rental assistance to over 600 people in FY11 to assist them in moving into independent living. The agency also worked to make consumers, landlords and service providers more aware of tenant rights, and trained providers about local housing programs, eligibility requirements, and application processes to help link consumers to adequate, safe and affordable housing.

Resource Persons: Ann Oshel, Director of Community Engagement and System Development, The Durham Center and Stephanie Williams, Housing Specialist, The Durham Center

County Manager's Recommendation: The County Manager recommends that the Board recognize Ms. Williams for this honor.

6. **Resolution to Eliminate Discretionary Reversions of DPS Funding from the State Department of Public Instruction**

5 min.

The State provides categorical allotments to school districts and then requires that districts return money to the state. This return of money to the state (discretionary reversion) camouflages the actual amount received by school districts and has been in effect for four years inclusive of 2012-2013. The cumulative loss in state funding for Durham Public Schools from the discretionary reversion over four years is \$32 million. Losing this amount of funding, added to other reductions in state funding, has been detrimental to the programs and services offered to the students of Durham Public Schools. Elimination of the discretionary reversion will provide funds critically needed for educational programs for all school systems in North Carolina. The Budget Advisory Committee and the School Board have adopted the resolution.

Resource Persons: Ellen W. Reckhow, Vice Chairman; Brenda A. Howerton, Commissioner (Members of the Budget Advisory Committee)

County Manager's Recommendation: The County Manager recommends that the Board approve the resolution.

7. **Resolution - National County Government Month**

5 min.

National County Government Month is celebrated each April by the nation's counties to raise public awareness and understanding about the roles and responsibilities of county government.

The 2012 theme is “**Healthy Counties, Healthy Families.**”

Durham County Government will recognize the month long celebration by hosting planned events. Durham’s residents are encouraged to take this time to learn more about what county government does to service the community.

Resource Person: Deborah Craig-Ray, Assistant County Manager for Communications

County Manager’s Recommendation: The County Manager recommends that the Board resolve that April 2012 is National County Government Month.

8. Consent Agenda

15 min.

- a. Contract with County Tax Services, Inc. for property value discoveries and approve Budget Ordinance Amendment No. 12BCC000063 in the amount of \$125,000. Payment is made to CTSI only after the County has collected the tax, at a rate of 30% of the amount collected;
- b. Approve Capital Project 12CPA000008 appropriating \$1,000,000 from the Collection System Rehabilitation Fund fund balance to the Collection System Rehabilitation Project (71006011SE046);
- c. Accept the property tax release and refund report for February 2012 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- d. Award the construction contract for the Woodfield Creekstone Force Main to Sullivan Eastern, Inc., in the amount of \$238,900; award the construction administration contract to The John R. McAdams Company, Inc., in the amount of \$5,900; authorize the County Manager to execute the contracts; and to authorize the County Manager to execute any related contracts, not to exceed a total project budget of \$256,745;
- e. Amend the contract with Westaff, Inc. in the amount of \$50,137 to perform business listing processing for approximately 12,000 business accounts, which includes assisting the Assessor with the extension request, processing listings, and performing desk audits for compliance;
- f. Authorize the County Manager to enter into a contract with Schneider Building Electric in the amount of \$97,980.00 to extend card access to a total of 19 entry points at the Durham County Administration Building;
- g. Approve the refund of \$212.00 for the overpayment of excise tax to The South Mountain Group, Inc.;
- h. Item Removed;**

- i. Approve the ambulance franchise modification of Johnston Ambulance Services Franchise;
- j. Approve Capital Project Amendment No. 12CPA000009 moving \$300,000 from two 2007 GO Bond funded DPS capital projects (Club Boulevard Elementary, DSA Carr Building) to one 2007 GO Bond funded DPS capital project (Jordan High School);
- k. Approve Budget Amendment No. 12BCC000064 appropriating \$11,216 of property liability settlement funds to support the purchase of an undercover vehicle for the Sheriff's Narcotics Unit;
- l. Appoint Chairman Michael Page as the joint City/County member of the Triangle Transit Board;
- m. Approve Budget Ordinance Amendment No. 12BCC000065 to amend the Animal Kind contract to allow the reimbursement of \$7,555 from NC Department of Agriculture and Consumer Services Spray/Neuter Program to Durham County be disbursed to AnimalKind for additional Durham County animals to be provided low cost spay and neutering services;
- n. Approve the attached resolution for the Durham Board of Education to allocate a portion of its local funding appropriated by the Durham County Board of Commissioners to cover the cost of Key Government Finance, Inc. for the purposes of securing its refresh of infrastructure.

9. Public Hearing - First Public Hearing on Durham County Small Cities CDBG Application to NC Dept. of Commerce

10 min.

Durham County is eligible to apply for the FY 2011 Small Cities Community Development Block Grant (CDBG) of \$400,000 from the NC Dept. of Commerce for Scattered Site Housing projects. The County would have considerable flexibility in using these grant funds to restore, rehabilitate, or replace decrepit housing in the county.

Application for these funds requires two public hearings prior to grant submission but does allow them to be held on the same day. Both of this evening's public hearings were separately advertised. The public hearings are set to publicize the proposed assistance policy as well as the proposed recipients and projects that Durham County, after fully advertising this opportunity, proposes to spend the money on. The list of proposed projects is listed in Attachment A.

After a mandatory RFP for application assistance, Durham County has been working with The Wooten Company to prepare our application.

Resource Person: Drew Cummings, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board conduct the above public hearing and take any testimony offered into consideration.

10. Public Hearing - Second Public Hearing on Durham County Small Cities CDBG Application to NC Dept. of Commerce

10 min.

Durham County is eligible to apply for the FY 2011 Small Cities Community Development Block Grant (CDBG) of \$400,000 from the NC Dept. of Commerce for Scattered Site Housing projects. The County would have considerable flexibility in using these grant funds to restore, rehabilitate, or replace decrepit housing in the county.

This is the second of two public hearings required *prior* to the submission of the grant application. The first was held on March 12, 2012. The public hearings are set to publicize the proposed assistance policy as well as the proposed recipients and projects that Durham County, after fully advertising this opportunity, proposes to spend the money on. The list of proposed projects is listed in Attachment A.

After a mandatory RFP for application assistance, Durham County has been working with The Wooten Company to prepare this application.

Resource Person: Drew Cummings, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board conduct the above public hearing and take any testimony offered into consideration. The County Manager then recommends that the Board approve the submission of this grant and authorize the Chairman and County Manager to sign all grant-related documents.

11. Discussion of Issues for 2012 NC Legislative Agenda

20 min.

The North Carolina General Assembly will convene the Short Session at Noon on May 16 in Raleigh. A meeting has been scheduled with the members of the Durham Legislative Delegation on Thursday, March 29 at 8:15am in the Commissioners Chambers to discuss proposed legislative items for consideration during the session. Following this discussion and direction from the Board, staff will finalize the items for inclusion on Thursday's agenda.

Resource Persons: Lowell L. Siler, County Attorney and Deborah Craig-Ray, Assistant County Manager

County Manager's Recommendation: The County Manager recommends that the Board approve legislative agenda and forward to members of the Durham Legislative Delegation at the upcoming meeting.

12. 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:

- Audit Oversight Committee
- Bicycle & Pedestrian Advisory Commission
- Design District Review Team
- Juvenile Crime Prevention Council
- Nursing Home Community Advisory Committee
- Piedmont Food & Agricultural Processing Center

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.

13. RESERVED FOR ITEMS PULLED FROM CONSENT AGENDA

20 min.

14. Closed Session

20 min.

The Board is requested to adjourn into Closed Session pursuant to G.S. 143-318.11(a)(5) to instruct staff on the position to be taken concerning the acquisition of real property for open space at 7099 Wake Forest Highway owned by Southview Developers LLC, and 1003 Santee Road owned by Prometheus Development Corporation.

Background information on the properties will be provided to Board members separately.

Resource Persons: Jane Korest, Open Space and Real Estate Manager; Glen Whisler, County Engineer

County Manager's Recommendation: The County Manager recommends that the Board adjourn into Closed Session, and instruct staff accordingly.

2 hrs. 20 min.