

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

Monday, December 12, 2011

County Commissioners' Chambers  
200 East Main Street, Durham, North Carolina

**AGENDA**

**"Public Charge"**

The Board of Commissioners asks its members and citizens to conduct themselves in a respectful, courteous manner, both with the Board and fellow citizens. At any time, should any member of the Board or any citizen fail to observe this public charge, the Chairman will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chairman will recess the meeting until such time that a genuine commitment to the public charge is observed.

As a courtesy to others, please turn off cell phones during the meeting.

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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.
  - The FY2012-2013 Nonprofit Agency Funding process began on November 4, 2011 with the opening of the pre-application submission period. All Durham community nonprofits interested in applying for FY2013 nonprofit funding **are required** to first submit a Pre-Application Questionnaire and accompanying documents no later than midnight EST on Thursday December 15, 2011. This initial assessment is used to determine which potential applicants meet the eligibility criteria outlined in the County’s nonprofit policy. Those agencies meeting the eligibility criteria will then be invited to apply for FY2013 funding. The Pre-Application Questionnaire and the Nonprofit Agency Funding Program policy are available on the County’s website through December 15, 2011. 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.
  - Help make Christmas special for a family or an elderly or disabled adult in Durham by participating in the Share Your Christmas Program. Durham County DSS, in

partnership with The Volunteer Center of Durham and the Herald Sun, pairs individuals and groups with Durham residents at the 200% poverty income level. To make a donation or adopt a family, call Kim Shaw at 613-5109 or Kathy Kenney at 613-5101.

- On Sunday, December 18 at 3:00 pm, the Durham Library presents a discussion of the 1951 Blue v Durham federal court case that changed school funding during the “separate but equal” era preceding the 1954 Brown decision. African Americans in Durham won a landmark lawsuit for the equalization of school funding. Eddie Davis will lead a discussion with a panel of the original plaintiffs. The program will be held at the Hayti Heritage Center at 804 Old Fayetteville Street.
- The Health Department is giving flu vaccines—shots or mist—free of charge to anyone ages 6 months and older on Monday, Wednesday and Fridays in the Human Services Building at 414 East Main Street. For further information, call the flu hotline at 560-7300.

#### 4. Minutes

5 min.

November 28, 2011 Regular Session  
November 21, 2011 Strategic Plan Town Hall Meeting

#### 5. County Cares Campaign

15 min.

The Board is requested to hear the results of the 2011 County Cares Campaign in which Durham County employees donated a total of \$80,112.62 to be distributed to the following organizations: 1) Durham Rescue Mission, 2) John Avery Boys & Girls Club, 3) Juvenile Diabetes Research Foundation, 4) Susan G. Komen, and 5) United Way of the Greater Triangle. These organizations were selected by County Employees through an internal online voting process.

The purpose of the new federated format is to shield employees from being overwhelmed with fundraising requests throughout the year. Initially, an Executive Committee was assembled to structure the new federated format. Upon completion of the new format, the first County Cares Campaign Committee was formed with representatives from each County Department. The campaign ran from September 29 – November 3, 2011, a total of five weeks.

**Resource Persons:** Mike Ruffin, County Manager; Nina F. Bullock, Administrative Assistant to the County Attorney (Campaign Chair)

**County Manager’s Recommendation:** The County Manager recommends that the Board hear the results and recognize the County employees and Committee Members for their outstanding donations and efforts, as well as present the final donations to the 2011 County Cares recipient organizations.

**6. Recognition – NC School Board Association**

10 min.

The Durham County Board of Commissioners received the 2011 County Commissioners Award from the North Carolina School Boards Association on November 15 in recognition of the commissioners' outstanding support of public education. The NCSBA honors one Board of Commissioners each year at its annual conference. The selection was based on a nomination letter submitted by the Durham Public Schools Board of Education that detailed the positive negotiations between the two bodies during the recent budget process.... *“It would have been easy, given the anti-tax, anti-government feeling of the times, for the commissioners to have walked away from those challenges. But that has not been the attitude of Durham’s county board.*

*In a time of great economic stress, the Durham County Board of Commissioners has been a stalwart and actively engaged partner and supporter of the Durham County Public Schools, recognizing the importance of public education to the county’s long-term economic prosperity. For that, we at Durham Public Schools are delighted to nominate the dedicated public servants on the Durham County Board of Commissioners for the NCSBA County Commissioners Award.” (Chairman Minnie Forte Brown)*

The event was held at the Koury Convention Center in Greensboro, NC.

**RESOURCE PERSON:** Michael D. Page, Chair, Durham Board of County Commissioners

**COUNTY MANAGER’S RECOMMENDATION:** The County Manager recommends that the Board thank the Durham Public Schools Board members for the nomination and recognition which led to this honor.

**7. Recognition – GreenNC Award**

10 min.

The Board is requested to acknowledge that Durham County, along with the City of Durham, was named “Municipality of the Year” by the US Green Building Council Triangle Chapter in recognition of our leadership in environmental sustainability. The award was presented at the Green Awards Gala during the GreenNC Symposium on December 8 at the Durham Convention Center.

Durham County has shown leadership in this area through adoption of the Durham Greenhouse Gas Emissions Reduction Plan, commitment to building LEED certified facilities, implementation of residential energy efficiency programs, installation of electric vehicle charging stations, and other actions that improve our local, regional, and global environment.

**Resource Persons:** Tobin L. Freid, Sustainability Manager; Glen Whisler, County Engineer

**County Manager’s Recommendation:** The County Manager recommends that the Board recognize the GreenNC award.

**8. Community Circle Award**

10 min.

The Board is requested to congratulate World Overcomers Christian Church (WOCC) for being the recipient of the December 2011 Commissioners Community Circle Award.

On Thanksgiving 2011, the CARE Ministry Team at WOCC led the distribution of more than 1,300 Thanksgiving meals to residents of Durham and surrounding areas. The mega move to provide for people in need during the holiday is an annual practice for the nondenominational church located in RTP.

The CARE Ministry's outreach effort this past holiday gave recipients turkeys, side items and other groceries needed to make a complete Thanksgiving meal.

The Commissioners Community Circle Award, created by the Durham Board of County Commissioners (BOCC), is designed to recognize the outstanding dedication of individuals and extraordinary services provided by community organizations to Durham's citizens. The BOCC celebrates WOCC's outstanding commitment to volunteerism and tremendous influence on the people of Durham.

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

**County Manager's Recommendation:** The County Manager recommends that the Board present a representative from World Overcomes Christian Church with the Commissioners Community Circle Award.

**9. Consent Agenda**

15 min.

- a. Approve the 2012 Board of County Commissioners' meeting schedule as presented;
- b. Approve Budget Ordinance Amendment No. 12BCC000039 appropriating \$2,058,009.18 of FY 2010-11 General Fund revenue, now residing in FY 2011-12 General Fund fund balance, and transferring it to the Capital Financing Fund to comply with the County's debt financing policy;
- c. Approve the attached Interlocal Agreement between Durham and Orange Counties for the continued management and operation of the Little River Regional Park;
- d. Delegate the authority to the Tax Assessor to grant extension until April 15, 2012 for business personal property upon written request showing good cause;
- e. Accept the property tax release and refund report for November 2011 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report;
- f. Approve the Resolution approving the installment purchase agreement between the Durham Public Schools Board of Education and Lenovo Financial Services, Inc. for

the purchase of certain computer hardware, software, and related equipment to be used for instructional purposes at Hillside High School;

- g. Set a public hearing on the proposed street closing – South Mineral Springs Road;
- h. Approve Budget Ordinance Amendment No. 12BCC000040 to recognize a total of \$4,000 in funding from Doing Good in the Neighborhood for Cooperative Extension Project BUILD;
- i. Approve Budget Ordinance Amendment No. 12BCC000041 to recognize a total of \$400 in funding form NC Cooperative Extension Service for Durham Cooperative Extension postage;
- j. Approve Budget Ordinance Amendment No. 12BCC000042 to recognize a total of \$3,000 in funding from Kids Voting NC for Cooperative Extension’s Kids Voting program;
- k. Approve Capital Project Amendment No. 12CPA000006 moving \$1,295,507 from four completed 2003 GO Bond funded DPS capital projects (New Elementary ‘B’, New Middle School ‘A’, Lowes Grove Middle School, and Hillside High School) to two other 2003 GO Bond funded DPS capital projects (Shepard Middle School, and the Bacon Street Center).

**10. Public Hearing – Durham Trails and Greenways 2011 Master Plan Update**

30 min.

The Durham Open Space and Trails Commission (DOST), in the spring of 2011, voted to recommend approval endorsing the changes which have been proposed in the document. An important step in updating the 2001 adopted Trails and Greenways Master Plan was having it go through several reviews with various community groups and DOST. The Durham Open Space and Trails Commission recommended approval in the spring of 2011. The Planning Commission recommended approval of the update to the plan at its September 13<sup>th</sup> 2011 meeting.

The Board of Commissioners could recommend approval of a revised version of the update, defer action on the item, or not approve an update. Staff recommends approval.

**Resource Person:** Helen Youngblood, AICP Senior Planner

**County Manager’s Recommendation:** The County Manager recommends that the Board adopt the 2011 Durham Trails and Greenways Master Plan update.

**11. 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:

- Library Board of Trustees
- Nursing Home Community Advisory Committee
- Public Health Board
- Transportation Advisory Board
- Women's 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.

**13. Closed Session**

15 min.

The Board of Commissioners is requested to adjourn to Closed Session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6).

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3 hrs. 15 min.