

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

Monday, December 5, 2011

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, Brenda A. Howerton (left at 12:52), and Pam Karriker

Absent: None

Presider: Chairman Page

Election of Chairman and Vice Chairman of the Board of County Commissioners

County Attorney Lowell Siler presided over the election of the Board's Chairman.

Commissioner Howerton moved, seconded by Commissioner Reckhow to nominate Commissioner Michael D. Page as Chairman of the Board of County Commissioners.

The motion carried unanimously.

County Attorney Siler congratulated Chairman Page on his reappointment as Chair of the Board of County Commissioners.

Chairman Page presided over the election of the Vice Chairman.

Commissioner Howerton moved, seconded by Commissioner Karriker to nominate Commissioner Ellen W. Reckhow as vice chairman of the Board of County Commissioners.

The motion carried unanimously.

Approval of Public Official Bonds

The Board is requested to approve the bonds of public officials on the first Monday of December of each year. Following approval, the bonds would be recorded in the Register of Deeds Office and then sent to the Clerk of superior Court for safekeeping.

Vice-Chairman Reckhow moved, seconded by Commissioner Howerton, to suspend the rules.

The motion carried unanimously.

Commissioner Howerton moved, seconded by Vice-Chairman Reckhow, to approve the public officials bonds as presented.

The motions carried unanimously.

The Public Official Bond Certificate follows:

NORTH CAROLINA

DURHAM COUNTY

CERTIFICATE

As Chairman of the Board of County Commissioners of Durham County, North Carolina, this is to certify that on Monday, December 5, 2011, the following Public Official Bonds were approved by the Board of County Commissioners of Durham County; the Public Official, the amount of bond, and the bond number with the name of the surety were set forth:

POSITION	PUBLIC OFFICIAL	AMOUNT OF BOND	SURETY	BOND #
Financial Officer	George Quick	\$250,000	Hartford	20BSBAY8705
Tax Collector	Kimberly H. Simpson	\$250,000	Hartford	20BSBEY6989
Sheriff	Worth Hill	\$ 25,000	Hartford	20BSBBY9698
Register of Deeds	Willie L. Covington	\$ 50,000	Hartford	20BSBBT7709
Employees Crime Bond	All Other County Employees	\$250,000	Travelers	105567428

Each bond is executed under seal in the name of the surety by an agent or attorney in fact. The clerk of the Durham County Board of Commissioners has been instructed to record each of the bonds enumerated herein with the power of attorney attached thereto in the office of the Register of Deeds of Durham County, together with a copy of this Certificate attached to each bond. After said bonds have been duly recorded in the Office of the Register of Deeds, the original of bond together with the power of attorney and a copy of the Certificate shall be deposited with the Clerk of Superior Court of Durham County.

Michael D. Page
Chairman, Board of County Commissioners

Sworn to and subscribed before me this
The 5th day of December, 2011

Angela M. Pinnix
NOTARY PUBLIC

My Commission expires: August 14, 2016

Citizen Comments

The Board of County Commissioners provided a 30-minute comment period at the beginning of the Worksession to allow any citizen of Durham County the opportunity to speak.

Eric Teagarden addressed the Board about the Light Rail Transit (LRT) Alternative Report. He focused on alternatives C1 and C2. He urged the Commissioners to consider C2 as the compelling superior alternative.

John Kent spoke to the Commissioners about preserving open space along New Hope Creek. He asked that the LRT be placed in an existing highly disturbed area along 15-501, rather than a new location to avoid degrading natural resources.

John Wilson also addressed the Board regarding Triangle Transit's Alternative Analysis. He conveyed that the cost of sending C1 and C2 to the next phase would be substantial and should be carefully considered. He requested that the Board express a clear preference for the C2 alignment to avoid the negative impact C1 would have on Durham County's natural inventory site, Federal wetlands, and State game lands.

Victoria Peterson requested that the Commissioners obtain a Triangle Transit ridership report. She suggested that a separate entity administer the report.

Retired and Senior Volunteer Program (RSVP) and Friends of Durham County RSVP Expression of Appreciation and Update on Sponsorship Transition

The Board requested to accept the appreciation of RSVP of Durham and the Friends of Durham County RSVP for the Board's past support of the volunteer program and an update on the status of the impending 2012 transition in sponsoring organization.

Mary Warren, Chairperson, Friends of Durham County RSVP, led this item stating that for more than 35, years RSVP of Durham has provided adults age 55 and older unique opportunities for community engagement through a variety of volunteer activities. This volunteerism is made possible by the Corporation for National and Community Service's (CNCS) federal grant and the local sponsorship of Durham Technical Community College (DTCC) annually from Durham County with local percentage match to the federal grant.

Several years ago, DTCC signaled its intent to step down in mid-2012 as the program's official sponsor. Contingent upon ongoing funding from the CNCS, a new sponsoring organization must be secured to continue the RSVP program in Durham. There is no doubt that 2012 would be a transitional year for Durham's RSVP program and its future is uncertain. Continued support from all of the Durham community and Durham County would be needed, as the program and its supporters move forward to face the challenges 2012 would bring. We welcome further dialogue about the future of RSVP, as we believe the

program and its cadre of volunteers are valuable assets to our community that must be preserved.

Wanda Maggart, Friends of Durham County RSVP, provided several highlights regarding the program.

Ms. Warren and Ms. Maggart thanked Durham County and the Board of Commissioners for their generous and ongoing support throughout the program's years of operation.

The Board thanked them for their service.

Directives

1. County Manager Ruffin to explore housing options for RSVP; consider Cooperative Extension, Volunteer Center, and Durham Center for Senior Life.
2. Ms. Warren and Ms. Maggart to have discussions with County Manager Ruffin and come back at the January Worksession with a recommendation.

Presentation from Triangle Transit on Alternatives Analysis Study

Patrick McDonough, Senior Transportation Planner, Triangle Transit, introduced this item. He stated that the Board requested to receive a presentation from Triangle Transit staff on the status of the Alternatives Analysis study. From previous presentations, Triangle Transit has undergone an extensive federal study to evaluate the various fixed-guide way options in Wake, Durham and Orange counties called the Alternatives Analysis. The analysis has provided two rail corridor options in Durham County – one commuter rail option heading east from Durham to RTP and Raleigh and a light rail option that traverses west through downtown Durham to Chapel Hill. The next step in the process is to define a specific alignment in the corridor. The chosen alignment in the corridor would be called the “Locally Preferred Alternative.” The final decision on a Locally Preferred Alternative would be made by the Durham Chapel-Hill Carrboro Metropolitan Planning Organization early next year.

Mr. McDonough presented the following:

- Today's Focus: Locally Preferred Alternative (LPA) for Durham-Wake & Durham-Orange Transit Corridors.
- Background on Process
- Decisions Before MPO
- Review of Recommended Alternatives
- Current Timeline for LPA Decision

Mr. McDonough replied to several questions asked by the Board.

Vice-Chairman Reckhow moved, seconded by Commissioner Karriker to suspend the rules.

The motion carried unanimously.

Vice-Chairman Reckhow moved, seconded by Commissioner Howerton to support C1 and C2 ahead to MPO and highlight the need to study the New Hope corridor swath.

The motion carried unanimously.

Directive

Make the necessary changes to the endpoint as directed by the Board.

Annual Report - Durham Bicycle and Pedestrian Advisory Commission

The Board requested to receive the 2010 Annual Report for the Durham Bicycle and Pedestrian Advisory Commission.

Scott Carter, Chair, Bicycle and Pedestrian Advisory Commission, highlighted the following:

- Mission
- Structure of BPAC
- Presentations Made to BPAC
- BPAC Accomplishments and Activities
- Focus Areas for 2011
- County Commissioner Liaison for BPAC

The Board thanked Mr. Carter for the report.

Presentation of Board of Health Smoking Rule and Proposed Amendments to the Current Durham County Smoking Ordinance

William “Bill” Burch, Chair of the Board of Health introduced this item. He stated that the Board requested to receive the Durham County Board of Health presentation regarding its recent adoption of a Smoking Rule in accordance with SL2009-0027 and the proposed amendments to the Durham County Smoking Ordinance that are required to enact the Rule.

Gayle B. Harris, Public Health Director, gave the following presentation:

- Health Impact of Tobacco Smoke
- Solutions
- Enabling Legislation
- BOH Smoke Free Rule
- Public Comment Period
- Next Steps
- Budget Estimates

Bryan Wardell, Assistant County Attorney, discussed the ordinance and the proposed amendments. He addressed the Board's concerns regarding designated areas.

Ms. Harris enlightened the Commissioners on mechanisms that would educate citizens.

The Board held a lengthy discussion regarding the Smoking Ordinance.

Directives

1. Make changes to the ordinance as directed by the Commissioners.
2. Explore options as it relates to signage.
3. Place on the February WS

Durham Public Schools 2003 General Obligation Bond Project Budget Adjustments

Tim Carr, Program Director for Durham Public Schools presented this item. He explained that on September 22, 2011, the Durham Public Schools Board of Education approved several adjustments to budgets for 2003 General Obligation (GO) bond capital projects. Pursuant to the Interlocal Agreement with the Durham Public Schools, as amended, the Board of County The Board requested to consider the transfer of funds between projects with 2003 General Obligation Bond funding. Budgets for four construction projects would be closed with remaining funds to be transferred to two construction projects that require additional funding for successful completion. If the Board is amenable these capital project adjustments would be available for approval as part of the December 12, 2011 BOCC agenda.

Mr. Carr briefly highlighted the following:

2003 Bond Projects including new construction of Spring Valley Elementary School (New Elementary 'B'), Lowes Grove Middle School renovation, and the Hillside High School athletic improvements have been completed and closed out under budget.

The land acquisition for **Middle School 'A'** would not be required based on projected middle school enrollment through 2019.

The **Shepard Middle School** addition and renovation project is nearing completion; the addition opened in January 2011 followed by the renovation of the existing building. Additional scope has been requested by the school community to provide a concession building equitable with other middle schools in the district, expanded interior renovation, and several athletic facilities improvements.

The **Bacon Street Center** renovation project requires additional funding to complete exterior improvements required by the City of Durham and to replace the roof of the entire building.

Mr. Carr also shared the following table that indicates funds reconciled by DPS and the County that are available for transfer:

2003 GO Bond Projects	Unused Funds	Funds Needed
New Elementary 'B' - Spring Valley ES (SH103)	\$44,305	
New Middle School 'A' (SH083)	\$1,198,869	
Lowes Grove Middle School (SH097)	\$52,155	
Hillside High School (SH088)	\$178	
Shepard Middle School (SH107)		\$975,507
Bacon Street Center (SH130)		\$320,000
Totals	\$1,295,507	\$1,295,507

Mr. Carr entertained concerns and questions asked by the Board.

Directive

Place on the December 12 consent agenda.

Strategic Plan Update

Michael Davis, Assistant to the County Manager, led this presentation stating that the Board requested to hear an update of the County's Strategic Planning Process. The County Manager's Office continues to seek the input of the BOCC in helping craft a meaningful Strategic Plan. Since your last update on November 7, the County Manager's Office has continued working steadfastly on the plan development phase of the Strategic Planning Process. He discussed the following key developments in November:

- Four engaging Town Hall Forums to seek public input on the early, draft components of the Strategic Plan;
- Youth focus groups completed at Riverside, Hillside and Northern high schools;
- In early November, the Plan Development Team (PDT) met to discuss Strategic Plan goals and other components of the plan. Later in the month, the PDT met jointly with the Direction Setting Team (DST) to come to general consensus on goals, outcome measures, objectives and intermediate measures.

Mr. Davis informed the Board that in December, the DST and PDT would meet again to discuss initiatives and review plan components. Zelos also would brief department heads in early December. Meanwhile, the Communications Team would continue to work on branding and communication strategies to inform the general public as well as county employees.

Michael Palmer, Consultant, gave a brief overview regarding the youth focus groups.

Dr. Tyrone Baines, Consultant, thanked everyone for attending the Town Hall Forums.

The Board thanked the consultants for the update.

Review of November BOCC Directives

Michael Davis, Assistant to the County Manager, presented 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 directives.

Closed Session

Vice-Chairman Reckhow moved, seconded by Commissioner Bowser to adjourn to closed session to consult with an attorney in order to preserve the attorney-client privilege pursuant to G.S. 143.318.11(a)(3).

The motion carried 4 – 0.

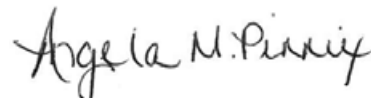
Reconvene from Closed Session

Chairman Page announced that the Board met in closed session; direction was given to staff.

Adjourned

There being no further business, Chairman Page adjourned the meeting at 2:28 p.m.

Respectfully Submitted,



Angela M. Pinnix
Administrative Assistant
Clerk to the Board's office