

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

Monday, August 22, 2011

7:00 P.M. Regular Session

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 and Brenda A. Howerton

Absent: None

Presider: Chairman Page

Opening of Regular Session—Pledge of Allegiance

Announcements

Chairman Page made the following announcements:

- “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.
- What are your biggest health concerns? For you? Your family? Your neighbors? The Board of Health encourages all residents to get involved by sharing their thoughts at one of six community listening sessions. Residents would hear about and discuss findings from the 2011 Community Health Assessment and select the top health issues for Durham County. All sessions would be from 6 – 7:30pm and dinner would be provided. The next community listening sessions would be held at Lyon Park on Tuesday, August 23; the South Regional Library on Thursday, September 1; the Little River Community Center on Tuesday, September 13; and at the East Regional Library on Monday, September 19. More information is available on the Partnership for a Healthy Durham’s website: www.healthydurham.org or by calling 560-7833.
- Durham County Library is sponsoring a ‘Love My Library’ Video Contest beginning September 5th. Just create an original video up to three minutes long, and compete to win a prize. There are 4 categories: Children, Teens, and Adults 18 and up, and Professional – for marketing firms and professional videographers. The public would pick the winners. Visit the library’s website, durhamcountylibrary.org for details.

Commissioner Bowser voiced concerns regarding comments written in an article by Ray Gronberg, Herald Sun. He stated that the issues were not true and hoped that his remarks set the record straight for those that had concerns.

Minutes

Commissioner Howerton moved, seconded by Vice-Chairman Reckhow, to approve the August 1 Worksession and the August 8 Regular Session Minutes of the Board.

The motion carried unanimously.

Recognition of Commissioner Brenda A. Howerton

Chairman Page recognized Commissioner Howerton for being one of the first class of four county commissioners in the State to achieve Practitioner status in the Local Elected Leaders Academy (LELA) in 2010. He acknowledged that she has achieved the status of Master. A Master must acquire the Practitioner status plus an additional 12 credits attending workshops/programs and an additional 6 credits attending Associated Sponsored Programs. He highlighted LELA's overall goals: to enhance the capacity of elected officials to lead and govern their boards, councils and communities; to equip elected officials with the knowledge and tools to practice and preserve democracy and representative government; and to prepare elected officials to assume future leadership responsibilities within their communities, associations and throughout the state.

Through LELA, the NCACC, and School of Government have established for individual county commissioners a three-level recognition program, which would help the Association achieve one of its strategic goals, "strengthen county leadership and board development." Practitioner is the first level of recognition, followed by Master and then Mentor.

Commissioner Howerton expressed appreciation for the acknowledgment.

Recognition of County Attorney Lowell L. Siler

Chairman Page recognized Durham County Attorney Lowell L. Siler for being elected as President of the North Carolina Association of County Attorneys. The election occurred at the 2011 Annual Summer Conference of the group in late July.

The N.C. Association of County Attorneys is an affiliate group of the North Carolina Association of County Commissioners. The purpose of the association is to provide education and training to its members. County Attorneys are appointed legal advisors to Boards of County Commissioners and represent elected officials and jurisdictions in routine legal affairs.

Siler previously served as 1st Vice President of the organization, and has been Durham County Attorney since August 2009.

County Attorney Siler thanked the Board and staff for the opportunity.

Proclamation of September as Mental Illness and Addiction Recovery Month in Durham County

Chairman Page read the following proclamation to designate September as Mental Illness and Addiction Recovery Month in Durham County:

PROCLAMATION

WHEREAS, research shows that substance use disorders and mental illnesses are treatable, and people should seek assistance for these conditions with the same urgency as they would any other health condition; and

WHEREAS, 4.3 million people aged 12 or older received treatment for substance use disorders and 30.2 million adults aged 18 or older received services for mental health problems in 2009; and

WHEREAS, treatment and recovery improve the community's welfare and provide a renewed outlook on life for those who struggle with substance use disorders and mental illnesses and their family and friends; and

WHEREAS, both substance use disorders and mental illnesses affect persons of any gender, age, income, race, religion and culture; and

WHEREAS, understanding the chronic nature of behavioral health illnesses is essential to overcoming the misconceptions and stigma of these illnesses and creating a culture that welcomes our family members, friends and neighbors into recovery; and

WHEREAS, each September Recovery Month seeks to celebrate the successes of millions of Americans whose lives have been transformed through recovery in an effort to educate the public about recovery, how it works, for whom, and why; and

WHEREAS, working together toward this end are the U.S. Department of Health and Human Services and the Substance Abuse and Mental Health Services Administration, and locally the Substance Abuse/Mental Health Committee of The Partnership for a Healthy Durham;

NOW, THEREFORE, BE IT RESOLVED that I, Michael D. Page, Chairman of the Durham County Board of Commissioners, do hereby proclaim the month of September 2011 as

ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

in Durham County and call upon all of its citizens to observe this month by celebrating recovery from mental illness and addiction at Durham's sixth annual Recovery Celebration on September 22 at Durham Central Park and by participating in other appropriate programs, activities and ceremonies supporting this year's theme, "Join the Voices for Recovery: Recovery Benefits Everyone!"

This the 22nd day of August, 2011.

/s/ Michael D. Page, Chairman

Ellen Holliman thanked the Board for the proclamation.

Bill Smith, Mental Health Specialist, stated that it is a tremendous honor to see the recovery month poster prominently displayed on the first floor of the building. He announced that on September 22, the 6th annual recovery celebration would be held and open for the entire community. The location would be Durham Central Park. He appreciated the opportunity to come before the Board.

Consent Agenda

Vice-Chairman Reckhow moved, seconded by Commissioner Howerton to approve the following consent agenda items:

- a. Approve the Liability Claims and Subrogation Recovery Report for FY 09-10;
- *b. Approve Budget Ordinance Amendment No. 12BCC000007 Public Health: Recognize Grant Funds from the Wake Electric Care in the amount of \$1,000 for the Pregnancy Care Management Program;
- *c. Approve Budget Ordinance Amendment No. 12BCC000008--Durham County Library--Recognize revenue from the America Library Association in the amount of \$3,000 for Humanities Programming;
- d. Authorize the County Manager to execute the Mutual Aid Wastewater Treatment Interlocal Agreement;
- e. Authorize the County Manager to execute Amendment No. 1 to Wastewater Treatment Interlocal Agreement;
- f. Approve Initial Funding for the Phase III Capital Construction Project through an Intrafund Loan from the Sewer Utility Fund;
- *g. Approve Budget Ordinance Amendment No. 12BCC000009 to appropriate Special Park District Revenue Fund fund balance in the amount of \$78,172;
- h. Approve the contract between Durham County and the NC Department of Agriculture and Consumer Affairs for the amount of \$139,500; and authorize the County Manager to execute the contract;
- i. Authorize amending the Contract with Tax Management Associates to include Department Outsourcing, Audit and Discovery Services. The contract amount is not to exceed \$107,000.00;
- j. Enter into a Tax Interlocal Agreement for property tax collection with the Town of Morrisville for two years;

- k. Accept the Property Tax Releases and Refund Report for July 2011 and authorize the Tax Assessor to adjust the records as outlined in the report.

The motion carried unanimously.

*Document(s) related to this item follow:

Consent Agenda Item No. b. Approve Budget Ordinance Amendment No. 12BCC000007 for Public Health to recognize grant funds from the Wake Electric Care in the amount of \$1,000 for the Pregnancy Care Management Program.

DURHAM COUNTY, NORTH CAROLINA
FY 2011-12 Budget Ordinance
Amendment No. 12BCC000007

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2010-11 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$70,882,862	\$1,000	\$70,883,862

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Human Services	\$104,529,617	\$1,000	\$104,530,617

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 22nd of August, 2011.

Consent Agenda Item No. c. Approve Budget Ordinance Amendment No. 12BCC000008 for Durham County Library to recognize revenue from the America Library Association in the amount of \$3,000 for Humanities Programming.

DURHAM COUNTY, NORTH CAROLINA
FY 2011-12 Budget Ordinance
Amendment No. 12BCC000008

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2010-11 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>GENERAL FUND</u>			
Intergovernmental	\$70,883,862	\$3,000	\$70,886,862

Expenditures:

<u>Function</u>			
<u>GENERAL FUND</u>			
Cultural and Recreation	\$10,603,185	\$3,000	\$10,606,185

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 22nd of August, 2011.

Consent Agenda Item No. g. Approve Budget Ordinance Amendment No. 12BCC000009 to appropriate Special Park District Revenue Fund fund balance in the amount of \$78,172.

DURHAM COUNTY, NORTH CAROLINA
FY 2011-12 Budget Ordinance
Amendment No. 12BCC000009

BE IT ORDAINED BY THE COMMISSIONERS OF DURHAM COUNTY that the FY 2010-11 Budget Ordinance is hereby amended to reflect budget adjustments.

Revenue:

<u>Category</u>	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<u>SPECIAL REVENUE FUND</u>			
Other Financing Sources	\$0	\$78,172	\$78,172

Expenditures:

<u>Function</u>			
<u>SPECIAL REVENUE FUND</u>			
Economic and Physical Development	\$703,904	\$78,172	\$782,076

All ordinances and portions of ordinances in conflict herewith are hereby repealed.

This the 22nd of August, 2011.

Public Hearing – Secondary Road Construction

Michelle R.F. Gray, Acting District Engineer on behalf of Division 5/District 2 for the North Carolina Department of Transportation, presented the Board with the Annual Secondary Road Construction Program for Durham County (2011- 2012). She recognized Division Engineer Wally Bowman, P.E., Division Maintenance Engineer Brandon Jones, P.E.,

Durham County Maintenance Engineer, Ashley Pilkington and Assistant District Engineer Mike Goodwin.

Ms. Gray continued to discuss the 2011-2012 Allocations for the secondary roads construction program.

Staff responded to questions posed by the Commissioners.

Chairman Page opened the public hearing that was properly advertised. As no one signed up to speak, he closed the public hearing and referred the matter back to the Board.

Commissioner Bowser moved, seconded by Vice-Chairman Reckhow to approve the North Carolina Department of Transportation's 2011-12 Secondary Road Construction Program.

The motion carried unanimously.

Board and Commission Appointments

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

Alcoholic Beverage Control Board

Kimberly Shaw

Area Mental Health Board

John Barry
Nancy Henley
George Quick

Bicycle & Pedestrian Advisory Committee

Scott Carter
Gregory Garneau
Lawrence Trost

City-County Appearance Commission

Brian D. Marks

EMS Council

David Jacobs
John C. O'Donnell

Environmental Affairs Board

Scott Schwartz

Historic Preservation Commission

C. Andrew Sprouse

Open Space & Trails Commission
D. Artemas Holden
Reynolds Smith

Public Health Board
Nancy Short

Adjournment

There being no further business, Chairman Page adjourned the meeting at 7:38 p.m.

Respectfully submitted,

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