

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

Monday, February 14, 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 P.M. 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 daily, 4:00 p.m. on Mondays, and 6:30 p.m. 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 Sixth Annual City-County Martin Luther King, Jr. Observance Program, previously scheduled on January 12, will take place on Wednesday, February 16, at noon at First Presbyterian Church on Main St. The keynote speaker for is Rev. Dr. David C. Forbes, a civil rights pioneer and senior minister and founding pastor of Christian Faith Baptist Church of Raleigh. The first Durham City-County Martin Luther King, Jr. Humanitarian Awards will be presented -- one for a City employee and another for a County employee.
  - The Board of County Commissioners want to hear from residents and will host three "Conversations with Commissioners" over the next few weeks. The first meeting will be held on February 24 at North Regional Library at 7:00 pm. Subsequent meetings will be held on March 1<sup>st</sup> at South Regional Library, and March 3<sup>rd</sup> at our Main Library at 7:00 pm.

4. **Minutes**

5min.

January 24, 2011 Regular Session

5. **Proclamation–Marry Durham Day**

5min.

Boosters of Durham have created a lighthearted way to honor their city by showing extreme civic pride and at the same time raise funds for five (5) community nonprofit organizations that make the Bull City special. On Saturday, March 19th participants will host a wedding, parade and a kickin' reception at 4 p.m. on Rigsbee Avenue near Motorco Music Hall downtown to publically demonstrate their love for the Bull City. During the "Marry Durham" ceremony, citizens will be asked to agree to "vows" that include keeping streets clean and safe, patronizing local businesses, supporting the arts and nonprofits and more.

Eno River Association, Genesis Home, the Latino Community Development Center, The Scrap Exchange and Walltown Children's Theatre will be the recipients of all monies raised during the unique event.

Katherine O'Brien and Crystal Dreisbach will receive the Proclamation and make brief remarks.

County Manager's Recommendation: The County Manager recommends that Chairman Page proclaim March 19, 2011 as "Marry Durham Day" and present the proclamation to Ms. O'Brien and Ms. Dreisbach.

6. **Consent Agenda**

20min.

- a. Approve Budget Ordinance No. 11 BOCC000050 with a \$293,050 increase for the Crisis Intervention Program;
- b. Declare the personal property described herein a surplus; authorize the donation of the personal property to The Cheyenne and Arapaho Tribes EMS on the condition that the said property be used for the Cheyenne and Arapaho Tribes EMS Systems public purpose, and to authorize the County Manager to enter into an agreement which reflects the terms of the conveyance as set forth herein. A notice shall be published summarizing the attached resolution, and no conveyance may be executed until at least 10 days after the day the notice is published;
- c. Approve and award a contract to Infinity Fire Protection, L.L.C. for \$52,600.38 plus an additional contingency not to exceed \$5,260.00 for the installation of a new fire alarm system installation in the Main Library. The total contract is not to exceed \$57,860.38;
- d. Authorize execution of contracts with CareFusion, Claflin Medical Equipment, Fisher Healthcare and Patterson Dental, Inc. for the purchase of Clinical Equipment from the GSA Buying Program for Phase I of the Durham County Human Services building, in the total amount of \$702,493.89;
- e. Approve spending \$197,000.00 of the Inmate Welfare Fund Account for the purchase of Detention Kitchen facility equipment;

- f. Authorize the County Manager to execute encroachment agreements with CSX Transportation, Inc., and the North Carolina Department of Transportation (NCDOT) for the installation of a reuse waterline in Durham County as part of the reuse water project;
- g. Authorize the execution of the ERP project's technical upgrade services contract with Adea, Inc. A Division of Valtech for the ERP upgrade to SAP/ERP 6.0, not to exceed 980,580.00 to be paid from the Capital Project Amendment No. 10CPA000015 which appropriated \$2,500,000.00 to the capital project, ERP (Enterprise Resource Planning) Upgrade Project (420 01910DC135);
- h. Approve Capital Project Amendment No. 11CPA000005 moving \$2,153,867 from two 2007 GO Bond funded DPS capital projects (Club Boulevard Elementary, Neal Middle School) to two other 2007 GO Bond funded DPS capital projects (Jordan High School and Lakeview Secondary School) and one 2009 COPS Bond funded DPS capital project (Lakewood Montessori Middle School);
- i. Approve Capital Project Amendment No. 11CPA000006 moving \$1,004,114.63 from three completed projects, one cancelled project, and another close to completion 2003 GO Bond funded DPS capital projects (Spaulding Elementary, Club Boulevard Elementary, Durham School of the Arts, New Middle School 'B' Land, and Pearsontown Elementary) to four other 2003 GO Bond funded DPS capital projects (Lowes Grove Middle School, Morehead Elementary, Shepard Middle School, and Bacon Street Center);
- j. Authorize the proposed amendments to Chapter 24 Article III of the Durham County Code of Ordinances related to Parking;
- k. Amend the contract with One Source in the amount of \$132,232 to continue the DMI Project.

7. **RESERVED FOR ITEM SPULLED FROM CONSENT AGENDA**

20min.

8. **Durham Public Schools – Purchase of Property for New High School 'A'**

40min.

On June 17, 2010, the Board of Education approved the selection and purchase of real property for New High School 'A'. The property is located at 2900 Duke Homestead Road, currently owned by Duke University. The proposed site is approximately 58 acres in the eastern portion of the 93+ acres tract. This school project is funded by the 2007 Bond including land acquisition, design, and construction.

On January 28, 2011, the Board of Education approved a request to put the design and construction of New High School 'A' on hold until a detailed review of capital needs and funding for the next several years can be completed. The Board agreed that the purchase of the Duke Homestead property should be completed upon County Commissioner's approval.

The Board of Education seeks the County's approval of the purchase price. The purchase price negotiated with Duke University is \$4,100,000. This price is based on a combination of the cost of land and Duke's cost to relocate existing facilities. An MAI appraisal was performed.

The Board of Education has reviewed its analysis and conducted diligence information and will present this to the Commissioners.

Resource Persons: Hugh Osteen, Assistant Superintendent of Operational Services and Tim Carr, Construction & Capital Planning Program Director for Durham Public Schools

County Manager's Recommendation: The Manager recommends that the Board receive the presentation from Durham Public School representatives and approve the purchase price negotiated with Duke University for property at 2900 Duke Homestead Road to be used for the 2007 Bond approved future DP High school.

9. **Advance Public Comments on the FY2011-2012 Budget**

15min.

The Board is requested to hold an Advance Public Comment session to receive public comments for the FY2011-2012 Budget. As county staff begins the preparation of the fiscal year 2011-2012 budget, public input is being solicited on issues which may need to be addressed during the budget process.

“Conversations with Commissioners” will also give an opportunity for public input into the budget process. “Conversations with Commissioners” will be held February 24, 2011, at North Regional Library; March 1, 2011, at South Regional Library; and March 3, 2011, at Main Library. All three events begin at 7pm.

The County Manager's Recommended FY2011-2012 Budget will be presented to the Board of Commissioners on Monday, May 23, 2011, with individual budget work sessions with the Board to be scheduled for the period May 24-June 15, 2011. Final adoption of the FY2011-2012 Budget Ordinance is scheduled for Monday, June 27, 2011.

Additionally, comments can also be e-mailed to [commissioners@durhamcountync.gov](mailto:commissioners@durhamcountync.gov).

Resource Person: Pam Meyer, Director of Budget and Management Services

County Manager's Recommendation: The County Manager recommends that the Board hold the Advance Public Comments session on the Fiscal Year 2011-2012 Budget.

10. **2011 Durham County Legislative Agenda**

15min.

The North Carolina General Assembly has convened the 2011 General Assembly Session in Raleigh. Following extensive collaboration with county department heads and other traditional legislative partners, several items were received as possible legislative proposals to be considered for inclusion in the final 2011 Durham County Legislative Agenda.

Staff conducted the first discussion of these items with the Board of County Commissioners at the February 7<sup>th</sup> work session. The goal is to prepare a strategic, focused package of legislative items that can be aggressively supported by members of the Durham Delegation.

With approval of this final version of the agenda, a breakfast meeting will be held on February 18<sup>th</sup> at 8:00 am with members of the Durham Delegation to go over the package.

Staff was asked to research some of the proposals and the package will go out on Friday, February 11 under separate cover.

Resource Person(s) : Deborah Craig-Ray, Assistant County Manager; Lowell Siler, County Attorney; and Kathy Everett-Perry, Assistant County Attorney

County Manager's Recommendation : The Manager recommends that the Board receive the proposed legislative agenda items, discuss, and direct staff.

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2hrs.15min.