

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

Monday, December 8, 2008

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 P.M. Regular Session

1. **Opening of Regular Session**—Pledge of Allegiance 5 min.
2. **Agenda Adjustments** 5 min.
3. **Announcements** 5 min.
4. **Minutes** 5 min.
 - a. November 10, 2008 Regular Session
 - b. December 1, 2008 Worksession
5. **Board of County Commissioners Comments** 15 min.

Members of the Durham County Board of Commissioners were sworn into office on Monday, December 1, 2008. Commissioners have asked for a period of personal reflection as the new term begins.

Resource Person(s): Michael D. Page, Chairman, Durham Board of Commissioners

County Manager's Recommendation: The Manager's recommendation is that the Board members take time for personal reflections.

6. **Recognition of the Herndon Foundation and Family—Budget Ordinance Amendment No. 09BCC000035—Durham County Library**

5 min.

The Board is requested to recognize the Herndon Foundation for its contribution to the Durham County Library and approve Budget Ordinance Amendment No. 09BCC000035. The Herndon Foundation gave Durham Library Foundation \$100,000 for a special project to enhance the South Regional Library while honoring the life of Mary Herndon and celebrating children, books, and learning. The project will be to create art on the exterior of South Regional Library. The library is contracting with Janet Kagan to work with an Art Selection Committee designated by the Library Board of Trustees to select and approve the art work. In addition, the total project will cover the artist's costs of design, fabrication, and installation of the art. At this time, we wish to accept the first installment of this donation in the amount of \$50,000. A second and final installment will be made in Fiscal Year 2010.

Resource Person(s): Hampton (Skip) Auld, Library Director

County Manager's Recommendation: The County Manager recommends that the Board recognize the Herndon Foundation for its contribution and approve Budget Ordinance Amendment No. 09BCC000035 in the amount of \$50,000 to enhance the South Regional Library with artwork that will honor the life of Mary Herndon and celebrating children, books, and learning.

7. **Resolution Honoring the Life of James E. Fields Sr.**

5 min.

For many years, Durham County citizens watched Board of County Commissioners meetings on local cable access Channel 8, thanks to the videotaping services of Mr. James E. Fields. Mr. Fields voluntarily began taping Durham County Board meetings and delivering tapes to Time Warner Cable for airing in the early 1980's. Ultimately, he became a valued contractor, continuing to tape meetings, special events, and to photograph various activities.

Mr. Fields passed on November 24, 2008 and a resolution has been prepared for the Board's approval.

Resource Person(s): Michael D. Page, Chairman, Durham Board of Commissioners

County Manager's Recommendation: The Manager's recommendation is that the Board approve the resolution and present to the family of Mr. James E. Fields Sr.

8. **Bill of Rights Defense Resolution**

5 min.

The Board is requested to reaffirm its support of civil rights and liberties contained in the Bill of Rights of the United States Constitution. The original resolution was approved by the Board of County Commissioners in 2003.

Resource Person(s): Joan Walsh, Chairman, Durham Bill of Rights Defense Committee

County Manager's Recommendation: The Manager's recommendation is that the Board approve the resolution and present to Ms. Walsh and the Durham Bill of Rights Defense Committee.

9. **Recognition of EMS Employee Kathy Mellown for Recent Award**

5 min.

On Monday, October 27, Kathy Mellown, certified paramedic and special program coordinator for Durham County's Emergency Medical Services (EMS), was awarded the Child Passenger Safety Committee Award by the North Carolina Governor's Highway Safety Program. The Child Passenger Safety Committee Award, given in recognition of outstanding leadership in child passenger safety and for the dedication to the safety of children in North Carolina, is awarded annually.

Ms. Mellown has served on the North Carolina Child Passenger Safety Committee for three years. She chaired the committee in 2008, and has been asked to return for an additional three-year commitment to the committee.

Ms. Mellown, employed 18.5 years with Durham County EMS, is in charge of the three permanent car seat checking stations in Durham County. Stations are official locations for parents to meet with certified technicians that ensure proper installation of car seats. Technicians evaluate installation of car seats and also provide car seat education to parents.

Resource Person(s): Mike Smith, Director, EMS, or M. Kevin Wilson, WMD Coordinator, EMS

County Manager's Recommendation: The Manager's recommendation is that the Board recognize the outstanding contributions of Kathy Mellown to Durham County and the great state of North Carolina. The Chair of the Durham County Board of Commissioners is asked to re-present the award to Ms. Mellown.

10. **Consent Agenda**

20 min.

- a. Lowes Grove Middle School—Utility Easement (approve the Duke Energy Carolinas Right-of-Way Agreement and authorize the Manager to execute the agreements);
- b. Budget Ordinance Amendment No. 09BCC000033—Cooperative Extension—Recognize \$9,950 in Grant Funding from NC State University's Office of Extension Engagement and Economic Development to support the implementation of Parenting for Effective Teens: Building Family Support and Community Capacity for our Youth (PET) through June 30, 2009;
- c. Triangle United Way Inc.—Service Contract Approval for Imagine Durham, an RBA Initiative (authorize the Manager to enter into a contract with Triangle United Way Inc. in the amount of \$30,000 to provide RBA Initiative administration and coordination);

- d. Budget Ordinance Amendment No. 09BCC000036—Public Health—Recognize One-Time Funds in the amount of \$3,000 from the N.C. Department of Health and Human Services for the Immunization Clinic;
- e. Budget Ordinance Amendment 09BCC000037—Department of Social Services—Fund Balance Appropriation in the amount of \$272,006 for Additional At-Risk Case Management Services;
- f. Extension of the 2009 Listing Period for Business Personal Property (authorize the Tax Assessor to grant extensions until April 15, 2009 to taxpayers who request an extension and show good cause during the month of January 2009 and file by means of the counties electronic listing of business personal property; and grant extensions until March 15, 2009 to all other taxpayers who request an extension and show good cause during the month of January 2009);
- g. Cooperative Extension—To Increase the Work Percentage for an Extension Agent Position with the Strong Couples Strong Children (SCSC) Project (approve the FTE increase for position number 40000917 from .49 to .62 FTE);
- h. Budget Ordinance Amendment No. 09BCC000038—Economic Development—Pass-Through of \$500,000 in One NC Funds from State of North Carolina to Quintiles Transnational Corporation;
- i. Approve the Durham Board of County Commissioners' 2009 Meeting Schedule;
- j. Reset the Register of Deed's salary at \$112,000;
- k. Request for Lease Extension for the Scarborough & Hargett Funeral Home (extend the lease through June 30, 2009 at a rate of \$9,250 per month);
- l. Execution of Architectural Design Service Contract with MHAworks for the Criminal Justice Resource Center Renovation—Project No.: DC082 (authorize the execution of the contract for the Phase II Renovation of the Criminal Justice Resource Center and Sheriff's Offices, in the amount of \$275,000 plus additional services and reimbursable expenses at \$ 112,800, thus totaling \$387,800);
- m. South Regional Library—Right-of-Way and Easement Dedication and Plat (approve the right-of-way and easement dedications and corresponding Final Plat that will be recorded in the Durham County Register of Deeds Office);
- n. Approve the Reimbursement Resolution for the South Regional Library, Southwest Library, and Civic Center Projects;
- o. Budget Ordinance Amendment No. 09BCC000039—Cooperative Extension—Recognize \$17,893 in Additional Funding from the Juvenile Crime Prevention Council for community base JCPC Programs;
- p. Criminal Justice Partnership Act Advisory Board (CJPAAB) (approve CJPAAB's recommended appointment of John Fitzpatrick—Criminal Defense Attorney); and
- q. Capital Project Amendment No. 09CPA000012—Southwest Branch Library Project (DC075) and Execution of the Construction Contract for the Southwest Regional Branch Library Building—Project No.: DC075-67, Bid No: IFB 09-013 (authorize a \$3,300,000 appropriation to the Southwest Regional Library project for a total project budget of \$6,664,504; enter into a contract with The Resolute Building Company Inc. [TRBC] for the construction of the addition and renovation to the Branch Library located on 3605 Shannon Road, Durham, in the amount of \$3,747,104 [Base Bid Plus Alternates 1,3,4, & 5]; execute any other related contracts including change orders, if necessary, not to exceed the available construction budget of \$4,309,170; funding for this project will come from a COPS financing

loan; any General Fund funds spent towards these projects will be reimbursed once loan funds are secured).

11. **Transportation Options for the 2035 Long Range Transportation Plan**

35 min.

Every four years the Durham Chapel Hill Carrboro Metropolitan Planning Organization (DCHC MPO) updates the Long Range Transportation Plan (LRTP). The 2035 LRTP will list the highway, transit, bicycle, and other transportation projects and services that should be implemented between 2008 and 2035. The projects must demonstrate the best method of meeting the expected transportation demand, within the limits of the revenue available to pay for the projects and services. Transportation projects and services must be in the LRTP in order to receive state and federal funding. As the funding becomes available, projects from the LRTP will be added to the Transportation Improvement Program (TIP). The development of the LRTP includes an ongoing program to inform and involve the governing bodies. This presentation is a part of that effort.

County Manager's Recommendation: Receive the 2035 LRTP Transportation Options Presentation.

12. **Board and Commission Appointments**

10 min.

Vonda Sessoms, Clerk to the Board, will distribute ballots to the Board to make appointments to the following boards and commissions:

- Animal Control Advisory Committee
- Boxing & Wrestling Commission
- Criminal Justice Partnership Act Advisory Board
- EMS Council
- Nursing Home Community Advisory Committee
- Open Space & Trails Commission
- Public Health Board
- Raleigh-Durham Airport Authority

Resource Person(s): Vonda Sessoms

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners vote to appoint members to the above-mentioned boards/commissions.

2 hrs.