

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

Monday, August 27, 2007

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. July 23, 2007 Regular Session
 - b. August 6, 2007 Worksession
 - c. August 13, 2007 Regular Session
5. **Recognition of Vivian Harris for her Lifetime Career Leadership Award** 5 min.

Vivian Harris of The Durham Center recently received the prestigious NC Council of Community Programs 2007 Lifetime Career Leadership Award to honor her long career of commitment to those in need of mental health, developmental disabilities, and substance abuse services.

Ellen Holliman, Area Director of The Durham Center presented the award at a NC Council ceremony saying, "Vivian Harris is a true champion of the Durham Center's mission and vision. She comes to work everyday thinking about how to ensure that all citizens of Durham the services and supports they need. Vivian has been with the Durham Center for 24 years. Some of the many roles she has had over the years have included Medicaid Specialist, Housing Specialist, Accreditation Coordinator,

Emergency Services Unit Coordinator, and Director of Standards and Medical Records. From 2002–2004, she played a huge role in assisting the area director with divesting all services. In 2004, Vivian served as our project manager, in addition to her other duties as compliance officer for implementation of our new management information system. Recently, Vivian’s work has focused on creating our new local business plan. This was a huge undertaking which required coordination and feedback from internal staff, area board members, CFAC members, and county commissioners.”

Resource Person(s): Ellen Holliman, Area Director

County Manager’s Recommendation: The Manager recommends that the Board of County Commissioners recognize and congratulate Ms. Harris for this honor.

6. **Proclamation of September as Alcohol and Drug Addiction Recovery Month in Durham County**

5 min.

The Commissioners are requested to proclaim the month of September 2000 as “National Alcohol and Drug Addiction Recovery Month” in Durham County. Staff representatives from The Durham Center will be on hand to receive the proclamation.

Resource Person(s): Ellen Holliman, Area Director, The Durham Center

County Manager's Recommendation: Present the proclamation to representatives of The Durham Center and urge support for efforts to provide effective treatment and support of individuals struggling with addiction.

7. **Consent Agenda**

20 min.

- a. Property Tax Releases and Refunds for Fiscal Year 2007-2008 (accept the property tax release and refund report for July 2007 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- b. Approve the Revisions to the Bylaws of the Durham County Library Board of Trustees;
- c. Sheriff’s Office—Approve Establishment of a \$5 Fee Charge for a DVD/CD COPY (approve the establishment of a \$5 fee charge to cover the cost of DVD/CD per incident at the Detention Center);
- d. Memorandum of Understanding with Orange County and Triangle Off-Road Cyclists Chapter of the Southern Off-Road Bicycle Association for Little River Regional Park (approve for the maintenance of bicycling trails at the Little River Regional Park);
- e. Approve the Sale of County Surplus Property (approve the sale of 4014 Cheek Road to LuAnn Young for \$7,190, 509 Mallard Avenue to Adey Medhin for \$2,000, and 237 Rippling Stream Road to Ieschecia G. Allen of E & E Investment Properties for \$850);

- f. Federal Farm and Ranchlands Protection Grant Agreement ([a] approve the Amendment to the 2005 Cooperative Agreement between Durham County and the United States by and through the Commodity Credit Corporation to substitute the Poole Farm conservation easement for the Arthur Tilley farm property and authorize the Manager to execute said amendment; [b] authorize the County Manager to execute a contact to purchase with Poole Farm Holdings LLC for conservation easements on approximately 45.3 acres at a purchase price of \$208,500; and [c] approve the acceptance of a permanent conservation easement on 6.5 acres on common open space associated with the Poole Farm Holdings LLC conservation subdivision);
- g. Triangle Wastewater Treatment Plant—Residuals Removal and Disposal—RFP-08-001 (authorize the Manager to enter into a service contract with Bio-Nomic Services Inc. for the removal and disposal of sludge in an amount not to exceed \$605,760 and authorize the Manager to execute annual renewals of this contract as funding becomes available);
- h. Budget Ordinance Amendment No. 08BCC000006 Public Health—Recognize \$43,119 Returned by Correct Care Solutions Inc. in the Jail Health Budget;
- i. Execution of Consulting Services Agreement with ECS Carolinas, LLP for the Additional Geotechnical Testing for the Proposed Durham County Justice Center. Project No.: DC066 (authorize the execution of a consulting services agreement in the amount \$46,740); and
- j. Adopt the Amendment to Audit Oversight Committee By-Laws.

8. **Sales Tax and Land Transfer Tax**

60 min.

The North Carolina General Assembly has granted counties the authority to impose either a ¼-cent sales tax or a .4 (of 1%) land transfer tax. Imposition of either tax requires voter approval. A citizens poll and answers to questions posed during the August 6 Worksession have been completed, both of which have been distributed to the Board of Commissioners for study. Two resolutions to place either or both questions on the November 6 ballot have been prepared by the County Attorney. The Board must make a final decision before the end of August in order for the Board of Elections to comply with the procedural requirements to have the question(s) placed on the November 6 ballot.

Resource Person(s): Mike Ruffin, County Manager; Pam Meyer, Director, Budget and Management Services; Keith Lane, Senior Budget Analyst; and Gene Hodges, Budget Analyst

County Manager's Recommendation: Note: The Manager is awaiting final polling results and will make a recommendation upon the receipt thereof. The revised agenda action form along with additional backup materials will be distributed on Friday, August 24, 2007.

9. **Board and Commission Appointments**

10 min.

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

- Nursing Home Community Advisory Committee
- Planning Commission
- Workforce Development Board

Resource Person(s): Vonda Sessoms

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

10. **Closed Session**

30 min.

The Board is requested to adjourn to Closed Session to consult with an attorney, to preserve the attorney-client privilege, and discuss County of Durham v. Daye 03 CVS 457 pursuant to G.S. § 143-318.11(a)(3).

2½ hrs.