

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

Monday, December 7, 2009

9:00 A.M. Worksession

AGENDA

1. **Election of Chairman and Vice Chairman of the Board of County Commissioners** 5 min.

County Attorney Lowell Siler will preside over the election of the Board's Chairman. The newly elected Chairman will preside over the election of the Vice Chairman.
2. **Approval of Public Official Bonds** 5 min.

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

Resource Person(s): Lowell Siler, County Attorney; Cathy Whisenhunt, Risk Manager

County Manager's Recommendation: Approve the bonds as they meet the statutory requirements.
3. **Citizen Comment—Mr. John Everett** 5 min.

Mr. John Everett has requested time on the agenda to speak to the Commissioners about the foreclosing of his property, located at 1001, 1007, and 1009 Holloway Street.

Resource Person(s): Michelle Parker-Evans, Clerk to the Board
4. **Review of November BOCC Directives** 5 min.

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.

Resource Person(s): Mike Ruffin, County Manager, and Laura Jensen, Assistant to the County Manager

County Manager's Recommendation: The Manager recommends that the Board review the November BOCC directives and make comments to staff as necessary.
5. **Appearance Advocacy Group Report** 20 min.

The Durham Appearance Advisory Group (DAAG) is a work group that emerged from the implementation of community outcomes from Results Based Accountability initiative. DAAG was created specifically to deal with appearance issues in Durham.

Representatives will be present to update the Board of County Commissioners and seek its continued support for community appearance efforts.

Resource Person(s): Sylvia Goff, RBA Co Chair for Community Appearance, Rob Teer, Ginny Bowman, and Chris Boyer

County Manager's Recommendation: The Manager recommends that the Board receive the report and refer the DAAG recommendations to staff for evaluation.

6. **Human Rights Day and Bill of Rights Day Proclamation**

20 min.

Joan Walsh, Durham Bill of Rights Defense Committee and the Durham Immigrant Solidarity Committee, presented the proposed language for this year's Proclamation for Human Rights Day and Bill of Rights Day. Curtis Massey, Durham County Sheriff's Legal Advisor, has reviewed the proclamation, as proposed by Ms. Walsh, and has raised a concern with the following language in the last paragraph, "... (b) that when required to provide identification, any resident may show a valid identification card provided by another country that includes a photo, date of birth, and current local address, and this will be respected." His concern is based on the fact that the Sheriff has traditionally declined to accept identification cards issued by foreign governments because of the potential for counterfeiting and the inability to validate such identification cards. Therefore, Mr. Massey proposes a revised proclamation, which does not include the aforementioned language. The County Attorney shares the concern of the Sheriff and his Legal Advisor.

Resource Person(s): Joan Walsh, with the Durham Bill of Rights Defense Committee and the Durham Immigrant Solidarity Committee; Curtis Massey, Durham County Sheriff's Legal Advisor; and Lowell L. Siler, County Attorney.

County Manager's Recommendation: The County Manager recommends that the Board of County Commissioners accept and approve the revised resolution proposed by Mr. Massey and agreed upon by the County Attorney.

7. **Triangle Tomorrow—Reality Check Guiding Principles for Quality Growth**

20 min.

Triangle Tomorrow and the Urban Land Institute have partnered to develop a collaborative vision for growth and land use for the 15-county Triangle region. "Reality Check" provides guiding principles for local governments to use in its charge to ensure for quality growth. The Board is requested to consider the adoption of a resolution endorsing the "Reality Check Principles for Quality Growth."

Resource Person(s): Pam Wall, Executive Director, Triangle Tomorrow

County Manager's Recommendation: The Manager recommends that the Board review the request and place the resolution on the December 14, 2009 Consent Agenda for adoption.

8. **Presentation of the Durham County Agricultural Development and Farmland Preservation Plan**

20 min.

The Soil and Water Conservation Department and the Durham County Farmland Protection Advisory Board request that the BOCC receive a presentation on the final draft of the Durham County Agricultural Development and Farmland Preservation Plan. The overall goal of the Agricultural Development and Farmland Preservation Plan (ADFPP) is to create a profitable and sustainable agricultural sector in Durham County that can assure a healthy farm landscape and access to fresh, local foods for the next generation. The Durham County ADFPP will be an asset to the County in assessing the current state of farming in Durham County, coordinate the future activities, agencies and funding for agriculture and farmland preservation, and recognize the existing challenges and opportunities to family-owned farms and the local agricultural economy.

Resource Person(s): Jennifer Brooks, Watershed Conservationist; Kathryn Spann, Farmland Protection Advisory Board Chair; and Eddie Culberson, Director of Soil and Water Conservation

County Manager's Recommendation: The Manager's recommendation is that the Board receive the Durham County Agricultural Development & Farmland Preservation Plan, place on the December 14 Regular Session consent agenda for adoption, and provide direction as appropriate.

9. **Hollow Rock Master Plan Report and Presentation**

20 min.

The Board is requested to receive the Hollow Rock Master Plan Report and Presentation. The Hollow Rock Master Plan has been developed by the Hollow Rock Planning Advisory Committee, a group formed by Orange County, Durham County, City of Durham, and Town of Chapel of Hill to guide the park planning. The report sets the vision for site development for this area, which includes 43.2 acres within Orange County, and 31.6 acres within Durham County.

The memo provides further details regarding the master plan, proposed uses, and issues that require additional study.

Resource Person(s): Jane Korest, Open Space & Real Estate Manager, and Wendy Jacobs, Chair of the Hollow Rock Planning Committee

County Manager's Recommendation: The Manager recommends that the Board receive the Plan and, if comfortable, forward it to the December 14, 2009 Regular Session for adoption.

10. **Discussion of Board and Commission Appointment Practices**

20 min.

At the August 3, 2009 Worksession, the Board of County Commissioners asked for staff to survey the other nine largest counties in North Carolina and the City of Durham for their board and commission appointment practices. The Board of County

Commissioners received a memorandum on September 30, 2009 with the results of the survey. This discussion is a follow-up to that memorandum.

Resource Person(s): Mike Ruffin, County Manager, and Laura Jensen, Assistant to the County Manager

County Manager's Recommendation: The Manager recommends that the Board review the memorandum of board and commission appointment practices and make comments to staff as necessary.

LUNCH—11:20 A.M.

11. **Board Procedures, Open Meetings, and Ethics**

2 hrs.

Per a directive given at the November 4, 2009 Special Session, the Board will continue discussions regarding Board procedures, open meetings, and ethics.

Resource Person(s): Lowell Siler, County Attorney; Kathy Everett-Perry, Assistant County Attorney; and A. Fleming Bell, Professor of Public Law and Government, UNC School of Government

County Manager's Recommendation: The County Manager recommends that the Board discuss the item and advise staff if additional action is necessary

4 hrs. 20 min.