

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

Monday, January 14, 2013

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)
 - 1) "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.
 - 2) Durham County needs you! If you have a few hours to commit, Durham County has a number of boards and commissions that can benefit from your participation. We invite you to make a difference in our community. Contact the Clerk's Office at 919-560-0025, visit the County's website, or email Clerk@dconc.gov for more information. Please note that all City and County taxes must be current at the time of application.
 - 3) The Durham County Department of Public Health continues to offer FREE flu shots to anyone six months of age and older. The shots are available at the Durham County Department of Health Immunization Clinic – Lobby 7, 414 East Main Street, Monday - Friday 8:30 a.m. until 11:00 a.m. and 1:00 p.m. until 4:00 p.m. No appointment is necessary. On the first Wednesday of the month, shots will be offered from 8:30 a.m. until 11:00 a.m. only.

- 4) The Durham County Department of Public Health, with the assistance from dental professionals in the community, will host its 9th Annual Give Kids A Smile® Day on Friday, February 1, 2013. Appointment scheduling for FREE dental care begins on Monday, January 14, 2013, on a first come, first served basis. Appointments can be made by calling (919) 560-7680, between 8:00am and 4:30pm. To be eligible for Give Kids A Smile®, children must be between the ages of 5 and 21; be a new dental patient to Public Health's Dental Clinic; and have NO Dental Insurance. For more information about Give Kids A Smile®, contact Yolandas Alston with the Durham County Department of Public Health's Dental Clinic at (919) 560-7691.
- 5) Durham County Government invites all residents to the 8th Annual Durham City-County Martin Luther King, Jr. Observance Program. Join in celebrating Dr. King's mighty legacy at noon, on Wednesday, January 16, at First Presbyterian Church, located at 305 E. Main Street. Dr. Eric Becoats will deliver the keynote message. The event is free and open to the public.

4. **Minutes (5 min)**

- a. December 10, 2012 Regular Session
- b. December 3, 2012 Worksession
- c. November 29, 2012 Rougemont Water Meeting
- d. November 20, 2012 Rougemont Water Meeting

5. **Recognition of Alice Sharpe (10 min)**

- 1) Congratulations to Ms. Alice Sharpe, winner of Downtown Durham Inc.'s most important annual award. "The 2012 Downtown Visionary recipient is honored for her longevity as a leader in downtown's renaissance. Ever since DDI began operations in 1993, and before, Alice Sharpe has been a highly visible presence living, working, playing and volunteering in downtown. Whenever DDI and downtown needed an advocate with our elected leaders, Alice was there to help. Whenever DDI and downtown needed a partner with the private sector, Alice was there to help. Whenever DDI staff needed wise counsel, Alice was there to help. Whenever DDI, the Arts Council, the Carolina Theatre, Durham Central Park, or any of so many other downtown organizations, needs a volunteer for an event, Alice is there to volunteer"...Downtown Durham Inc.
- 2) Alice Sharpe, Development Officer for Durham County Library, is the longest serving member of the DDI Board, a longtime member of the Executive Committee, and a former chair person of DDI. The award was presented at the group's annual meeting on December 7, 2012.

Resource Persons: Chairman Fred Foster, Jr.

County Manager's Recommendation: The County Manager recommends that the Board congratulate Ms. Alice Sharpe for receiving the 2012 Downtown Visionary Award from Downtown Durham, Inc.

6. Resolution Supporting Regulatory Reform of Firearms and Ammunition (10 min)

- 1) The Board is requested to approve a resolution supporting regulatory reform of firearms in response to the shooting in Newtown, Conn., at Sandy Hook Elementary School. This resolution is drafted to align with a letter signed on December 19 by Mayors Against Illegal Guns which is a national, bipartisan coalition of mayors working to make America's communities safer by keeping illegal guns out of dangerous hands. Local Mayors Bill Bell, Mark Kleinschmidt and Nancy McFarlane signed a letter to President Barack Obama urging him "to put forward an agenda that is rooted in common sense and that will make it harder for dangerous people to possess guns, and easier for police and prosecutors to crack down on them."

Resource Persons: Chairman Fred Foster, Jr.

County Manager's Recommendation: The County Manager recommends that the Board approve the resolution and forward to NACo, NCACC and members of the Durham Congressional Delegation.

7. Durham County Receives Award from Regional Transportation Alliance (10 min)

- 1) Congratulations to Durham County Government for receiving an award for "Embracing a Regional Transportation Future." This award was presented on December 6, 2012.

Resource Persons: Chairman Fred Foster, Jr.

County Manager's Recommendation: The County Manager recommends that the Board acknowledge the receipt awarded to Durham County Government.

8. Recognition of Public Health Staff for Individual and Program Achievements (10 min)

- 1) The Board is requested to recognize the following Public Health staff and programs for outstanding achievement recognized on the local and state level:
 - Bob Jordan, Onsite Water Protection Supervisor, received the Steve Steinbeck Award at the North Carolina On-Site Wastewater Training Academy's annual conference on October 16 in Hickory, NC. The Steve Steinbeck Award is named for the retired North Carolina State University faculty member who was noted for cutting edge research in the on-site wastewater field. It is presented to an individual for achievements in the profession in several areas, including improving science behind rules and practice, improving implementation of technology, assuring program effectiveness, improving the quality of system installations, and public education. The person selected for this award each year is chosen from nominations by professional colleagues and others familiar with an individual's work and achievements.

Jordan has been employed with DCoDPH since 1991 and was recognized for his dedication to exploring methods to verify the science behind the Falls Lake Nutrient Strategy Legislation, while simultaneously preparing Durham County to meeting the mandated legislative requirements.

- Ann Milligan-Barnes, RN, nurse coordinator of the Department of Public Health's CenteringPregnancy® program, was recently honored during a black-tie gala at the Joseph S. Koury Convention Center in Greensboro, as one of The Great 100 Nurses in North Carolina by The Great 100, Inc. RN Nursing Excellence Organization of North Carolina for 2011-2012.

Milligan-Barnes, a DCoDPH employee since 1993, was the only public health nurse in North Carolina to be named to this year's Great 100. Milligan-Barnes, along with 99 other recipients, was selected on the basis of their outstanding professional abilities and commitment to improving health care in their communities. These individuals present a positive, professional image of nursing.

The Great 100, Inc., is a grassroots peer recognition organization that honors 100 nurses in North Carolina each year for professional excellence. This once in a lifetime award, given to the "best of the best", is considered by many to be the crowning achievement to a lifetime spent caring for others.

- Public Health Director Gayle Harris was profiled in the "Tar Heel Footprints in Health Care" feature of the September/October issue of the *North Carolina Medical Journal*, for her tireless efforts to address the social determinants of health throughout Durham. "Tar Heel Footprints in Health Care" is a periodic feature that recognizes individuals whose efforts—often unsung—enhance the health of North Carolinians.
- Public Health Director Gayle Harris recently received the Legacy Award from the Auxiliary to the Durham Academy of Medicine, Dentistry and Pharmacy. This award is presented in appreciation for unselfish dedication and endless devotion toward ending health disparities and inequities.
- The Department of Public Health's Dental Division received a Local Health Department Special Recognition Award from the North Carolina GlaxoSmithKline Foundation. The award was presented during the North Carolina Public Health Association's annual meeting in New Bern on September 19, for their work to increase access to dental care for disadvantaged children throughout Durham. By revamping Dental Clinic and Tooth Ferry staffing patterns, provider contract and patient scheduling, the Dental Division has significantly increased the number of patients receiving dental services.
- The Department of Public Health's Nutrition Division Junior Iron Chef Durham program received the Sparkle Award from the NC Public Health Association Wellness and Prevention section. The award was presented during the North Carolina Public Health Association's annual meeting in New Bern on September 20. This award is presented to local health departments for the development and implementation of new innovative and creative public health programs that can serve as a model for others.

Junior Iron Chef Durham, led by nutritionists Kelly Warnock, Christy O'Connor, and Heidi Schoepper, is a nutrition and culinary arts program designed to improve the health of Durham's youth. The program uses unconventional methods such as competition and social media to excite students about health and nutrition. Participants attend a series of workshops with a registered dietitian. Each workshop

is comprised of a hands-on nutrition lesson followed by a healthy recipe cook off. By pairing nutrition education with culinary arts training, students learn not only what foods they need to eat to keep their bodies healthy, but they learn how to cook these foods. Most importantly, they learn that healthy foods taste good.

- On July 27, the Durham County Department of Public Health Communicable Disease Program received an “EXTRA EFFORT AWARD” from the State Communicable Disease Branch. This award was presented at the 2012 Communicable Disease Conference and Tuberculosis Symposium at the Friday Center, Chapel Hill, NC.

The credit for this award goes to the entire communicable disease staff, and especially to Hattie Wood, RN, MSN, MHA, Community Health Division Director and Director of Nursing. Ms. Wood spearheaded a dedicated team of employees to work diligently on the North Carolina Electronic Disease Surveillance System and to effectively investigate and report communicable diseases in Durham County.

Resource Persons: Gayle Harris, Public Health Director

County Manager’s Recommendation: The County Manager recommends that the Board recognize the Department of Public Health, its respective programs, and staff, for providing Durham County residents exceptional programs and service, that serve as the benchmark for quality and innovation in North Carolina’s Public Health system.

9. 2012 County Cares Campaign Results and Recognition (10 min)

- 1) The Board is requested to hear the results of the 2012 County Cares Campaign in which Durham County employees donated a total of \$76,969.00 to be distributed to the following organizations: 1) Durham Rescue Mission, 2) John Avery Boys & Girls Club, 3) Juvenile Diabetes Research Foundation, 4) United Way of the Greater Triangle, and 5) Urban Ministries of Durham. These organizations were selected by County Employees through an internal online voting process.
- 2) The County Cares Campaign Committee is comprised of representatives from each County Department. The campaign ran from September 24 – October 26, 2012, a total of five weeks.

Resource Persons: Mike Ruffin, County Manager; Nina F. Bullock, Campaign Chair

County Manager’s Recommendation: The County Manager recommends that the Board hear the results and recognize the County employees and Committee Members for their outstanding donations and efforts, as well as present the final donations to the 2012 County Cares recipient organizations.

10. Consent Agenda (15 min)

- a. Approve moving the Board’s March 25, 2013 regular meeting to March 26, 2013;
- b. Approve the fiscal year 2012-2013 Interlocal Cooperation Agreement between Durham County and the City of Durham for Keep Durham Beautiful, Inc.;

- c. Approve Solutions for Local Government to conduct an analysis of fire services in Durham County;
- d. Approve the funding requests from Creekside Elementary PTA, Ellerbe Creek Watershed Association, Friends of the Mountains-to-Sea Trail, and Lakewood Montessori PTA and the allocation of \$29,350 of the budgeted Matching Grants funds to these projects;
- e. Approve Budget Ordinance Amendment No. 13BCC000051 to recognize \$3,000 in grant funding from 20/20 Sisters of Vision Fund of Triangle Community Foundation and appropriate those funds in the Cooperative Extension budget;
- f. Approve Budget Ordinance Amendment No. 13 BCC000052 to recognize \$1,500 in grant funding from NC Agriculture Foundation and to recognize \$3,000 in fee based revenue and appropriate those funds in the Cooperative Extension budget;
- g. Receive the update and authorize the Manager to write a letter of support for the submission of a North Carolina Federal Recreational Trails Program (RTP) grant for \$200,000;
- h. Approve the second amendment to the Interlocal Agreement regarding the 800 MHz radio system upgrade and authorize the County Manager to execute the agreement;
- i. Approve Budget Ordinance Amendment No. 13BCC000053 to transfer \$73,032 from the Community Health Trust Fund to the General Fund and appropriate the funds in the EMS budget, the transfer of approximately \$88,760 remaining on the contract with Bahama to the EMS budget and establishing 5 new FTEs in EMS. Additionally, the County Manager recommends that the Board accept the transfer of title of a 2006 Ford EMS Unit from Bahama Fire Department to Durham County;
- j. Approve the recommended name change of Durham Regional Hospital to Duke Regional Hospital;
- k. Approve the attached resolution allowing the County Manager, Finance Director, or Assistant County Manager to act as the primary grant representative for the FY 11 Scattered Site Housing grant from the North Carolina Department of Commerce;
- l. Appoint Fred Foster, Jr. to the Triangle Transit Authority Board.

11. ITEM REMOVED.

12. 2007 General Obligation Bond Change Resolution And Capital Project Amendment No. 13CPA000007 - Durham Public Schools 2007 General Obligation Bond Project Budget Adjustments (30 min)

- 1) On October 25, 2012, the Durham Public Schools (DPS) Board of Education approved several adjustments to budgets for 2007 General Obligation (GO) bond capital projects. Pursuant to the Interlocal Agreement with DPS, as amended, the

Board is requested to consider and approve the transfer of funds between projects with 2007 GO bond funding. A copy of the 2007 GO Bond Change Resolution, approved by the Board of Education, is also attached.

- 2) The **New High School ‘A’** project is not planned before 2018 (land has already been purchased). Several capital needs are identified in the Long-Range Facilities Plan (2010). The Board of Education requests the uncommitted funds for New High School ‘A’ be reallocated to priorities in Exhibit ‘A’. The table below indicates funds reconciled by DPS and the County that are available for transfer.

2007 Bond Projects	Unused Funds	Funds Needed
New High School ‘A’ (SH126)	\$31,581,667	
Bethesda Elementary School (SH137)		\$567,600
Burton Elementary School (<i>new SH154</i>)		\$747,000
Easley Elementary School (<i>new SH155</i>)		\$300,000
Eno Valley Elementary School (<i>new SH156</i>)		\$700,000
Fayetteville Street Elementary School (<i>new SH157</i>)		\$895,262
Forest View Elementary School (<i>new SH158</i>)		\$1,080,000
Glenn Elementary School (<i>new SH 159</i>)		\$194,958
Hillandale Elementary School (<i>new SH160</i>)		\$1,494,000
Holt Elementary School (<i>new 161</i>)		\$582,410
Hope Valley Elementary School (<i>new 162</i>)		\$570,000
Little River Elementary School (<i>new 163</i>)		\$1,020,000
Mangum Elementary School (SH142)		\$252,000
Oak Grove Elementary School (<i>new SH164</i>)		\$840,600
Pearson Elementary School (<i>new SH165</i>)		\$2,343,875
E. K. Powe Elementary School (SH145)		\$102,000
Southwest Elementary School (<i>new SH166</i>)		\$474,000
George Watts Elementary School (<i>new SH167</i>)		\$1,146,000
New Elementary ‘C’ (<i>new SH 168</i>)		\$1,207,680
Brogden Middle School (<i>new SH169</i>)		\$513,000
Carrington Middle School (SH147)		\$442,500
Chewing Middle School (<i>new SH170</i>)		\$600,000
Githens Middle School (<i>new SH171</i>)		\$648,000
Lowes Grove Middle School (<i>new SH172</i>)		\$219,600
Neal Middle School (SH122)		\$180,000
W.G. Pearson Middle School (<i>new SH173</i>)		\$1,800,000
Rogers-Herr Middle School (<i>new SH174</i>)		\$189,000
Durham School of the Arts (SH148)		\$688,080
Hillside High School (<i>new SH175</i>)		\$1,036,608
Jordan High School (SH125)		\$1,357,856
Northern High School (<i>new SH176</i>)		\$1,274,311
Riverside High School (<i>new SH177</i>)		\$890,640
Southern High School (<i>new SH178</i>)		\$1,113,840
Bacon Street Center (<i>new SH179</i>)		\$1,560,000
Staff Development Center (<i>new SH180</i>)		\$516,000

2007 Bond Projects	Unused Funds	Funds Needed
Whitted Project (<i>new SH181</i>)		\$3,000,000
Bond Program Management (SH151)		\$1,034,846

Resource Person(s): Hugh Osteen, Durham Public Schools, Chief Operations Officer; Tim Carr, Construction Program Director

County Manager's Recommendation: The Manager recommends that the Board approve the 2007 GO Bond Change Resolution and Capital Project Amendment No. 12CPA000007 moving \$31,581,667 from one 2007 GO Bond funded DPS capital project (New High School 'A') to thirty-six (36) 2007 GO Bond funded DPS capital projects as listed in Exhibit 'A'.

13. RESERVED FOR ITEMS PULLED FROM CONSENT AGENDA (20 min)

14. Closed Session (60 min)

- 1) The Board is requested to adjourn to closed session pursuant to G.S. 143-318.11(a)(3) to consult with an attorney in order to preserve the attorney-client privilege and to discuss the case in the matter of Geraldine Robinson v. Joe Bowser et al.
- 2) The Board of Commissioners is requested to adjourn to closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, pursuant to G.S. § 143-318.11(a)(6).

County Manager's Recommendation: The County Manager recommends that the Board adjourn to Closed Session and direct staff as appropriate.