

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

Monday, January 9, 2006

**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.
  - The City and County of Durham will host the first annual Martin Luther King Employee Observance program on Friday, January 13 at noon at First Presbyterian Church, 305 E. Main Street. Guest speaker will be Dr. Clifford A. Jones, senior pastor of Friendship Baptist Church in Charlotte. The program will also feature the Sheriff?s Color Guard and a city and county employees? choir.
  - Applications are now being accepted for the award winning City-County Neighborhood College program. The nine-week program provides citizens with valuable information about the overall operations of their City and County Governments. Applications may be downloaded from the County?s website or citizens can call 560-0008 to receive one. The deadline for accepting applications is January 27.
4. **Minutes**  
5 min.
  - a. December 5, 2005 BOCC/City Council
  - b. December 5, 2005 Worksession
  - c. December 12, 2005 Regular Session

5. **Public Health?Recognize Heather Wasser, MPH, RD, LDN, Recipient of a Public Health Award**

5 min.

The Health Department recognizes Heather Wasser, a Nutritionist with the Durham County Health Department, for receiving the Public Health Staff Recognition Award from GlaxoSmithKline for her work in helping teachers and food preparation staff better understand good nutrition. The award was presented at the N.C. Public Health Association annual meeting in October.

Ms. Wasser knows that children must learn good eating habits early to maintain healthy lifestyles as they move into adulthood. She uses creative and fun methods to communicate with teachers and food staff, assesses menus for nutritional value and compliance with child nutrition rules at childcare centers, and provides nutrition information to parents. She is always willing to spend extra time evaluating classrooms to address specific problems and developing tailored action plans to help the centers raise their licensing ratings. Durham?s Partnership for Children, which funds this project and submitted the nomination, wrote, ?Under Wasser?s guidance, many children in Durham County are eating healthier meals and becoming more productive students.?

Resource Person(s): Rebecca Freeman, Director of Nutrition Services

COUNTY MANAGER'S RECOMMENDATION: THE MANAGER RECOMMENDS THAT THE COMMISSIONERS RECEIVE THE HEALTH DEPARTMENT'S PRESENTATION REGARDING MS. WASSER'S GLAXOSMITHKLINE AWARD AND FOR HER WORK ON BEHALF OF CHILDREN IN CHILDCARE CENTERS.

6. **Recognition of Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for FY 2005-2006 Durham County Budget Document**

5 min.

In August 2005, the Budget & Management Services Department submitted Durham County?s FY 2005-2006 Budget Document for consideration to GFOA for its Distinguished Budget Presentation Award. In order to receive the award, a governmental unit must publish a budget document that meets program criteria as a policy document, operations guide, financial plan, and communications device.

Durham County received notification at the end of December that a panel of independent reviewers had completed their examination of Durham County?s budget document and voted to award Durham County the GFOA Distinguished Budget Presentation Award. This is the second year in a row that Durham County has applied for and received this award, which is the only national awards program in governmental budgeting.

Congratulations to the entire Budget & Management Services staff, which includes Kimberly Connally, Kevin Etheridge, Keith Lane, Pam Meyer, and Bill Renfrow (retired).

Resource Person(s): Mike Ruffin, County Manager

County Manager's Recommendation: The Manager recommends that the Board of County Commissioners acknowledge the receipt of the GFOA Distinguished Budget Presentation Award for current Fiscal Year 2005-2006.

7. **Consent Agenda** 20 min.

- a. Document Management/Imaging Vendor Contract?Social Services (approve the contract award to OneSource and authorize the Manager to execute the required contract documents);
- b. Extension of the Listing Period for Business Personal Property (authorize the Tax Assessor to grant extensions for the listing of business personal property until March 15, 2005 for taxpayers who request an extension during the month of January 2006);
- c. Capital Project Amendment No. 06CPA000006?Durham Public Schools 2001 & 2003 General Obligation Bond Project Adjustments (approve Capital Project Ordinance Amendment No. 06CPA000006 transferring \$367,129 in unused 2003 General Obligation Bond funding from several completed school capital projects to two uncompleted school capital projects, and transferring \$583,455 in unused 2001 General Obligation Bond funding from four complete projects to four new school capital projects. The four new capital projects being created are: Durham School of the Arts?Gym roof & windows project [\$125,000]; Jordan High?Auditorium project [\$225,000]; Northern High?HVAC Upgrades project [\$177,830]; and Jordan High?HVAC Upgrades project [\$55,625]);
- d. Capital Project Amendment No. 06CPA000007?Durham Public Schools (DPS)?Applications to the Public School Building Capital Fund (approve appropriating Public School Building Capital Fund funds to the Durham School of the Arts Gym roof & windows project [\$375,000] and a new project?Northern High School chiller replacement project [\$270,000]);

- e. Property Tax Releases and Refunds for Fiscal Year 2005-06 (accept the property tax release and refund report for November 2005 as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report);
- f. Budget Ordinance Amendment No. 06BCC000031?Public Health?Recognize Temporary Aid to Needy Families (TANF) Grant Funds in the amount of \$33,328 From the N.C. Department of Health and Human Services and Temporarily Increase a Part-time Public Health Nurse I Position;
- g. Budget Ordinance Amendment No. 06BCC000032?Public Health?Recognize Grant Funds in the amount of \$5,000 From Healthy Carolinians through the N.C. Department of Health and Human Services;
- h. Budget Ordinance Amendment No. 06BCC000033?Public Health?Recognize Grant Funds in the amount of \$10,000 from the Physical Activity and Nutrition Branch of the N.C. Division of Public Health to implement the Smart Moves Program);
- i. Budget Ordinance Amendment No. 06BCC000034?Social Services?Recognizing Additional Revenue approve an increase in Crisis Intervention Prevention [\$24,879] and Workforce Investment Act (WIA) HealthCare Initiative at Durham Technical Community College [\$41,000], for a total of \$65,879); and
- j. Contract with Smart Data Strategies Inc. (approve the contract to provide software and training for the Tax Administration Department not to exceed \$49,740).

#### **8. New Voting System for Durham County Board of Elections**

15 min.

The Board is requested to approve the purchase of the M100 optical scan voting system and the iVotronic touch screen voting system from Elections Systems and Software.

Purchase is contingent upon the receipt of grant funding from the State Board of Elections to cover the cost of this purchase.

Resource Person(s): Mike Ashe, Director of Elections

County Manager?s Recommendation: The Manager?s recommendation is that the Board approve the purchase of the new voting system. The purchase will be funded entirely with grant funds from the state. The County?s request for grant funds must be at the State Board of Elections no later than January 20, 2006.

#### **9. Resolutions Authorizing Condemnation for Courthouse**

15 min.

The Board of Commissioners is requested to pass two resolutions authorizing condemnation (use of eminent domain powers) of property for a new courthouse and related parking. The two parcels involved are owned by Scarborough and Hargett Funeral Home, Inc. and AREC 3, LLC (U-Haul). The property is located immediately south of the existing Durham County Jail. In fact, a new courthouse facility was planned for placement on these two parcels at the time the Jail was constructed. A tunnel to connect the Jail with the proposed courthouse facility was planned at the time. This would greatly facilitate the transfer of prisoners to court, and provide a large measure of safety for both the Sheriff?s deputies and the prisoners.

While County staff has tried to negotiate a reasonable purchase price for the two properties, these negotiations have proven fruitless. The next step to secure the property is the use of eminent domain procedures as set forth in the General Statutes. If the resolutions are passed, the County Attorney?s Office will institute an action to condemn the property. The fair market value of the properties as determined by independent appraisals will be deposited with the court when the actions are filed.

Resource Person(s): Chuck Kitchen, County Attorney, and Wendell Davis, Deputy County Manager

COUNTY MANAGER?s RECOMMENDATION: THE MANAGER RECOMMENDS THAT THE BOARD APPROVE THE TWO RESOLUTIONS ON SEPARATE VOTES SO THAT ACQUISITION OF THE PROPERTIES FOR THE NEW COURTHOUSE CAN PROCEED.

#### **9. Closed Session**

30 min.

The Board of Commissioners is requested to adjourn to closed session pursuant to N.C. G.S. § 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to N.C.G.S. § 143-318.10(e).

In addition, the Board is requested to adjourn to Closed Session pursuant to N.C.G.S. § 143-318.11(a)(6) to consider a personnel matter.

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**1 hr. 50 min.**