

REVISED
(Additions 4a, 9, and 10)
THE BOARD OF COUNTY COMMISSIONERS
DURHAM, NORTH CAROLINA

Monday, November 8, 2004

AGENDA

7:00 P.M. Regular Session

1. **Opening of Regular Session**?Pledge of Allegiance

2. **Agenda Adjustments**

3. **Minutes**

October 25, 2004 Regular Session

4. **TROSA Resolution**

TROSA (Triangle Residential Options for Substance Abusers) received a 2004 Nonprofit Sector Stewards Award from the N.C. Center for Nonprofits. The award recognized TROSA for the excellent social programs the organization has provided for ten years. TROSA is known for turning social problems into opportunities and saving taxpayers money in the process.

County Manager's Recommendation: The Manager recommends that the Board present a resolution honoring TROSA to Jesse Battle, Director of Men's Programs, and other staff present.

4a. **Proclamation?Cooperative Extension Week**

November 14-20 is Durham County Cooperative Extension Week which highlights the many contributions Durham County Cooperative Extension has made to the community.

Cooperative Extension offers a myriad of services including youth development, family and consumer education, community development, and agriculture and horticulture services.

Open house is planned for the public on Tuesday, November 16, 4:00- 6:00 p.m. and for county officials on Wednesday, November 17, 4:00 to 6:00 p.m.

County Manager's Recommendation: The Manager recommends that the Board present the proclamation to VonDelle Brown, Volunteer Coordinator for Welcome Baby.

5. **November Anchor Award Winner?Mark Schell**

Mark Schell, Durham County Emergency Management Coordinator, was selected to receive the November Anchor Award. Mark was recognized for coordinating the donation of 16 modular workstations to the expanded EOC.

- Mark saved the county \$20,000 by negotiating with SouthTrust Bank in Raleigh for a donation of 16 workstations including desktops, file units, overhead storage units, and panel systems.

- Mark not only secured the donated workstations, he dismantled the units at night after his normal

work hours (with the help of his son, Chris).

- After the units were dismantled, FM/EM staff loaded the units, transported them to the new EOC, and reassembled them.

Chairman Ellen Reckhow will lead the presentation.

County Manager's Recommendation: The Manager recommends that the Board present the November Anchor Award to Mark Schell, along with congratulations of the entire organization.

6. Consent Agenda

- a. Budget Ordinance Amendment No. 05BCC000019?The Durham Center?Acceptance and Allocation of Funds from Multiple Small Grants (appropriate \$40,000, \$33,389, \$9,500, \$9,008, \$16,609, and \$44,310, for a total Mental Health revenue and expenditure budget increase of \$152,816);
- b. Capital Project Amendment No. 05CPA000004 and Budget Ordinance Amendment No. 05BCC000020: Stanford L. Warren Branch Library Renovations; Emergency Medical Services Station No. 2; and Criminal Justice Resource Center Renovations (appropriate funds from undesignated General Fund fund balance for \$937,345, with \$17,000 moving to the CJRC and \$920,345 moving to the Capital Projects Fund (430); approve the increase of three capital projects by a total of \$920,345);
- c. Approval of Construction Contract for Stanford L. Warren Branch Library Renovations (Project No: DC073-48; Bid No: IFB 05-006) (authorize contract execution with D. W. Ward Construction Co. Inc. for \$1,499,613.00 (Base Bid plus Alternates 1 through 9) and execution of any other related contracts including change orders, if necessary, not to exceed the project budget of \$1,613,545.65);
- d. Set a Public Hearing to Close 328.16 Linear Feet of an Unnamed Street, North of Goodwin Road and West of Laurel Drive (SC03-21) (adopt the resolution and set the public hearing for November 22, 2004);
- e. Polyheme Study (approve the contracts to allow the County to participate in the study of the blood product [Polyheme©] use on EMS vehicles);
- f. Volunteer Fire Department Capital Asset Funding Agreement Change (be revised such that transfer of the EMS replacement vehicles to the indicated volunteer fire department(s) occurs; that the EMS replacement vehicles are still purchased according to County specs as approved by the EMS Director; and that the volunteer fire departments pay for vehicle maintenance and repair and record the depreciation expense);
- g. Office of the Sheriff?Amendment of Lease with Parkwood Volunteer Fire Department (authorize amendment of this lease); and
- h. Substitution of Trustee, Acceleration of Payment (approve substitution of the original trustee and authorize execution of the Substitute Trustee document, acceleration of the amount secured by the Deed of Trust, and foreclosure of the property in the event the amount due under the Deed of Trust is not paid).

7. Capital Project Amendment No. 05CPA000005?Durham Public Schools? 2003 Bond Adjustments & Public School Building Capital Funding for Bond Projects

Durham Public Schools Board of Education has approved adjustments to the distribution of phase one 2003 Bond projects. Due to requirements to have all funding available for contracts at the time

of issuance, a redistribution of the phase one funds is required. This does not result in any change in the scope or total budget for any project. This also does not delay any project. However, because of these changes, coupled with the use of State funds, other critical projects with safety implications can be expedited.

Several projects have already been completed under budget and the resulting balance is available for redistribution. Furthermore, local bond funds may serve as the local match to access funds from the Public School Building Capital Fund (PSBCF). Nine applications to the PSBCF are included with the redistribution of bond funds. No new County funds are required.

The Board of Education requests approval of the redistribution of phase one 2003 Bond funds and approval of the applications to the PSBCF.

Resource Person(s): Mr. Hugh Osteen, Assistant Superintendent of Operational Services, Durham Public Schools

County Manager's Recommendation: The County Manager recommends that the Board approve Capital Project Ordinance Amendment No. 05CPA000005 which redistributes a portion of phase one bond funds; appropriate an additional \$4,077,000 of Public School Building Capital Funding to nine of the bond projects; and authorize the Chairman to sign the nine applications for PSBCF funding.

8. Exit Procedure for BOCC Members and Board Appointees

The Board of County Commissioners has expressed the need for an exit policy or procedure that formalizes a process to ensure the prompt return of County property, files, and documents when appointed or elected officials' terms end.

Resource Person(s): Wendell Davis, Interim County Manager

County Manager's Recommendation: The Manager recommends that the Board of County Commissioners discuss, edit, amend, and approve.

9. Explanation of Personnel Privacy Act

Questions have arisen regarding the ability of County officials to explain and discuss personnel issues in public. The County Attorney has been requested to explain G.S. § 153A-98, the Personnel Privacy Act, which applies to county employees.

Resource Person(s): Chuck Kitchen, County Attorney

County Manager's Recommendation: The Manager recommends that the Board receive the County Attorney's explanation of the Personnel Privacy Act.

10. Closed Session

The Board is requested to adjourn to closed session to instruct the staff concerning the position to be taken on the terms of a possible acquisition of property known as the Preserve at Erwin Trace, PIN # 0801-03-12-7186, pursuant to G.S. § 143-318.11(a)(5).



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200 E Main Street, Durham, NC 27701

webmaster@durhamcountync.gov

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