

**REVISED**  
(Revisions?3[u] and 7[g]; Additions?7[k], 7[l], and 14)  
**THE BOARD OF COUNTY COMMISSIONERS**  
**DURHAM, NORTH CAROLINA**

Monday, May 10, 2004

**AGENDA**

5:00 P.M.

**Closed Session**

The Board of Commissioners is requested to adjourn to closed session to consider the competence, performance, or fitness of a public officer or employee pursuant to G.S. § 143-318.11(a)(6).

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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. **Minutes** 5 min.
  - a. June 1, 1998 Closed Session m. March 3, 2003 Closed Session
  - b. January 10, 2000 Closed Session n. March 24, 2003 Closed Session
  - c. April 10, 2000 Closed Session o. April 14, 2003 Closed Session
  - d. February 12, 2001 Closed Session p. September 8, 2003 Closed Session
  - e. December 3, 2001 Closed Session q. November 10, 2003 Closed Session
  - f. February 11, 2002 Closed Session r. November 24, 2003 Closed Session
  - g. June 24, 2002 Closed Session s. December 8, 2003 Closed Session (1<sup>st</sup>)
  - h. September 23, 2002 Closed Session t. December 8, 2003 Closed Session (2<sup>nd</sup>)
  - i. October 21, 2002 Closed Session u. **February 23, 2004 BOCC/DPS**
  - j. November 1, 2002 Closed Session v. April 5, 2004 Worksession
  - k. November 11, 2002 Closed Session w. April 26, 2004 Regular Session
  - l. January 27, 2003 Closed Session
4. **Resolution for Outgoing Duke University President?Dr. Nannerl O. Keohane**  
5 min.

Dr. Nannerl O Keohane has served as Duke?s eighth president since July 1, 1993. She was the first

woman to serve as Duke's president, and during her leadership, the University raised more than \$2 billion through the "Campaign for Duke." She further established Duke as a much more diverse and international educational institution. Dr. Keohane will step down as president at the end of June. She plans to return to teaching and academic study.

COUNTY MANAGER'S RECOMMENDATION: Present the resolution to Dr. Nannerl O. Keohane, along with sincere thanks for her extraordinary accomplishments at Duke University, and extend best wishes for her next career.

5. **Resolution for Outgoing Duke University Chancellor for Health Affairs, Dr. Ralph Snyderman**

5 min.

Dr. Ralph Snyderman, Duke University's Chancellor for Health Affairs, will step down at the end of June, following 15 years as the University's senior medical official.

As Chancellor for Health Affairs, Snyderman also served as the President and Chief Executive Officer of the Duke University Health System (DUHS). He plans to take a one-year sabbatical and then return to Duke to continue working on prospective health care and other crosscutting medical issues, as well as pursue teaching and research.

COUNTY MANAGER'S RECOMMENDATION: A community farewell has been planned on May 17 for Dr. Snyderman. The Chairman will present this resolution at that time along with sincere thanks for his extraordinary accomplishments at Duke University Health System.

5a. **Proclamation for 50<sup>th</sup> Anniversary of Brown v. Board of Education**

5 min.

On Sunday, May 16, the City and County of Durham will observe the 50<sup>th</sup> Anniversary of the historic Brown v. Board of Education decision. The program is entitled, "The Unfinished Business of Brown v. Board of Education: Looking Back, Moving Forward in Durham" and will be held from 3:00 p.m. until 5:00 p.m. at the Durham School of the Arts Weaver Auditorium. The free event will include the premiere of a testimonial video, a panel discussion, and a reception. A proclamation has been prepared as part of the observance.

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board approve the proclamation and include it in the commemoration on Sunday, May 16.

6. **Report on Triangle United Way's 211 Call Service Center**

10 min.

In August 2001, Triangle United Way launched its 211 information and referral service. United Way 211 is a single source for information about community services and for referrals to health and human service programs. This service operates throughout most of the Triangle (Chatham, Durham, Orange, and Wake Counties), 24 hours a day, 365 days a year. Bilingual services are available Monday through Friday from 9:30 a.m. - 6:00 p.m. Staff members are nationally certified as Information and Referral staff and are nationally accredited. These professional caseworkers help callers with complex issues such as substance abuse, support groups, domestic violence, financial assistance, day care, and much more.

Now that the 211 service has been operating for a few years, a status update and report on services will be presented.

RESOURCE PERSON(S): Susan King-Cope, Vice President of United Way 211

COUNTY MANAGER'S RECOMMENDATION: The County Manager's recommendation is for the Board to receive the presentation.

7. **Consent Agenda** 20 min.

- a. Budget Ordinance Amendment Number 04BCC000069?Social Services?Durham?s Alliance For Child Care Access (DACCA) (approve the budget ordinance amendment to decrease the adopted budget by \$9,956);
- b. Budget Ordinance Amendment No. 04BCC000070?General Services?To Fund Increased Cost of Solid Waste Services (approve the budget ordinance amendment for \$70,000 from General Government to Environmental Protection);
- c. Contract Amendment for Brown-Ferris Industries (BFI) for Solid Waste Services (approve the amendment to increase the contract amount by \$90,000, resulting in an amended contract that will not exceed \$350,155.92);
- d. Standard Non-Reimbursable Utility Contracts for the Extension of the County Sanitary Sewer System (authorize the County Manager to execute the Utility Contracts for Bradbury Trace Subdivision, Bradbury Glen Subdivision, Erwin Property?Phase I, Wood Chapel Subdivision, and Fairfield Subdivision?Phase 4B);
- e. Approval of Construction Contract for the Renovation of the Operation Breakthrough Child Development Center (formerly YMCA Daycare Center) (Project No: DC081-56; Bid No: IFB 04-024) (authorize execution of contract with Riggs-Harrod Builders Inc. for \$326,950 for the renovation and authorize execution of any change orders or related contracts, if necessary, not to exceed a project cost \$336,899);

f. Sublease for 501 Willard Street to Telecare Mental Health Services of North Carolina Inc.

(approve the sublease of approximately 300 square feet of leased space and authorize the Manager to execute the proposed sublease agreement);

g. Conveyance of 1123 Jackson Street (Surplus Property) to the City of Durham (approve the conveyance of 1123 Jackson Street (PIN #0821-10-47-2168) by Non-Warranty Deed to the City of Durham on the condition that the outstanding judgment **for \$3,427.63** on the property is first satisfied);

h. Durham County Stormwater Management Program?Fee Schedule for Buffer Determinations in the Cape Fear River Basin (approve the fee schedule effective May 10, 2004 as recommended);

i. Durham Public Schools First Refusal to Purchase Five Acres of the Carrington Middle School Property (exercise right of first refusal and purchase five acres of the Carrington Middle School property for \$125,000 for use as a branch library site);

j. Adoption of Capital Project Ordinance for Two-Thirds and General Obligation Bond Projects (approve the capital project ordinance authorizing setting up the capital project budget appropriations necessary);

**k. Relocation of the Welcome Baby Program to the County Agricultural Building (authorize staff to: A) consolidate the Welcome Baby Program into the newly renovated Agricultural Building, B) negotiate with USDA to reduce its space requirements in the Agricultural Building to accommodate Welcome Baby, and; C) negotiate with Shoppe?s of Lakewood to extend the County?s lease through August 30, 2004; and**

**l. Adoption of the FY 2004-2005 Consolidated Action Plan (adopt the Consolidated Action Plan, such that the plan may be submitted to HUD by May 14, 2004).**

8. **Public Hearing?Plan Amendment A03-12 Triangle Metro Center South**

20 min.

Hold a public hearing, receive public comment on A03-12 amending the Triangle Township Plan, and adopt a resolution amending the Plan.

Planning Department Recommendation - Approval

Planning Commission Recommendation ? Approval (10/22/03 ? 8 to 4)

RESOURCE PERSON(S): Frank M. Duke, Planning Director

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board conduct a public hearing and, if appropriate based on the comments received, approve Plan Amendment A03-12.

**9. Public Hearing?Plan Amendment A03-13 Triangle Metro Center West**

20 min.

Hold a public hearing, receive public comment on A03-13 amending the Triangle Township Plan, and adopt a resolution amending the Plan.

Planning Department Recommendation - Approval

Planning Commission Recommendation ? Approval (10/22/03 ? 8 to 4)

RESOURCE PERSON(S): Frank M. Duke, Planning Director

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that the Board conduct a public hearing and, if appropriate based on the comments received, approve Plan Amendment A03-13.

**10. Public Hearing Regarding the Amendment of the Durham County Animal Ordinance**

15 min.

The Board is requested to hold a public hearing to consider proposed changes to Chapter 4 of the Durham County Code of Ordinances, entitled "Animals", which regulates the keeping of animals within the County and establishes the general administration of Durham County Animal Control. The Ordinance was last amended in 2001. This year, significant changes are proposed to increase fees and penalties, to prohibit certain dangerous animals from being kept in the County, and to clarify or reflect the current manner in which the County administers the Animal Control program. An Ordinance Review Committee, consisting of Cindy Bailey, Carol Hammett, Susan Teer, Mike Turner, and Kim Willis, met over the past 18 months reviewing and revising the ordinance. The proposed changes were submitted to the Advisory Committee on March 23, 2004, which unanimously approved the changes and recommends them to the Board for approval.

If the Board chooses to enact the Ordinance, the amendments shall become effective immediately.

RESOURCE PERSON(S): Mike Turner, General Services Director; Cindy Bailey, Animal Control Administrator; and Carol W. Hammett, Assistant County Attorney

COUNTY MANAGER'S RECOMMENDATION: Hold the public hearing and based upon public comment, enact the proposed Ordinance Amending Chapter 4 of the Durham County Code of Ordinances.

**11. Approve Offer to Purchase and Contract for 2.23 acres of Land Located at 3600 Shannon Road for Expanding the Southwest Library**

10 min.

The Board is requested to approve and offer to purchase approximately 2.23 acres of land adjacent to the Southwest Library located at 3600 Shannon Road for \$585,000. The acquisition of the property is for the express purpose of expanding the Southwest Library from 10,000 to 20,000 square ft. This expansion was approved by the voters in the 2001 Bond referendum.

RESOURCE PERSON(S): Wendell M. Davis, Deputy County Manager, and Philip Cherry, Library Director

COUNTY MANAGER'S RECOMMENDATION:Authorize the County Manager to approve the Offer to

Purchase and Contract for 2.23 acres of land from the Watsons, located at 3600 Shannon Road, for expanding the Southwest Library. The purchase price for the property is \$585,000 and is subject to the conditions of the contract. Staff should be further directed (as requested by Mrs. Watson) to forward the contract to the appointed legal counsel for execution.

## 12. Consulting Firms for Departmental Personnel Audits

15 min.

The County Manager was directed on April 26, 2004 "to bring this board a list of professional personnel consultants who will be able to do a complete audit of our personnel activity in our human services departments and any other department that we deem necessary."

RESOURCE PERSON(S): Mike Ruffin, County Manager

COUNTY MANAGER'S RECOMMENDATION: The Manager recommends that a Request for Proposal (RFP) be prepared and distributed to qualified consulting firms that have no previous business relationship with Durham County Government.

## 13. Board Appointments?Durham Convention and Visitors Bureau and the Durham County Hospital Corporation Board of Trustees

10 min.

Garry E. Umstead, CMC, Clerk to the Board, will distribute ballots to make appointments to the Durham Convention and Visitors Bureau and the Durham County Hospital Corporation Board of Trustees.

RESOURCE PERSON(S): Garry E. Umstead, CMC, Clerk to the Board

COUNTY MANAGER'S RECOMMENDATION: The County Manager recommends that the Board vote to appoint members to the above-mentioned boards.

## 14. Closed Session

30 min.

**The Board of Commissioners is requested to adjourn to closed session to consider the competence, performance, or fitness of a public officer or employee pursuant to G.S. § 143-318.11(a)(6).**

3 hrs.

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Last updated: July 23, 2006

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