

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

Monday, August 26, 2002

7:00 P.M. Regular Session

**POST AGENDA**

1. **Opening of Regular Session**?Pledge of Allegiance
2. **Agenda Adjustments**
3. **Minutes**
  - a. a. June 10, 2002 Budget Worksession
  - b. b. June 19, 2002 Budget Worksession

*Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to approve the June 10 and June 19, 2002 Budget Worksession Minutes of the Board as submitted.*

*The motion carried unanimously.*

4. **August/September Anchor Award Winners**?Jason Gainey and Eric Carpenter

Jason Gainey and Eric Carpenter, Durham County Deputy Sheriffs, are the winners of August and September Anchor Awards, respectively. In the nomination letter, Major Mike Andrews detailed their persistence in locating and rescuing a three-year-old child who was an innocent victim of an assault case. Without the two deputies and others, the child might have suffocated or died from the extreme heat in the attic of the home where she was eventually located. Their actions reflected their extraordinary professionalism and strong commitment to serving the citizens of Durham County.

County Manager's Recommendation: Present the Anchor Awards to Deputies Jason Gainey and Eric Carpenter, along with the sincere congratulations of the entire organization.

5. **Proclamation for National Family Day**?A Day to Eat Dinner With Your Children

Chairman Black has been asked to proclaim Monday, September 23, 2002 as "National Family Day?A Day to Eat Dinner With Your Children." Communities throughout the nation are observing this day as a way to reaffirm the importance of the family in reducing the likelihood of young people becoming involved in illegal drug use, underage drinking, and smoking. A local committee is planning several activities.

Resource Person(s): Paul Savery, The Durham Center

County Manager's Recommendation: The County Manager recommends that the Board approve the proclamation and present to Mr. Savery.

6. **Proclamation to Memorialize the Men, Women, and Children who lost Their Lives on September 11, 2001**

Mr. Les Dasche has requested that the Durham Board of County Commissioners adopt a proclamation to memorialize the men, women, and children, who lost their lives in the September 11, 2001 tragedy.

Resource Person(s): Les Dasche, Commander, American Legion, Post No. 7

County Manager's Recommendation: The Manager's recommendation is that the Board adopt the proclamation.

## 7. **Consent Agenda**

- a. a. Budget Ordinance Amendment No. 03BCC000002?Department of Social Services (DSS) Request to Accept Additional Revenue (approve Budget Ordinance Amendment No. 03BCC000002 accepting additional revenue in the current budget for Social Services);
- b. b. Property Tax Releases and Refunds for Fiscal Year 02-03 (accept the property tax release and refund report as presented and authorize the Tax Assessor to adjust the tax records as outlined by the report. These are normal recurring releases and refunds that are presented for the consent agenda.);
- c. c. Offer to Purchase County Property (1015 Fairview Street) (pursue the upset bid process at this time. A resolution to offer the property in an "upset bid" sale is included in this package. The Board has the authority to accept or reject any offer at the conclusion of the upset bid process);
- d. d. Final Offer to Purchase County Property (2705 Crest Street, Unit #4?Building #2) (approve the offer of \$13,002 submitted by Ms. Lynn Stover for the above-referenced condominium unit, and prepare a non-warranty deed for the Chairman's signature. This action is consistent with the Board's policy of recovering the County's investment and returns the property to the tax rolls);
- e. e. Lease Agreement (508 Gordon Street) (authorize the execution of this lease in accordance with the agreement);
- f. f. Benefit Renewal (enter into contracts with the vendors recommended by Human Resources);
- g. g. Resolution Designating Jeffrey L. Batten as Agent for Grant (adopt the resolution to appoint Jeffrey L. Batten as the Governor's authorized representative); and
- h. Personnel Ordinance Amendment (adopt the ordinance amendment in order for the redrafting of the Interlocal to continue).

***Vice-Chairman Reckhow moved, seconded by Commissioner Bowser, to approve the consent agenda item No. 7(a) through 7(h).***

***The motion carried unanimously.***

## 8. **Communication Tower Consultant Status Report**

The Board is requested to receive the report on the status of the consultant work being done on the Communication Tower Siting Study.

Resource Person(s): Frank M. Duke, Planning Director

County Manager's Recommendation: The Manager's recommendation is that the Board receive the report.

***Commissioner Heron moved, seconded by Vice-Chairman Reckhow, to authorize the City and County Managers to negotiate and enter into contracts in a cumulative amount not to exceed \$60,000.***

***The motion carried unanimously.***

9. **Public Hearing?Re-Enacting a Six-Month Moratorium on New Telecommunication Tower Applications**

The Board is requested to adopt an ordinance to re-enact a six-month moratorium on consideration of applications on all new towers allowed by right or by use permit, and all towers replacing nonconforming towers. Applications received prior to the start of the re-enactment of the moratorium can be processed provided the applicant can show to the satisfaction of staff that no interference with emergency communications or governmental dispatch capabilities will result.

Planning Staff recommends approval.

Resource Person(s): Frank M. Duke, Planning Director

County Manager's Recommendation: The Manager's recommendation is that the Board hold the public hearing and adopt the ordinance, if appropriate, based on public comment.

***Vice-Chairman Reckhow moved, seconded by Commissioner Heron, to adopt the ordinance.***

***The motion carried unanimously.***

10. **Public Hearing?Mental Health Governance**

The Board of Commissioners is requested to hold a public hearing to consider the future governance of mental health, developmental disabilities, and substance abuse services in Durham County. An area authority is currently providing these services. The Board will receive comments on the services continuing to be provided by an area authority or the provision of these services by a county program.

Resource Person(s): S. C. Kitchen, County Attorney

County Manager's Recommendation: Receive the information from the public hearing for action at a future meeting.

***Discussion to continue at the August 29, 2002 Worksession.***

11. **American Tobacco Business Deal Points Signing Ceremony (8:30 P.M.)**

Representatives from the City of Durham and Capitol Broadcasting Corporation (CBC) will join the Durham County Board of Commissioners in the Commissioners' Chambers at 8:30 p.m. to formally sign the recently approved "Business Deal Points" for the American Tobacco Project. CBC plans to broadcast the ceremony on Time Warner's Digital Channel 256 and has planned some special effects over at the American Tobacco Project to highlight the event.

Resource Person(s): Mike Ruffin, County Manager, and Mike Hill, Capitol Broadcasting Corporation